**Issue I-2025** **ISSN 2039-0416**

# PROTECTING THE BEAUTY OF THE GAME: TOWARDS A SAFEGUARDING CULTURE

**Stefano Bastianon and Michele Colucci (eds.)**

M.C. Asselin – E. Austin – S. Bastianon – C. Bechtel – S. Bock – C. Carrannante – M. Colucci – J. Cook – K. Craig – A. Deliberato – F. De Keyzer – C. Dudognon – N. Flutti – K. Gatterer – H. Hinton – E. Isidori – J. Lamboy – M. Leonard – G. McKenna – A. McLin – J.M. Meirim – H. Nemchik – M. Nolte – C. Pérez-González – J. Perrill – E. Prior – A. Quigley – D. J.A. Rhind – M. Rivera – J.A. Rivers-Cochran – V. Roberts – L. Rothauer – S. Smith – J. Soublière – T.C. Sousa de Figueiredo – M. Uva – C. Villa

2025

ISBN 978-88-943373-8-9

**Director and founding editor:**
Michele Colucci (Sports Law and Policy Centre – Bulletin)

**Assistant to the Director:**
Antonella Frattini

**Editorial Office:**
Sports Law and Policy Centre Srls
Via Giovanni Pascoli, 54
84014 Nocera Inferiore, Salerno, Italy
Fax +39 0692912678
CF/P.IVA 05283020658
Web site: www.sportslawandpolicycentre.com
E-mail: info@sportslawandpolicycentre.com

**TABLE OF CONTENTS**

NOTE ON THE AUTHORS ..... 9

ACKNOWLEDGEMENTS ..... 13

INTRODUCTION ..... 15

EXECUTIVE SUMMARY
TOWARDS A CULTURE OF SAFEGUARDING: COMPARATIVE INSIGHTS AND THE ROAD AHEAD
by *Stefano Bastianon* and *Michele Colucci* ..... 17

PART I

*THE GLOBAL DIMENSION OF SAFEGUARDING*

ABUSE IN SPORT AND SAFEGUARDING POLICIES: AN INTERNATIONAL AND EUROPEAN OVERVIEW
by *Stefano Bastianon* and *Michele Colucci* ..... 41

THE IOC SAFEGUARDING POLICY
by *Stefano Bastianon* and *Michele Colucci* ..... 61

FIBA (International Basketball Federation)
SAFE COURTS: FIBA'S COMMITMENT TO SAFEGUARDING IN BASKETBALL
by *Jaime Lamboy* ..... 77

FIFA Foundation
THE SAFE FOOTBALL SUPPORT UNIT, FIFA FOUNDATION
by *Joyce Cook* and *Alex McLin* ..... 99

FIG (International Gymnastic Federation) and GEF (Gymnastics Ethics Foundation)
THE INTERNATIONAL GYMNASTICS FEDERATION AND SAFEGUARDING
by *Carola Carrannante* ..... 107

FIVB (International Volleyball Federation)
FIVB AND SAFEGUARDING: TRANSFORMING VOLLEYBALL INTO A SAFE SPORT
by *Stephen Bock* and *Alessandra Deliberato* …..... 119

IBU (International Biathlon Union) and BIU (Biathlon Integrity Unit Union)
INTERNATIONAL BIATHLON UNION AND BIATHLON INTEGRITY UNIT AND SAFEGUARDING
by *Greg McKenna*, *Lucie Rothauer* and *Katharina Gatterer* ..... 135

UEFA (Union of European Football Associations)
UEFA SOCIAL AND ENVIRONMENTAL SUSTAINABILITY: THE CHILD AND YOUTH PROTECTION POLICY
by *Nicoletta Flutti* and *Michele Uva* …..... 153

WORLD RUGBY
WORLD RUGBY AND SAFEGUARDING
by *Stephan Smith* …..... 169

PART II

*THE NATIONAL APPROACH TO SAFEGUARDING*

SAFE SPORT IN AUSTRALIA
by *Alison Quigley* and *Victoria Roberts* …..... 185

SAFE SPORT IN BELGIUM
by *Frea De Keyzer* …..... 211

SAFE SPORT IN CANADA
by *Janie Soublière* and *Marie Claude Asselin* …..... 229

SAFE SPORT IN FRANCE
by *Charles Dudognon* …..... 249

SAFE SPORT IN GERMANY
by *Caroline Bechtel* and *Martin Nolte* …..... 265

SAFE SPORT IN ITALY
by *Stefano Bastianon* and *Michele Colucci* ..... 281

SAFE SPORT IN PORTUGAL
by *José Manuel Meirim* …..... 301

SAFE SPORT IN SPAIN
by *Carmen Pérez González* …..... 317

SAFE SPORT IN THE UNITED KINGDOM
by *Kat Craig* and *Claudia Villa* …..... 335

SAFE SPORT IN THE UNITED STATES OF AMERICA
by *Hannah Hinton*, *Hilary Nemchik*, *Jessica Perrill*, and *Monica Rivera* 361

PART III

*TOWARDS A MORE CULTURAL ORIENTED SAFEGUARDING POLICY*

CREATING A PSYCHOLOGICAL SAFETY NET: THE IMPORTANCE OF PSYCHOLOGICAL SAFETY FOR SAFEGUARDING AND MENTAL HEALTH
by *Erin Prior*, *Thayz Carina Sousa de Figueiredo*, *Daniel J. A. Rhind* 383

SAFEGUARDING IN SPORT: TOWARDS A PEDAGOGY OF PREVENTION, PROTECTION, AND EMPOWERMENT
by *Emanuele Isidori* …..... 395

ORGANIZATIONAL POLICIES AND PROCEDURES
by *Marcella Leonard* …..... 411

NOTHING ABOUT US, WITHOUT US – ATHLETE-SURVIVOR VOICE IS PARAMOUNT TO MAKING SPORT SAFER
by *Julie Ann Rivers-Cochran* and *Emily Austin* …..... 429

## NOTE ON THE AUTHORS

**Marie Claude Asselin** is an early advocate in the safe sport movement in Canada and served as the CEO of the *Sport Dispute Resolution Centre of Canada* (SDRCC) for over 18 years.

**Emily Austin**, is a Senior Policy and Advocacy Specialist at The Army of Survivors. She is also the Founder and President of Pivot Advocacy, P.C.

**Stefano Bastianon** is a Full Professor of European Union Law at the University of Bergamo (Italy) and CAS Arbitrator.

**Caroline Bechtel** is a scientific assistant and the Deputy Head of the Institute for Sports Law at the German Sport University Cologne as well as Director of the Society for Responsibility and Integrity in Sport.

**Stephen Bock** is the Head of Legal and General Counsel at the FIVB and Chair of the Association of Summer Olympic International Federation's Legal Consultative Group.

**Carola Carrannante** is the Regulatory Counsel for the Gymnastics Ethics Foundation.

**Michele Colucci** is co-founder and Honorary President of the Italian Association of Sports Lawyers, Editor of the International Encyclopaedia of Sports Law.

**Joyce Cook** is the Chair, Independent Panel, Safe Football Support Unit, FIFA Foundation.

**Kat Craig** is the CEO of Athlead and a leading human rights lawyer and internationally recognised expert in safeguarding, athlete welfare, and survivor-centred remedy mechanisms.

**Alessandra Deliberato** is the Senior Legal Counsel at the FIVB and a Brazilian attorney-at-law.

**FREA DE KEYZER** is a Belgian lawyer, a postdoc at KU Leuven and a member of the RBFA's Disciplinary Council and National Chamber against Racism and Discrimination.

**CHARLES DUDOGNON** is a Professor of Law at the University of Limoges (France), Director of the CDES research centre and publications department (OMIJ-CDES), CAS Mediator and member of the Arbitration Chamber of CNOSF.

**NICOLETTA FLUTTI** is a Social & Environmental Sustainability Expert at UEFA.

**KATHARINA GATTERER** is the Biathlon Integrity Unit's Safeguarding and Education Officer.

**HANNAH HINTON** is Vice President of Organizational Development & Compliance at the U.S. Center for SafeSport, leading safeguarding policy implementation across sports nationwide.

**EMANUELE ISIDORI** is Full Professor in General, Social, and Sport Pedagogy at the University of Rome "Foro Italico", Italy.

**JAIME LAMBOY** is Attorney at Law (Puerto Rico) and the Head of Legal Affairs at FIBA.

**MARCELLA LEONARD** is the Director of Leonard Consultancy & Associates, Chair of the Safeguarding Sport Strategic Group for Northern Ireland and Safe Sport International Associate.

**GREG MCKENNA** is the Head of the Biathlon Integrity Unit and is a former Senior Law Enforcement Officer from the UK.

**ALEX MCLIN** is the Unit Lead, Safe Football Support Unit, FIFA Foundation, an attorney-at-law (New York) and an arbitrator at the Court of Arbitration for Sport.

**JOSÉ MANUEL MEIRIM** is guest lecturer in Sports Law at the Lisbon School (Catholic University), Member of the Appeal Body of Euroleague Basketball, and Scientific Director of the *Revista de Direito do Desporto*.

**HILARY NEMCHIK** is Vice President of External Affairs at the U.S. Center for SafeSport, leading communications, government relations, and athlete engagement.

**MARTIN NOLTE** is a Full Professor and the Head of the Institute for Sports Law at the German Sport University Cologne as well as Director of the Society for Responsibility and Integrity in Sport.

**Carmen Pérez-González** is a Full Professor of Public international law at Universidad Carlos III de Madrid (UC3M). She is the holder of the UNESCO Chair ELIS.

**Jessica Perrill** is Vice President & General Counsel at the U.S. Center for SafeSport, leading the legal strategy and thorough investigation and resolution of misconduct complaints.

**Erin Prior** is a Lecturer in Psychology at Loughborough University (UK) and a practicing sport psychologist.

**Alison Quigley** is a Doctoral Researcher on child safe policies in Australian gymnastics, co-founder of Athlete Rights Australia, and a sport sector representative on the National Strategy Advisory Group, National Office for Child Safety, Federal Attorney-General's Department.

**Daniel J.A. Rhind** is a Professor of Safeguarding at Loughborough University (UK) and a member of Safe Sport International's Research Group.

**Monica Rivera** is Vice President of Research & Education at the U.S. Center for SafeSport, leading data-driven, theory-informed, and accessible abuse prevention efforts.

**Julie Ann Rivers-Cochran** is Executive Director of The Army of Survivors and chairs the Athlete Voice for Safe Sport Group within SafeSport International's Advisory Committee.

**Victoria Roberts** is an Australian Olympian and Lecturer in Management at the University of Melbourne.

**Lucie Rothauer** is the Prevention Manager at the Biathlon Integrity Unit.

**Stephan Smith** is a Solicitor–Advocate and Senior Counsel at World Rugby, (Independent) Disciplinary & Ethics Prosecutor for FIFA and Judicial Chair for Safeguarding and Disciplinary cases for England Boxing.

**Janie Soublière** is the Principal at Soublière Sport Law, SDRCC arbitrator (on *inter alia* the Safeguarding Tribunal and Safeguarding Appeal Tribunal lists), and CAS arbitrator.

**Thayz C. Sousa de Figueiredo** is a Doctoral Researcher at Loughborough University (UK) and a sport psychologist for the Brazilian National Sport Climbing Team.

**MICHELE UVA** is the UEFA Executive Director for S&E Sustainability and UEFA Officials Delegate for EURO 2032.

**CLAUDIA VILLA** is Director of Claudia Villa Consultancy and an international safeguarding specialist working at the intersection of sport, child and adult protection, and human rights.

*To the beauty of sport and those who protect it,*
*to the athletes, to the voices that speak for safety,*
*and to those who cannot.*

## ACKNOWLEDGEMENTS

This book has been written with care and with a sense of responsibility towards all those who dedicate themselves to safeguarding the integrity of sport and the well-being of everyone connected to it.

The editors wish to express their deepest gratitude to all the authors for their invaluable contributions, thoughtful analyses, and commitment to advancing safeguarding in sport. Their expertise, drawn from diverse legal, academic, institutional, and practical backgrounds, has enriched this work immeasurably.

We are equally grateful to the organisations and institutions represented in these pages – including international sport federations, universities, safeguarding units, and advocacy groups – for supporting the engagement of their professionals in this collaborative effort.

Special thanks are extended to survivors, athletes, and safeguarding practitioners whose experiences and insights inspire the continuing development of safer, more inclusive sporting environments worldwide.

We also warmly thank the publisher, the Sports Law and Policy Centre, for its support and for agreeing to make this book immediately available online in open access, ensuring free and worldwide accessibility.

A very special acknowledgement goes to Antonella Frattini, whose incredible dedication and tireless work on the proofs and finalisation of the book were indispensable to bringing this project to completion.

We are also grateful to those colleagues and sports stakeholders who were unable to contribute to this edition, but whom we very much hope to include in future ones.

Finally, we acknowledge the families, colleagues, and friends who, often behind the scenes, made possible the time, energy, and commitment required for the preparation of this book.

Bergamo – Brussels, 31 August 2025

*Stefano Bastianon* *Michele Colucci*

# INTRODUCTION

Sport is a universally cherished activity that unites people across cultures, fostering physical and mental development, teaching life skills, and building communities. However, the growing global popularity of sport has brought an urgent need to protect participants, particularly vulnerable athletes, from risks such as physical harm, psychological abuse, and exploitation.

Safeguarding in sport has emerged as a critical issue, demanding more than policies and regulations – it requires a cultural transformation. A true "culture of safeguarding" prioritizes athletes' well-being and protection as much as performance and victory. This shift involves viewing athletes as individuals with rights and dignity, moving away from harmful traditions like unchecked power dynamics and the "win-at-all-costs" mentality. It also requires education, training, and the commitment of all stakeholders to make safeguarding a core value within the sporting ecosystem.

This book aims at providing a comprehensive, international, and comparative analysis of safeguarding in sport. By examining key organizations, including the International Olympic Committee (IOC), International Federations (IFs), and national Federations (NFs), it explores the strategies and frameworks designed to protect athletes and foster a safer sporting environment worldwide.

This book is divided in three parts.

*Part I* examines the IOC's approach to safeguarding, emphasizing its evolving consensus statements and strategic initiatives. It explores how the IOC's policies align with broader international trends and its pivotal role in setting standards within the Olympic movement.

Additionally, this section analyzes the safeguarding strategies of key International Federations, offering a detailed review of their policies and programs. By highlighting each organization's unique challenges and innovations, it showcases the diverse safeguarding measures across various sports and federations, as well as the ongoing efforts to protect athletes at every level.

*Part II* shifts the focus to the national level, providing a comparative analysis of safeguarding rules and practices. This chapter examines the implementation measures, the challenges faced in applying international standards, and the local adaptations made to suit specific cultural, legal, and organizational contexts.

*Part III* explores the principles of an ideal and effective safeguarding policy, designed to comprehensively address the protection of individuals – particularly vulnerable populations – from abuse, violence and discromination. This policy should integrate psychological, organizational, and cultural components to ensure a robust and holistic protection.

This book aims to offer a broad, yet detailed perspective on the state of safeguarding in sport, providing valuable lessons, comparisons, and insights for policymakers, sports administrators, coaches, and athletes themselves.

By looking at these various approaches, the Authors hope to contribute to the ongoing global debate about how to better protect those who dedicate their time and energy to the pursuit of sport, ensuring that sport remains a safe, positive, and empowering experience for all people involved.

Bergamo – Bruxelles, 31 August 2025

*Stefano Bastianon* *Michele Colucci*

# EXECUTIVE SUMMARY

# TOWARDS A CULTURE OF SAFEGUARDING: COMPARATIVE INSIGHTS AND THE ROAD AHEAD

by *Stefano Bastianon*[*] and *Michele Colucci*[**]

## *1. Introduction: Safeguarding as a Cultural Imperative*

In recent years, safeguarding in sport has emerged as far more than a matter of procedural compliance or risk management. Across jurisdictions and international federations, it has become increasingly clear that effective safeguarding demands a deep-seated cultural transformation.

Rather than being treated as an external requirement to be fulfilled, safeguarding must be embraced as a moral, institutional, and cultural commitment – one that defines the ethical essence and legitimacy of sport.

It is now widely understood as a multidimensional process, encompassing legal obligations, normative development, and survivor-centred and trauma-informed practices from the inception of creating safeguarding entities to the practice of investigations and accountability.

Despite growing global awareness and the proliferation of national and international initiatives, there has been, to date, no comprehensive comparative analysis of safeguarding in sport across countries and sport governing bodies.

The present volume represents the first—albeit necessarily partial – endeavour to delineate a comprehensive picture of the current state of safeguarding policies and practices. It assembles contributions addressing ten national systems alongside analyses of some among the most influential international sport federations. While the findings outlined here are not exhaustive, they offer a crucial

[*] Stefano Bastianon is a Full Professor of European Union Law at the University of Bergamo (Italy), CAS Arbitrator and member of the "Collegio di Garanzia dello Sport del CONI" (Italian highest Sports Court of the Italian Olympic Committee). He is an Attorney-at-law and co-founder of the Law Firm Bastianon-Garavaglia in Busto Arsizio (Italy). He is a member of the Steering Committee of the *Rivista di Diritto Sportivo* and of the Scientific Committee of the *Rivista di Diritto ed Economia dello Sport*, of which he is also Scientific Co-Director. The views presented in this article are solely those of the author and do not reflect the position of any affiliated institution.
[**] Michele Colucci is co-founder and Honorary President of the Italian Association of Sports Lawyers (AIAS) and editor of the *International Encyclopaedia of Sports Law*. The views expressed in this article are solely those of the author and do not reflect the position of any affiliated institution and association.

foundation for future research, practical innovation, and policy development in this critical area. This book represents a moment in time in the development of safeguarding in sport, the expectation being that both this publication and safeguarding practices will continue to adapt and develop beyond these initial iterations.

This chapter draws upon the diverse contributions collected in this volume to offer a comparative analysis of safeguarding systems, highlighting convergences, divergences, best practices as well as gaps and shortcomings across national and transnational contexts. Several additional international federations were invited to take part in this collective endeavour; although responses were not received in time for inclusion, it is hoped that future editions will provide an opportunity to further broaden this dialogue and to foster deeper engagement and mutual learning across the global sporting community.

## 2. *Core Values and Principles for Effective Safeguarding Practice and Policies*

Across international sport, effective safeguarding practice and policies are grounded in a set of shared values and principles that provide both their credibility and long-term sustainability.

At the heart of these systems lie **integrity**, **independence**, **impartiality**, **accountability**, **transparency**, **accessibility and inclusivity**, **confidentiality**, **prevention**, **proportionality and lifelong learning** – fundamental values that ensure safeguarding mechanisms are both ethically robust and procedurally reliable.

**Integrity** requires consistency between stated commitments and actual practice, as illustrated by the IOC's work in embedding safeguarding into its Olympic Movement Code.

**Independence** and **impartiality** protect safeguarding processes from conflicts of interest or undue influence, a challenge faced by all sports associations.

**Accountability** guarantees that responsibilities are clearly allocated and enforceable while **transparency** fosters trust by making rules, procedures, and outcomes visible and understandable, as emphasized in the **FIBA** Safeguarding Policy.

Equally essential are principles that place the experience and wellbeing of those at risk at the centre of safeguarding design. A **survivor-centred and trauma-informed approach** ensures that policies and practices minimise harm, respect dignity, and avoid re-traumatisation, echoing the lessons emerging from U.S. Center for SafeSport experience and reforms undertaken in countries such as **Australia**.

**Accessibility** and **inclusivity** demand that safeguarding mechanisms are available across languages, cultures, abilities, and digital divides, a challenge that international federations such as **FIVB**, and **UEFA** have begun to address through multilingual resources and global outreach.

**Confidentiality**, carefully balanced with a duty to act, strengthens trust in reporting processes, while meaningful participation of athletes, survivors, and other stakeholders – increasingly visible in national safeguarding frameworks in Europe and in international federations like **FIBA** – ensures that safeguarding frameworks reflect lived realities rather than abstract norms.

Finally, effective safeguarding systems must also embody **prevention**, **proportionality**, and **lifelong**. Effective prevention rests on education, awareness-raising, and structured risk management. Initiatives such as **UEFA**'s *Child Safeguarding Policy* and **FIBA**'s *SPOC training course* exemplify how safeguarding can be systematically embedded into daily operations, moving beyond reactive measures to proactive **cultural integration**.

**Proportionality** guarantees that responses are fair, rights-based, and legally sound, while a culture of **lifelong learning**, reflection, and alignment with evolving international standards allows safeguarding regimes – from **IOC** *capacity-building tools* to *UEFA-safeguarding.eu digital platform* – to adapt to new risks and emerging best practices.

Taken together, these values and foundational principles provide the basis for individual safeguarding policies while simultaneously anchoring a broader cultural transformation within sport. Central to this transformation is the creation of a **safeguarding culture**, one that establishes trust, legitimacy, and effectiveness across all levels of the sporting system. In this way, safeguarding is positioned not merely as a matter of regulatory compliance but as a **collective and enduring commitment** embraced by the global sporting community.

## *3. Governance and Legal Frameworks: Comparative Approaches*

The anchoring of safeguarding in institutional and legal frameworks varies considerably across jurisdictions and is in an ongoing state of development.

In the **United States**, the *U.S. Center for SafeSport* (USCSS) stands as the first centralized system designed to intervene, investigate, and prevent abuse across Olympic and Paralympic sports. Established by federal law through the Safe Sport Authorization Act of 2017 and expanded under the Empowering Olympic and Paralympic Amateur Athletes Act of 2020, the Center holds statutory authority to adjudicate safeguarding cases independently of sport governing bodies. It oversees compliance nationally, requiring annual audits of all 52 national sport organizations, and sets uniform safety standards across disciplines. While its rapid growth has brought organizational challenges, the Center's increasing emphasis on collaboration with stakeholders and survivor communities reflects a move toward more trauma-informed, athlete-centered reforms.

In **Canada**, safeguarding has been integrated into a contractually binding legal framework governed by the *Universal Code of Conduct to Prevent and Address Maltreatment in Sport* (UCCMS), first implemented under the supervision of the *Office of the Sport Integrity Commissioner* (OSIC) and now by the

*Canadian Centre for Ethics in Sport* (CCES). The CCES ensures procedural independence from the *Sport Dispute Resolution Centre of Canada* (SDRCC) which adjudicates cases by way of its Safeguarding Tribunal, thus creating a robust institutional structure.

**Germany**´s approach to safeguarding in sport is characterised by the shared responsibility between organised sport and the State. It reveals a dynamic and evolving normative system that seeks both to strengthen the self-regulation of organised sport and to enhance State authority and independent oversight. The adoption of the Safe Sport Code by organised sport combined with the projected establishment of the *Centre for Safe and Non-Violent Sport* by the federal government bear witness to these dynamic developments. Uniquely, organised sport in Germany also developed a "*Code for Reappraisal*" as a response to systemic abuse revelations, stands out as a model that merges symbolic acknowledgment and recognition of injustices with substantive structural reform.

The Code goes beyond standard compliance mechanisms by publicly recognising institutional failures of the past and making an explicit ethical commitment to confront them. It mandates not only a retrospective examination of abuse cases but also the establishment of independent commissions with the authority to investigate, analyse, and make recommendations on both past and present safeguarding practices. These commissions operate autonomously, include survivor representation, and aim to restore institutional credibility while centring the voices of those harmed. By integrating restorative principles with operational oversight, organised sport Germany has elevated safeguarding from a reactive compliance issue to a proactive, rights-based governance priority. This approach serves as an exemplary framework for other countries and sport bodies seeking to embed safeguarding into broader democratic and human rights infrastructures.

**Italy** and **Portugal** have institutionalised safeguarding through national legal mandates. Italy's recent sports reform legislation requires every federation and club to adopt safeguarding protocols and designate officers, supported by a national observatory. Similarly, Portugal's legislative framework mandates the integration of safeguarding roles within sport federations and creates avenues for inter-agency coordination.

In **Australia**, safeguarding is embedded within *Sport Integrity Australia* (SIA), a comprehensive integrity system supported by the National Integrity Framework. The structural complexity of Australian sport has been analysed through the *Biermann* model, which identifies fragmentation and proposes models of consolidation and coherence.

Countries such as **Belgium, France**, and **Spain** have made important strides in establishing safeguarding legislation at the national level.

In the case of **Spain,** this is grounded both in international obligations and in the Constitution. However, the implementation of these frameworks across regional and federated structures continues to present opportunities for greater coordination and coherence. Strengthening inter-institutional collaboration could

further enhance the effectiveness and consistency of safeguarding efforts within these jurisdictions.

At international level, sports associations, *in primis* the **IOC** and **UEFA,** have incorporated safeguarding into their foundational charters.

The **IOC** has institutionalised safeguarding through a global strategy that combines regulatory tools, education, and event-specific mechanisms. One of its flagship initiatives is the *IOC Safeguarding Officer in Sport Certifica*te, which sets a recognised international standard for safeguarding professionals and has been rolled out in collaboration with universities and global experts. The IOC has also published a series of resources, including model safeguarding policies and implementation checklists, tailored to National Olympic Committees, International Federations, and organising committees. During Olympic Games and Youth Olympic Games, the IOC deploys safeguarding officers on site, supported by a reporting framework and confidential referral systems to enable athlete protection in real time. Through the *Safe Sport Unit*, the IOC collects data, monitors implementation progress, and supports knowledge-sharing among its stakeholders. Importantly, it also promotes gender equality, youth empowerment, and athlete representation within its safeguarding efforts, and aims to embed safeguarding into the broader human rights and governance agenda of global sport.

**FIBA** has developed a safeguarding architecture formalised in 2022, combining legal obligations, internal policies, and operational tools. A key strength of FIBA lies in the combination of binding regulation – through its Statutes and Internal Regulations – and implementation tools, such as the FIBA Safeguarding Policy and the FIBA Safeguarding Council which ensure periodic review. The FIBA model, based on the principle of '*Whole Sport, Whole Organisation*', extends protection not only to underage athletes but to all participants and stakeholders in basketball, recognising that power imbalances can create risks in different contexts.

As for **UEFA**, its network of child safeguarding officers, supported by central oversight, represents an innovative model of decentralised and, at the same time, harmonised implementation.

The creation of a dedicated safeguarding officers in each national association is intended to facilitate the embedding of safeguarding across European football. These officers receive specialised training, benefit from shared standards and toolkits, and are integrated into a community of practice that encourages peer exchange and capacity building. UEFA has also implemented a central monitoring and evaluation mechanism that allows for continuous assessment of safeguarding practices, including at major events such as the UEFA European Championships and youth tournaments. The federation has published detailed guidelines, including the *UEFA Child Safeguarding Toolkit*, which outlines clear procedures, codes of conduct, and prevention strategies tailored to the specificities of football. Furthermore, UEFA has invested significantly in education through multilingual e-learning platforms and in-person workshops, ensuring that safeguarding reaches

grassroots actors as well as elite professionals. This multi-layered approach exemplifies how an international federation can take a leadership role in operationalising safeguarding with both consistency and flexibility across national and cultural contexts.

As detailed in this book, the creation of safeguarding systems has often stemmed from reaction to crisis and scandal. It remains critical for the further development of these legal frameworks to include survivors and those more impacted by abuse in sport, as well embracing principles of "do no harm", human rights, and trauma-informed practice. These frameworks should not be considered static, but instead tools for revision and evolution.

## *4. Policy Design and Substantive Content*

Safeguarding policies differ significantly in their level of clarity, enforceability, and sensitivity to the lived experiences of survivors. A comparative look at national systems and international federations reveals both high-performing frameworks and areas in need of regulatory refinement.

**Canada** and the **United States** offer particularly sophisticated examples of policy design.

**Canada**'s *Universal Code of Conduct to Prevent and Address Maltreatment in Sport* (UCCMS) is one of the most detailed and legally enforceable safeguarding instruments globally. It rigorously defines a wide range of maltreatment behaviours – physical, psychological, sexual, and neglect – and mandates a series of procedural guarantees such as mandatory reporting, case tracking, timelines, and appeals. The UCCMS is not a voluntary standard but a mandatory and contractually binding legal code for all federally funded sport organisations to adopt and implement, reinforcing its normative strength.

The policy framework is well developed, and there are valuable opportunities to further strengthen it by more fully integrating trauma-informed practice and amplifying the voices of athlete-survivors, particularly within national sports governing bodies.

The **United States** established *its SafeSport Code* in 2017, a comprehensive policy defining the U.S. Center for SafeSport's (USCSS) jurisdiction and authority as well as explicit and nuanced definitions of prohibited conduct and processes for the resolution of claims. Updated biennially, the Code increasingly reflects input from athletes, sport governing bodies, survivors, and other stakeholders. Complementing it is the *USCSS Minor Athlete Abuse Prevention Policies* (MAAPP), which regulate one-on-one adult-minor contact, electronic communications, travel and lodging, and other important considerations in the youth-athlete space. USCSS also implements a data-driven prevention strategy, grounded in theory, best practices, and trauma-informed approaches, which combines education with broader systemic reforms such as resource referrals and process-navigation support, and serves athletes, coaches, parents, healthcare professionals, disability specialists, and other stakeholders.

At national level, **Italy** and **Portugal** demonstrate how national legislative frameworks can be used to mandate the adoption of internal safeguarding policies across all recognised federations. In **Italy**, recent reforms adopted by both the government and the Italian Olympic Committee require each federation and sport association to have a safeguarding officer, a code of conduct, and a procedure for handling complaints.

**Portugal**'s system also mandates that federations align with safeguarding principles codified at the national level, with a dedicated observatory ensuring compliance. **Belgium** offers a comparable model, where the implementation of an integrity policy is part of the recognition and subsidization conditions for sport federations. These legal obligations have led to a standardisation of safeguarding practices across sports.

Important opportunities for further development remain. At international, continental, and national levels, a number of sport organisations still rely on generic ethics codes or disciplinary regulations. While these frameworks provide a foundation, they often do not fully capture the specificities of safeguarding concerns or reflect the value of survivor-centred and trauma-informed practices, nor do they always include robust monitoring mechanisms. Strengthening these instruments by clarifying what constitutes reportable misconduct and by offering staff and athletes accessible, user-friendly guidance would greatly enhance their effectiveness. In this way, policy tools can evolve from broad ethical commitments into practical mechanisms that are not only symbolic but genuinely protective.

At the level of international federations, **UEFA**'s safeguarding policy provides a detailed classification of safeguarding risks, assigns clear roles and responsibilities, and provides model procedures for incident management. Rather than functioning as a static document, the policy is embedded in a broader ecosystem of implementation tools, most notably the *UEFA Child Safeguarding Toolkit*, which equips associations and clubs with codes of conduct, checklists, and disclosure management guidance. Combined with UEFA's education and monitoring systems, this framework ensures that policy commitments are effectively translated into practice across European football.

The **FIG** and the **FIVB** have both undergone important reforms in response to past episodes of abuse. They have updated their safeguarding codes to include more precise definitions of misconduct, clearer procedures for reporting and investigation, and commitments to survivor-centred approaches. These revised frameworks mark a significant shift from reactive crisis management to proactive policy planning.

The **FIBA** Safeguarding Policy stands out for its terminological clarity and for its broad definition of protected persons ('Participants' and 'Basketball Parties'), going beyond the traditional focus on minors. The document is structured around four pillars – zero tolerance, education, identification of violations, and risk management – and integrates principles of institutional accountability. It is a dynamic framework, regularly reviewed with the support of the Safeguarding Council, which

allows FIBA to maintain alignment with international standards and to promote a trauma-informed and survivor-centred approach.

## 5. *Reporting Mechanisms and Investigatory Structures*

The credibility and effectiveness of safeguarding systems are intimately linked to the design and functioning of their reporting and investigatory mechanisms. These mechanisms must be accessible, independent, procedurally robust, and survivor-sensitive. Across the jurisdictions and organisations reviewed in this volume, a wide range of models emerges – some highly developed, others still evolving.

The **IOC** has implemented an event-specific safeguarding model, deploying trained safeguarding officers at Olympic and Youth Olympic Games. These officers operate under a pre-established reporting protocol and coordinate closely with local authorities, international federations and athlete support teams. The IOC has also created guidance for National Olympic Committees and International Federations to replicate these models at domestic, continental and international levels.

In the **United States** the *U.S. Center for SafeSport* has been entrusted with investigative autonomy, statutory powers, and a mandate covering sexual abuse and the most serious emotional and physical abuse for Olympic and Paralympic sports in the country (though some national governing bodies still retain jurisdiction over other significant abuse cases). The UCSS investigatory process includes interviews of witnesses and parties, review of confidential reports, and the option of arbitration for respondents. It operates a case management system supported by professionals with training in trauma-informed practice. It also oversees a Centralized Disciplinary Database to keep the public informed of when people in the US Olympic and Paralympic movements are subject to sanctions. The Center's website, online reporting form, and increased collaboration with stakeholders is creating more transparency of process with the intent of increasing reporting and trust with athletes.

**Canada** has developed a similar system, characterized by the independence of the *Canadian Centre for Ethics in Sport* and the *Sport Dispute Resolution Centre of Canada* from sport organisations. This independence helps to increase impartiality and limit conflicts of interest. Both complainants and respondents benefit from extensive procedural guarantees, including clear guidance documents and a structured appeals process. The system also enhances transparency, accountability and confidentiality by publishing anonymised statistical reports and arbitral awards, as well as maintaining a public registry of sanctions.

In **Australia**, SIA has a remit for safeguarding complaints that currently covers only athletes who are aged under 18 and any athlete alleging discrimination in relation to a protected characteristic. SIA offers a single-point-of-contact structure with standardized intake forms for sports organisations signed on to its

National Integrity Framework and has cross-referral capabilities with child protection authorities and police.

While SIA's remit is deliberately defined, it also presents valuable opportunities to enhance system alignment – for example, by clarifying jurisdictional pathways when national sport governing bodies have varying levels of engagement with the National Integrity Framework – and to strengthen communication around initial reporting processes and available avenues for appeal.

Several international federations have established dedicated integrity or safeguarding units and entities. For instance, **FIFA** has reinforced its commitment to safeguarding by establishing the *Safe Football Support Unit* (*SFSU*), an autonomous entity operating under the aegis of the FIFA Foundation. This groundbreaking initiative aims to provide timely, expert guidance to survivors, victims, and whistleblowers within the football ecosystem. The SFSU functions as an independent and confidential avenue for support, offering a secure and impartial space for individuals to seek assistance. Its core mandate is to assess and monitor incidents of violence or abuse in football in real time, and to deliver specialist support. Although not an investigatory body, SFSU aims to build in trauma-informed and survivor-centered advocacy from the ground level. When appropriate – and in accordance with the FIFA Disciplinary Code, the FIFA Code of Ethics, and relevant legal norms – the Unit may also furnish technical advice to disciplinary and ethics bodies, thereby strengthening institutional responses. The SFSU thus plays a dual role: empowering those affected by abuse and enhancing procedural fairness and accountability within football's governance structures.

**FIBA** has established a multi-level system of reporting and case management, with a centralised channel (website and dedicated email) complemented by the work of Safeguarding SPOCs within its National Member Federations. Case management is entrusted to the Safeguarding Case Management Group, which operates in coordination with the Integrity Officer, the Ethics Panel, and the Disciplinary Panel, thereby ensuring a balance between victim support, confidentiality, and procedural rigour. The possibility for FIBA to intervene directly in cases where National Federations are unable to act adequately represents an important accountability mechanism.

The International Biathlon Union (**IBU**) has created its own safeguarding mechanism following revelations of abuse and now maintains trauma-informed procedures for intake and response.

**UEFA** has developed a model based on decentralised reporting channels reinforced by a network of national child safeguarding officers. These officers are embedded in national associations and act as points of contact. During international competitions, UEFA mandates the presence of safeguarding personnel on-site and has established fast-track mechanisms for urgent cases. Reporting tools, including mobile applications and multilingual materials, are designed to maximise accessibility across diverse audiences.

Across **all sports federations**, there are valuable opportunities to strengthen safeguarding systems by enhancing the perceived independence of safeguarding officers. This can help build greater trust among victims and survivors, who may otherwise feel reluctant to report concerns within existing organisational structures. In addition, expanding access to trauma-informed training for safeguarding officers would further equip them to respond in ways that are sensitive, survivor-centred, and aligned with international best practice.

Several other federations – including **World Rugby**, **FIG**, and **FIVB** – have begun to integrate psychological and trauma support into their reporting systems, including confidential counselling options, survivor accompaniment programmes, and clear timelines for case resolution.

Despite these innovations, important gaps remain. In **Spain**, for instance, several stakeholders have noted persistent uncertainty around the scope and confidentiality of reporting mechanisms. In some federations, complaints continue to be managed internally without sufficient independence, undermining both trust and outcomes. Taken together, these experiences suggest that while substantial progress has been made, further investment in transparency, institutional independence, trauma-sensitivity, and accessibility is essential to ensuring that safeguarding systems are not only available but also trusted and effective. It is essential that investigatory systems be developed within a trauma-informed framework, while also ensuring appropriate support mechanisms for victims and whistleblowers.

## 6. *Training, Capacity Building, and Cultural Transformation*

Education and capacity-building represent foundational pillars of any sustainable safeguarding system. A comparative analysis of the initiatives undertaken across countries and federations reveals a growing consensus around the need to move beyond awareness-raising and towards comprehensive, embedded training strategies that transform organisational culture and professional practice.

The **IOC** has pioneered global standard-setting in this area through the development of its *Safeguarding Officer in Sport Certificate*. Designed in collaboration with academic institutions and safeguarding experts, this programme provides in-depth training on legal, psychological, and procedural aspects of safeguarding. It aims notonly enables standardised knowledge and practice across National Olympic Committees (NOCs) and International Federations (IFs), but also to fosters peer learning and to build an international network of trained safeguarding professionals. The IOC has further supported this work through online platforms, practical toolkits, and multilingual guidance adapted for varying regional and sporting contexts.

Several international federations have integrated safeguarding into mandatory training curricula for coaches, administrators, and technical officials.

**FIVB**, for example, has embedded safeguarding modules into its licensing programmes, making them a prerequisite for continued professional certification.

Similarly, **World Rugby** mandates safeguarding training as part of its minimum standards for player welfare and competition hosting, linking these requirements to its global accreditation system.

An innovative element is the **FIBA** Safeguarding Excellence – Single Point of Contact (SPOC) Course, the training programme dedicated to safeguarding focal points within National Federations. The course, enriched by the FIBA Safeguarding Toolkit, combines theory and practice, guiding SPOCs in developing action plans, communication strategies, and local referral maps. This multi-layered pedagogy extends to coaches, referees, volunteers, parents, and players, promoting the idea that 'safeguarding is everyone's responsibility' and normalising a proactive and cultural approach to protection in basketball.

**UEFA** offers a comprehensive model of safeguarding education. Its training strategy includes a range of delivery formats – e-learning modules, in-person workshops, and event-specific briefings – targeted at different levels of the football ecosystem. UEFA has ensured that safeguarding content is tailored to cultural and national contexts, while maintaining coherence through a centralised curriculum. Crucially, safeguarding training is extended to referees, volunteers, and support staff, ensuring that protective principles permeate the entire operational structure.

National systems also reflect a growing formalisation of training requirements. In **Italy**, the recent sports reform laws mandate safeguarding education for all staff working with minors, with implementation monitored by a national observatory. **Portugal** has similarly introduced legal obligations for training, often delivered through sport federations in collaboration with state agencies. In both countries, safeguarding is increasingly integrated into national coach education frameworks.

In **Canada**, the UCCMS framework is accompanied by a robust training infrastructure developed by various stakeholders, including the Coaching Association of Canada and includes the *Respect in Sport programme* and the *Safe Sport Training Module*. These tools, among others, are widely used and offer flexible access formats, including mobile compatibility and multilingual versions, enhancing outreach to a broad participant base.

In the **United States**, the *U.S. Center for SafeSport* (USCSS) requires all adult participants within Olympic and Paralympic sport who are in regular contact with minors or have authority over minors to take annual SafeSport Core Training focused abuse prevention and response and also provides various other educational resources offered in accessible formats, multiple languages, and via the SafeSport Ready mobile app.

**Australia**, under the coordination of SIA, delivers tailored safeguarding training linked to its National Integrity Framework. This includes sport-specific case studies, child protection modules, and sector-wide guidelines for trainers and educators. SIA also promotes continuous professional development through webinars, community outreach, and partnerships with universities.

**Athlete-survivor** advocacy has significantly contributed to reshaping educational content and delivery. Initiatives such as "*Nothing About Us Without Us*" and "*The Army of Survivors*" foreground lived experience as a critical pedagogical resource. Such movements encourage institutions to remain responsive and forward-looking, while strengthening the credibility of training through the integration of diverse perspectives. They also advocate for the co-design of curricula and call for trauma-informed methods of delivery that respect the psychological safety of participants. The expertise of athlete-survivors' lived experiences are critical to truly shifting sports culture and interrupting the acceptance of abuse in sports worldwide.

Education in safeguarding is not solely a technical matter; it is also deeply cultural. Concepts such as psychological safety, relational trust, and inclusion – highlighted in the thematic chapters of this volume – have become central to reimagining how teams, federations, and organisations function. Training is thus not only about transmitting knowledge, but also about cultivating an environment in which safeguarding is prioritized as a value, not merely a rule.

The cumulative effect of these initiatives is a gradual but noticeable shift toward a culture of safeguarding embedded in daily practice. However, challenges remain, particularly in reaching community-level coaches and volunteers in under-resourced settings, and in ensuring the long-term prioritization of educational programmes. Bridging these gaps will require sustained investment, multi-level coordination, and a willingness to view safeguarding not as a compliance burden, but as an ethical and pedagogical mission.

## 7. *Evaluation, Oversight, and Institutional Learning*

Effective safeguarding requires not only sound policies and training but also robust mechanisms for evaluation, oversight, and institutional learning. These elements are essential for identifying weaknesses, tracking progress, and adapting practices based on emerging challenges and stakeholder feedback. Comparative evidence from national systems and international federations reveals a growing awareness of the need for structured monitoring and feedback loops, although implementation varies widely.

The **IOC** integrates safeguarding indicators into its broader good governance monitoring. Its *Olympic Movement Unit on the Prevention of Harassment and Abuse in Sport (*OM Unit) encourages National Olympic Committees and International Federations to report annually on safeguarding implementation. Moreover, the IOC evaluates the deployment and functioning of safeguarding officers at the Olympic and Youth Olympic Games, incorporating these lessons into its global strategy.

In **Canada**, prior to the *Canadian Centre for Ethics in Sport* (CCES) taking over the administration of the *Canadian Safe Sport Program*, the Office of the Sport Integrity Commissioner (OSIC), as an independent function of the

*Sport Dispute Resolution Centre of Canada* (SDRCC), published data on safeguarding complaints, resolution timelines, and procedural outcomes. These transparency measures serve both as accountability mechanisms and as instruments for continuous policy refinement. Annual reports and statistical dashboards allow stakeholders to track trends, identify risk patterns, and assess institutional responsiveness. It is anticipated that the CCES will continue these best practices.

In the contribution from **Australia**, researchers approach their analysis through the *Biermann* model. This analytical framework allows stakeholders to assess safeguarding by mapping actor interdependence, identifying where strategies align or require adjusting, and pinpointing regulatory and policy gaps. The model supports evidence-based adjustments, and the authors envisage this model as a robust way to inform national dialogue on integrity system reform.

**Portugal** and **Italy** have prioritized safeguarding evaluation through the creation of dedicated national observatories, which serve as central hubs for oversight, coordination, and institutional learning. These observatories are charged with a multifaceted mandate that includes systematic data collection on safeguarding practices, independent policy audits, monitoring of training implementation, and the dissemination of evidence-based good practices.

In **Italy**, the *Osservatorio Nazionale per la Tutela dei Minori nello Sport* was introduced as part of a broader package of legislative reforms that redefined the governance of sport and reinforced accountability mechanisms across federations and clubs. The observatory has adopted comprehensive guidelines that sports associations are required to follow in the development and implementation of their safeguarding policies. Moreover, these associations have a legal obligation to report regularly to the observatory on their safeguarding activities, compliance levels, and any incidents or corrective measures undertaken. This reporting requirement reinforces oversight and ensures a continuous flow of data to inform national evaluation strategies. The observatory works in close collaboration with the national anti-violence network and child protection services to ensure cross-sectoral alignment and comprehensive oversight.

In **Portugal**, the national observatory functions under the auspices of the Portuguese Institute for Sport and Youth (IPDJ) and maintains strategic partnerships with various ministries, national sport bodies, and civil society organisations. It issues annual public reports that present disaggregated data on safeguarding activities, compliance levels, and institutional performance, thereby fostering transparency and peer benchmarking. The observatory also provides technical assistance to federations in designing safeguarding policies, conducting internal reviews, and meeting national standards. Both observatories embody a model of embedded institutional learning, in which evaluation is not an isolated function but a continuous and integral part of safeguarding governance. Their work exemplifies how State–sport partnerships can strengthen the operational capacity of sport organisations while aligning safeguarding with broader public policy objectives.

**UEFA** has developed a dynamic evaluation framework centred on its safeguarding operations during major international tournaments. The federation collects structured feedback from safeguarding officers, team officials, and athletes to assess the effectiveness of reporting channels, case response protocols, and support services. This event-specific evaluation model not only enhances real-time learning but also generates comparative insights applicable across competitions.

Additional examples of institutional learning can be seen in federations such as **World Rugby** and the **FIG**, which have launched internal reviews and commissioned external audits to assess their safeguarding systems. These processes have led to the development of corrective action plans and the refinement of safeguarding structures.

However, in many jurisdictions and sports bodies, significant challenges persist. Data on safeguarding complaints and responses remain fragmented, inconsistently recorded, or not publicly available. This limits the ability of stakeholders to conduct cross-jurisdictional comparisons or benchmark progress. In some contexts, there is a reluctance to engage in external evaluation due to reputational concerns, legal constraints, or lack of institutional capacity.

To build a truly responsive and accountable safeguarding culture, it is essential to prioritize evaluation as an integral part of organizational development. This requires not only technical tools but also a cultural shift towards transparency, humility, and evidence-informed learning. The experiences analysed in this volume suggest that where institutional learning is prioritized, safeguarding systems evolve more rapidly, respond more effectively to survivors' needs, and enjoy greater stakeholder trust.

## 8. *Comparative Reflections and Structural Innovations*

The comparative analysis of national and international safeguarding contributions reveals a dynamic and rapidly evolving landscape. Across jurisdictions and sport organisations, a wide range of structural innovations and institutional reforms are being developed, signaling the emergence of safeguarding as a fully-fledged field of governance in sport.

One of the most notable developments is the creation of more independent safeguarding institutions.

The *U.S. Center for Safe Sport* (USCSS) and now the *Canadian Centre for Ethics in Sport* (CCES) represent a fundamental departure from traditional in-house compliance models. These bodies possess autonomous investigatory powers and maintain formal legal mandates. They have helped to standardise safeguarding expectations across multiple sport disciplines. Their case management systems, public reporting practices, and procedural guarantees take steps to define their independence and increase transparency and trust within sport.

The importance of legislative mandates is equally evident in **Italy** and **Portugal**, where safeguarding reforms have been embedded within national sport

laws. In both countries, State-driven initiatives have catalysed institutional restructuring, compelling federations to adopt formal safeguarding policies, designate officers, and submit regular compliance reports. In **Italy**, this State mandate goes hand in hand with a parallel mandate from the sport sector itself, creating a cooperative framework in which both State and sports governance work together to foster and develop robust safeguarding policies. This demonstrates how political and legal engagement can generate systemic change and ensure long-term sustainability. Similar developments are visible in **Australia**, where SIA functions as an overarching national authority with both regulatory and educative mandates.

Decentralised yet coordinated structures also provide promising models. **UEFA**'s safeguarding network, consisting of designated safeguarding officers within each national federation, exemplifies how federated governance models can balance local autonomy with continental coherence. UEFA supports this network with centralised tools, training modules, and tournament-specific protocols that enable safeguarding to be implemented in a harmonised but flexible manner across Europe. The **IOC** mirrors this logic through a framework of universal safeguarding standards while encouraging tailored implementation by National Olympic Committees and International Federations.

Survivor-led innovations constitute a transformative force across several contexts. The **United Kingdom** and the **United States** have witnessed the rise of movements such as the above - mentioned "*The Army of Survivors*" which prioritises co-production, experiential knowledge, and survivor representation in policy development and education. These grassroots initiatives are pushing institutions to integrate lived experience not only as testimony but as an essential source of systems development, policy legitimacy, training content, and ethical reflection.

The case of **FIBA** demonstrates how an integrated approach – combining regulatory obligations, educational tools, reporting mechanisms, can serve as a replicable model for other international federations. Its ability to engage National Federations with practical tools and pathways of empowerment underscores how safeguarding can become a shared and culturally embedded commitment.

In **Germany** safeguarding is now a core component of sport-related professional accreditation, linked directly to quality assurance frameworks. These initiatives ensure that safeguarding is not relegated to a designated department only but becomes an everyday concern for all stakeholders.

Equally important are innovations in trauma-informed investigatory processes. The **IBU**, the **FIG**, and **World Rugby** have made significant strides in aligning investigative procedures with survivor well-being and independence. By providing access to psychological support, reporting channels, and procedural accommodations that aim to reduce re-traumatisation, their work aims to provide the balance between due process and empathy and demonstrates that legal integrity and emotional safety are not mutually exclusive.

Taken together, these examples illustrate that safeguarding is no longer a peripheral or reactive function. It is evolving into a multidimensional, transnational, and rights-based system of governance. The field is increasingly defined by its adherence to principles of independence, inclusion, transparency, and survivor empowerment. What emerges is a flexible yet normatively robust architecture – capable of adapting to diverse institutional settings while remaining anchored in shared values of dignity, safety, and accountability. The best practices identified in this volume represent a roadmap for policymakers, sport leaders, and safeguarding professionals committed to transforming sport into a safe and ethical space for all. Equally, any gaps revealed offer critical opportunities to learn, adapt, and strengthen safeguarding policies, ensuring continuous improvement and long-term effectiveness.

## 9. *Challenges and Unresolved Issues*

Despite the growing sophistication of safeguarding frameworks, numerous structural and cultural challenges continue to impede their full realisation. Chief among these is the fragmentation of responsibilities, particularly in federated or decentralised sport systems. In contexts such as **Belgium** and **Spain**, overlapping mandates among ministries, regional authorities, and sport federations often result in coordination gaps, conflicting guidelines, and diluted accountability. The absence of a unified chain of command in safeguarding governance undermines consistency and delays institutional responses to abuse.

Horizontal cooperation between sport bodies, child protection agencies, health services, and law enforcement is gaining recognition as a key element of effective safeguarding. Encouragingly, some countries – such as **Canada**, **Germany**, and **Italy** – have already established inter-agency protocols and referral mechanisms, offering valuable models to build upon. Strengthening such collaboration across more jurisdictions presents a significant opportunity to enhance holistic, multidisciplinary safeguarding responses.

Financial constraints further compound these problems, especially at the grassroots level.

Smaller clubs and local associations often lack the resources to remunerate safeguarding officers, conduct regular training, or develop accessible reporting channels. This resource disparity can result in uneven protection for children and vulnerable persons depending on the sport, region, or level of play. In developing sport systems, these inequalities are often exacerbated by limited technological infrastructure, insufficient language support, and a shortage of qualified personnel.

One way to mitigate these disparities is by linking funding to safeguarding obligations, a strategy increasingly adopted in certain jurisdictions. In the **United Kingdom**, safeguarding training requirements are closely tied to the conditions for receiving public or lottery funding rather than solely to internal quality assurance

processes. For example, *Sport England* and *UK Sport* require funded organisations to demonstrate that all relevant staff and volunteers have undertaken approved safeguarding training, and to maintain evidence of completion as part of compliance audits.

Cultural resistance remains one of the most persistent barriers to safeguarding implementation. In various organisational settings, safeguarding continues to be regarded as a bureaucratic imposition rather than a core ethical responsibility. High-profile scandals, widely covered in the press, have reinforced perceptions of institutional denial and defensiveness, as well as a reluctance to place the protection of athletes and survivors at the centre of organisational priorities.

Leadership commitment is another important factor. Where leadership actively endorses safeguarding – through strategic planning, resource allocation, and public advocacy – implementation tends to be more effective and sustainable. However, in the absence of such commitment, policies often remain superficial or performative. The discrepancy between formal adoption and actual practice continues to be a critical fault line in many settings.

Addressing these unresolved issues will require a combination of legal, cultural, financial, and organisational strategies. It will also necessitate greater investment in monitoring, evaluation, and survivor engagement to ensure that safeguarding evolves from a policy imperative into a lived institutional ethos.

## *10. Recommendations for Harmonisation and Future Development*

Drawing on the comparative analysis of institutional models, legal frameworks, and field-level practices, a number of strategic recommendations emerge to guide the future development and harmonisation of safeguarding in sport.

First, harmonisation requires the codification of **minimum**, **binding safeguarding standards**. At present, protection remains uneven: some systems impose rigorous training and compliance audits, while others rely on voluntary guidelines with little or no enforcement. To close these gaps, international standards should be grounded in human rights principles and translated into **concrete obligations**. These would include, at a minimum, the requirement that all coaches, volunteers, and staff complete accredited safeguarding training as a condition for licensing or club affiliation; the establishment of **independent**, **accessible reporting channels**, available in multiple languages and free from conflicts of interest; and regular compliance monitoring, with proportionate sanctions – such as withdrawal of funding or exclusion from competition – for organisations that fail to meet safeguarding obligations.

International organisations such as the International Olympic Committee (**IOC**), the United Nations Educational, Scientific and Cultural Organization (**UNESCO**), and the **European Union**, and the main international federations are well positioned to lead this process by linking recognition and financial support to safeguarding compliance. Their role is not only to articulate broad principles but

also to ensure that binding standards are monitored, enforced, and adaptable to diverse legal systems while guaranteeing core protections.

Second, safeguarding must be anchored in institutional independence. Countries such as **Canada** and the **United States** have demonstrated the value of independent safeguarding entities – like the *U.S. Center for SafeSport* and the *Office of the Sport Integrity Commissioner* (OSIC) and the *Canadian Centre for Ethics in Sport* (CCES) – which possess both autonomy and investigative authority. Exploring adaptations of these models at the national and international level, with appropriate resourcing and legal mandate, is critical to building trust and procedural integrity.

Third, the meaningful inclusion of survivors in all stages of safeguarding governance – systems development, policymaking, training, implementation, and evaluation – should be prioritised. The experience of **survivor-led initiatives** in the United Kingdom and the United States, including the above-mentioned "*The Army of Survivors*" and "*Nothing About Us Without Us*," illustrates the added legitimacy and transformative insight that comes from centring lived experience in institutional practice with a comprehensive trauma-informed approach.

Fourth, training standards should be harmonised and embedded within sport education pathways across all roles and levels. The **IOC**'s global safeguarding certification, the **FIVB**'s coach education integration, and national models in **Australia**, the **United Kingdom,** and the **USA**, illustrate early examples of standardised, context-sensitive capacity building. Training should include not only technical guidance but also cultural competence and trauma-informed methodologies. To ensure comparability and mutual recognition across countries and organisations, the adoption of a common safeguarding formation framework – similar to the *Common European Framework of Reference for Languages* (CEFR) at European level – should be considered. Such a framework would define progressive levels of safeguarding competence (from foundational awareness to advanced specialist expertise), establish shared descriptors of knowledge, skills, and attitudes, and allow for transparent recognition of qualifications across sporting contexts globally. This would support mobility, consistency, and quality assurance in safeguarding education, while remaining flexible enough to adapt to local cultural and institutional realities.

Fifth, stronger investment is needed in data collection, policy evaluation, and transparent public reporting. Observatories in **Portugal** and **Italy**, **Canada**'s anonymised statistical dashboards, and **Australia**'s application of the *Biermann* model demonstrate how monitoring and evaluation can inform evidence-based policy revision. Regional and international platforms for peer learning – such as those facilitated by the **IOC** and **UEFA** should be expanded to support comparative benchmarking, exchange of good practices, and collaborative problem solving.

Finally, safeguarding must be fully integrated into the broader integrity and good governance frameworks of sport. This requires embedding safeguarding standards into funding criteria, performance evaluations, and governance audits.

Safeguarding should no longer be treated as an ancillary function but as a core determinant of institutional legitimacy and part of the fabric of sport culture.

The path forward is both complex and urgent. It calls for the consolidation of fragmented efforts, the scaling up of successful models, and the development of inclusive, transparent, and legally robust systems. By implementing these recommendations, sport organisations can ensure that safeguarding is not merely a compliance obligation but a foundational pillar of ethical, resilient, and rights-based sport governance.

## *11. From Protection to Empowerment*

Safeguarding in sport has undergone a profound conceptual and structural transformation. Once considered a peripheral concern, it is now recognised as a foundational pillar of ethical governance, institutional legitimacy, and athlete well-being. The national systems and international federations examined in this volume reveal that safeguarding is no longer defined solely by regulatory compliance or risk mitigation. Rather, it has emerged as a multidimensional framework grounded in human rights, inclusion, accountability, and empowerment. And although there is much work to be done, these systems are starting to center safeguarding in a way that will interrupt and prevent abuse in sport.

The most promising examples – whether from independent institutions in North America, federated networks in Europe, or survivor-led movements – demonstrate that meaningful safeguarding requires structural independence, cross-sectoral coordination, educational innovation, sustained leadership, and adherence to principles of human rights and trauma-informed care. It also demands a fundamental cultural shift: from hierarchical models of control to participatory models of care, where all stakeholders – especially those most vulnerable – are seen as rights-holders with voice and agency.

The journey is complex, uneven, and ongoing. Yet it is increasingly guided by a shared normative horizon: the creation of safe, inclusive, and empowering environments in which sport can fulfil its highest social and ethical aspirations. Across jurisdictions, we see a growing convergence around key principles – such as transparency, survivor-centredness, and institutional learning – that are reshaping how safeguarding is conceptualised and operationalised.

Importantly, the momentum is not merely top-down. Grassroots advocacy, survivor leadership, and peer education are catalysing change from within. Equally vital is the meaningful inclusion of local actors and frontline professionals with expertise in medicine, psychology, pedagogy, and social work. These individuals bring critical, context-sensitive insights that enrich safeguarding frameworks and enhance their capacity to respond to diverse forms of harm. Their interdisciplinary knowledge helps ensure that safeguarding interventions are not only procedurally robust but also emotionally and developmentally attuned to the needs of children and vulnerable adults. The inclusion of athletes, coaches, and community-based

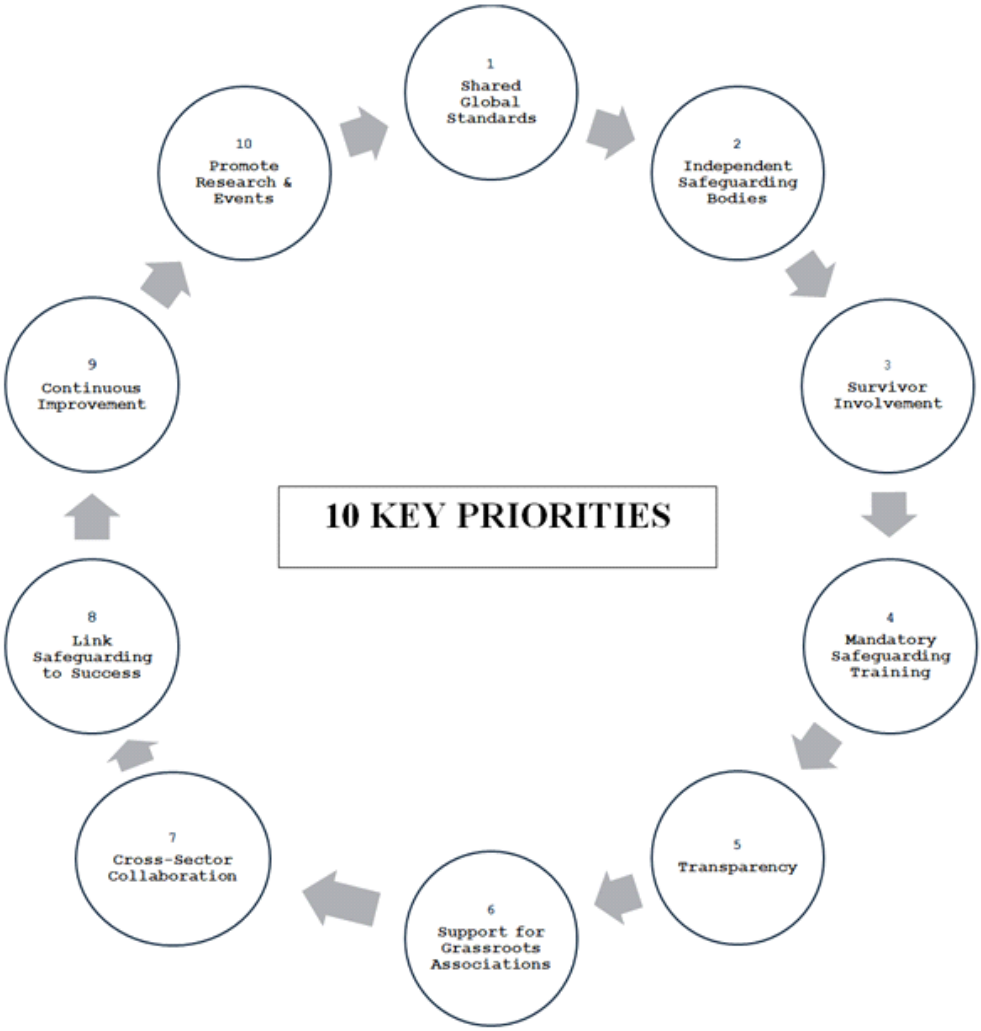
practitioners in the co-design and implementation of safeguarding measures ensures that reforms are not only legitimate but also responsive, culturally relevant, and sustainable.

As this volume shows, safeguarding is not an endpoint but a living practice – one that evolves with context, deepens through reflection, and strengthens through collaboration. The direction of travel is clear: toward a global culture of safeguarding where protection is not an exception but the norm, and where sport becomes a domain of dignity, trust, and empowerment for all participants. By embracing this vision, sport can move beyond harm prevention to become a transformative force for resilience, equity, and human flourishing.

## *12. Commitments and Priorities for Future Action*

To advance the culture of safeguarding in sport, the following 10 key priorities are identified for immediate and sustained action:

- **Create clear**, **shared transnational standards** for safeguarding that apply across sports and countries, while still respecting local cultures and systems.
- **Support independent safeguarding bodies** that can act fairly, listen to survivors, and investigate concerns without pressure from sport organisations.
- **Involve survivors meaningfully** in shaping policies, training, and decisions.
- **Make safeguarding training a must-have** for everyone in sport – from coaches and volunteers to athletes, managers and referees – so that safety becomes part of everyday practice.
- **Collect and share better data** to understand what is working, what is not, and where help is needed, while being open and transparent with the public.
- **Ensure that grassroots associations**, especially smaller clubs, receive **targeted financial and organizational support** so they can hire safeguarding officers, deliver high-quality trainings, and implement robust safe reporting and risk assessment systems.
- **Work together across sectors**, connecting sports stakeholders with schools, families, local communities, health services, and child protection agencies to respond better when addressing integrity, prevention, and safeguarding issues.
- **Make safeguarding part of how we measure success**, linking it to funding, performance reviews, and good governance.
- **Keep learning and improving**, by listening to frontline workers, using research, and learning from one another across borders.
- **Promote research, projects, and studies on safeguarding**, at both national and international levels, and support public events – such as conferences, workshops, or panels – ideally held alongside major sporting events. These moments help raise awareness, spotlight the issue, and generate momentum for change.


10 KEY PRIORITIES
1
Shared Global Standards
2
Independent Safeguarding Bodies
3
Survivor Involvement
4
Mandatory Safeguarding Training
5
Transparency
6
Support for Grassroots Associations
7
Cross-Sector Collaboration
8
Link Safeguarding to Success
9
Continuous Improvement
10
Promote Research & Events

# PART I

## *THE GLOBAL DIMENSION OF SAFEGUARDING*

# ABUSE IN SPORT AND SAFEGUARDING POLICIES: AN INTERNATIONAL AND EUROPEAN OVERVIEW

by *Stefano Bastianon*[*] and *Michele Colucci*[**]

SUMMARY: 1. Introductory Remarks – 2. International and European legal instruments on the protection of children – 2.1 From the Geneva Declaration to the UN International Covenants – 2.2 The UN Convention on the Rights of Child – 2.3 The UNESCO International Charter of Physical Education, Physical Activity, and Sport – 2.4 International Convention against Doping in Sport (2005) – 2.5 The UN Convention against Corruption (2004) – 3. The Council of Europe Conventions – 3.1 The Convention of the Council of Europe on protection of children against sexual exploitation and sexual abuse – 3.2 The European Sports Charter, and the Conventions on Doping, Violence, and Manipulations against Competitions – 3.3 The Council of Europe Projects on Safeguarding in Sport – 3.4 The Council of Europe's Strategy for the Rights of the Child – 4. The European Union – 4.1 The Charter of Fundamental Rights of the European Union – 4.2 The White Paper on Sport (2006) and the Lisbon Treaty (2009) – 4.3 The Recommendations on the protection of young athletes and safeguarding children's rights in sport – 4.4 Conclusions of the Council of the European Union on Safeguarding Children in Sport (2019) – 5. Reflections on the Way Ahead: Strengthening Safeguarding in Sport at International Level – 5.1 Embedding an Athlete-Centric Culture in Sport – 5.2 Advancing Legal Protections for Safeguarding in Sport – 5.3 Establishing an EU Day on Safeguarding in Sport – 6. Conclusion

## *1. Introductory Remarks*

Any abuse against a human being, adult or minor, is an offense to human dignity and very often a criminal offence.

[*] Stefano Bastianon is a Full Professor of European Union Law at the University of Bergamo (Italy), CAS Arbitrator and member of the "Collegio di Garanzia dello Sport del CONI" (Italian highest Sports Court of the Italian Olympic Committee). He is an Attorney-at-law and co-founder of the Law Firm Bastianon-Garavaglia in Busto Arsizio (Italy). He is a member of the Steering Committee of the *Rivista di Diritto Sportivo* and the Scientific Committee of the *Rivista di Diritto ed Economia dello Sport.*
The views presented in this article are solely those of the author and do not reflect the position of any affiliated institution.
[**] Michele Colucci is the co-founder and Honorary President of the Italian Association of Sports Lawyers (AIAS) and editor of the International Encyclopaedia of Sports Law.
The views expressed in this article are solely those of the author and do not reflect the position of any affiliated institution and association.

Children and young people have the same general human rights as adults, along with specific rights that acknowledge their unique needs. Likewise, all athletes, regardless of age, enjoy the same fundamental human rights as any other individual.

Notwithstanding, abuse in sport remains a huge plague affecting the sporting life as well as our society as a whole.

In recent years, however, along with the evolution of the social and cultural attitudes and beliefs, the awareness and sensitivity of abuse in sport have been heightened for the athletes and the vulnerable groups among them.

Accordingly, a flow of international and national initiatives aims at expanding and strengthening safeguarding measures to ensure better and effective protection for athletes.

However, the value of these measures rests on the quality and force of their provisions as well as on their concrete and consistent implementation across international and national jurisdictions.[1]

Against this backdrop, this paper reviews the international legal framework governing safeguarding in sport. It identifies existing gaps and propose some measures and initiatives to enhance the legal and institutional mechanisms needed to combat abuse more effectively. By reinforcing preventive and protective strategies, it is firmly believed that it is possible to foster a safer sporting environment, i.e. one that upholds human dignity and shields athletes from any form of abuse, violence and discrimination.

## 2. *International and European legal instruments on the protection of children*

### *2.1 From the Geneva Declaration to the UN International Covenants*

The protection of children's rights has evolved through several international and European legal instruments. The 1924 *Geneva Declaration of the Rights of the Child* (Geneva Declaration) was the first international document to acknowledge children's specific vulnerabilities. According to the Geneva Declaration "*mankind owes to the child the best that it has to give*" and that "*the child must be given the means required for its normal development, both materially and spiritually*" (Article 1). It also asserts that "*the child (...) must be protected against every form of exploitation*" (Article 4).[2]

These foundational principles paved the way for later international treaties aimed at strengthening child protection.

---

[1] J. Soublière, B. Hessert, *Safeguarding and beyond. The role of sports regulations, human rights ant the balance between the rights of interested parties in sports investigations and the disciplinary proceedings that arise from them*, CAS Bulletin, 1/2024, 6, *https://www.tas-cas.org/fileadmin/user_upload/Bulletin_TAS_2024-1.pdf*.

[2] Geneva Declaration of the Rights of the Child of 1924, available at *https://www.humanium.org/en/text-2/* (last accessed on 7 March 2024).

Two 1966 Covenants reinforced the legal framework for child protection: (a) the United Nations *International Covenant on Civil and Political Rights* (ICCPR) affirming every child's right to a name, nationality, and protection as required as a minor (Article 24);[3] and (b) the United Nations *International Covenant on Economic, Social and Cultural Rights* (ICESC) providing that "*children and young persons should be protected from economic and social exploitation*" (Article 10).[4]

Together, these instruments emphasize children's right to protection from abuse, exploitation, and neglect while promoting their well-being, education, and development. Over time, these global commitments led to stronger regional policies and safeguards to protect children across various contexts, including education, family life, and sports.

### *2.2 The UN Convention on the Rights of Child*

In 1989 the United Nations *Convention on the Rights of Child* (UNCRC)[5] prescribed the principle that boys, girls and adolescents are fully entitled to civil social, political, cultural and economic rights. This landmark convention established a comprehensive framework to protect and promote children's rights, emphasizing the role of special care and assistance.

> "*In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration*" (Article 3). This is the core principle of the Convention setting standards for national policymakers and sports associations dealing with children, recalling the centrality of their welfare.

Sport is missing in the Convention sport, yet several articles are written in such broad terms that they are relevant for sport.

Article 19, for example, it calls States Parties to *"take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child*" (paragraph 1). Furthermore, it requires that "*such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the*

---

[3] International Covenant on Civil and Political Rights, 16 December 1966, available at *https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights*.

[4] International Covenant on Economic, Social and Cultural Rights, 16 December 1966, available at *https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights*.

[5] Convention on the Rights of the Child, 20 November 1989, available at *https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child*.

*child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement*" (paragraph 2).

This Article provides a strong legal basis for developing safeguarding policies, i.e. detailed guidelines and instructions that outline how sports associations should protect children from harm and respond to concerns regarding their safety and well-being.[6]

Similarly, Article 31 reinforces the importance of sport and recreation in children's lives when it recognizes the child's right to rest, leisure, play, and recreational activities appropriate to their age, underlining the essential role of sports in physical, social, and emotional development.

The following Articles 32 to 36 address various forms of economic and employment exploitation that children must be safeguarded against, including economic exploitation, illicit use of narcotic drugs and psychotropic substances, sexual exploitation, trafficking, and other forms of abuse. These provisions are p relevant to the sports sector, where young athletes may be vulnerable to trafficking or unsolicited and reprehensible use of doping especially among young cyclists.[7] Thus governments, institutions, and sports association bear the responsibility to ensure that children can practice sport in a safe environment.

### *2.3 The UNESCO International Charter of Physical Education, Physical Activity, and Sport*

The *UNESCO* defines its *International Charter of Physical Education, Physical Activity, and Sport* (the "Charter")[8] as "*a rights-based reference that orients and supports policy- and decision-making in sport. It promotes inclusive access to sport by all without any form of discrimination. It sets ethical and quality standards for all actors designing, implementing and evaluating sport programmes and policies*".[9]

The practice of sport is a fundamental right for all (Article 1). On this basis the Charter emphasizes that everybody, notably "*children of preschool age, women and girls, the aged, persons with disabilities and indigenous people*", deserve inclusive, adapted and safe opportunities to participate in physical education, physical activity and sport (Article 1.3).

---

[6] Available at *https://learning.nspcc.org.uk/safeguarding-child-protection* (last consulted on 6 March 2025).

[7] Lentillon-Kaestner V, Carstairs C. Doping use among young elite cyclists: a qualitative psychosociological approach. Scand J Med Sci Sports. 2010 Apr;20(2):336-45. doi: 10.1111/j.1600-0838.2009.00885.x. Epub 2009 Mar 29. PMID: 19486486.

[8] Available at *https://www.unesco.org/en/sport-and-anti-doping/international-charter-sport* (last consulted on 6 March 2025).

[9] UNESCO, International Charter of Physical Education, Physical Activity and Sport *https://www.unesco.org/en/sport-and-anti-doping/international-charter-sport* (last consulted on 6 March 2025).

The UNESCO calls for preventing abuse and exploitation in sport by ensuring that physical education and training environments prioritize safety, well-being, and ethical conduct. This must be a constant concern for all (Article 10) and it is important that sport takes place in a safe environment that protects the dignity, rights and health of all participants (Article 9.1) and that all sports stakeholders are "*conscious of the potential risks, especially for children, of dangerous or inappropriate training methods and competition, and psychological pressures of any kind*". (Article 9.4.)

In that regard, Article 7 of the Convention which recalls the importance to have "qualified personnel" dealing with children in sport, such as coaches, trainers, and volunteers to ensure that *"they attain and sustain the competence necessary to nurture the rounded development and safety of all persons in their charge. Personnel who have received such training should be given a professional recognition in keeping with the duties they perform*" (Article 7.2)

In that regard the Convention also clarifies that "harmful practices" include discrimination, racism, homophobia, bullying, doping and manipulation, deprivation of education, excessive training of children, sexual exploitation, trafficking and violence" (Article 9.2).

Identified those risks, the Charter calls for continuous monitoring, effective reporting systems, and clear disciplinary measures to address misconduct and prevent harm.

### *2.4 The International Convention against Doping in Sport*

In the broader context of safeguarding in sport, protecting athletes from harm extends beyond preventing abuse and harassment, given that it also involves ensuring their physical well-being and maintaining the integrity of competition.

One of the most persistent challenges in this regard is doping, which not only threatens fair play but also endangers athletes' health. In recognition of this issue, in 2005 UNESCO has adopted a significant convention aimed at combating doping, reinforcing global efforts to safeguard athletes and uphold fairness in sport.[10]

By referring to the World Anti-Doping Agency (WADA) and to its Code, the Convention calls the 190 States Parties who have ratified it to:

(a) adopt appropriate measures at the national and international levels which are consistent with the principles of the Code;

(b) encourage all forms of international cooperation aimed at protecting athletes and ethics in sport and at sharing the results of research;

(c) foster international co-operation between States Parties and leading organizations in the fight against doping in sport, in particular with the World Anti-Doping Agency (Article 3).

[10] UNESCO, International Convention against Doping in Sport (2005), available at *https://www.unesco.org/en/convention-against-doping-sport*.

It also emphasizes the importance of education, raising awareness of the dangers and ethical implications of doping (Article 19).

Moreover, it encourages Sports Associations to adopt professional code of conducts (Article 20), implement ongoing education and training programmes for all athletes and athlete support personnel (Article 22). It foresees a monitoring mechanism of the Convention (Article 28) and supports the World Anti-Doping Agency (WADA), in enforcing anti-doping policies.

As already outlined above, doping can be surely considered a form of abuse, particularly when substances are administered to athletes – especially minors – without their full knowledge or consent.

This is against the basic principles of ethics and, for many national legislations it is a crime, which constitutes a serious safeguarding concern, as it affects the athletes' health, well-being, and judicial record.

For the content's scope and the global State accession, the UNESCO convention is one of the international law pillars sustaining safeguarding policies in sport, to protect athletes' health and well-being in the context of a safe environment, free from all forms of harm.

### *2.5 The UN Convention against Corruption*

The UN Convention against Corruption,[11] adopted in 2004, introduces a comprehensive set of standards, measures and rules that all signatories' countries can apply in order to strengthen their legal and regulatory regimes to fight corruption. It calls for preventive measures and the criminalization of the most prevalent forms of corruption in both public and private sectors.

In particular, Article 19 on abuse of functions provides that "*Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the abuse of functions or position, that is, the performance of or failure to perform an act, in violation of laws, by a public official in the discharge of his or her functions, for the purpose of obtaining an undue advantage for himself or herself or for another person or entity*".

During the negotiations leading to the Convention, the topic of corruption in sport was not a key focus area. Later, however, the topic has been specifically addressed by the Resolution 7/8 on corruption in sport adopted in 2017 and the Resolution 8/4 on safeguarding sport from corruption adopted in 2019. According to Resolution 7/8 on corruption in sport States parties, bearing in mind in particular Articles 8, 32 and 33 of the Convention are urged "*to consider establishing and developing, where appropriate, confidential complaint systems, whistle-blower protection programmes, including protected reporting systems, and effective witness protection measures, and to increase awareness of such measures*".[12]

[11] Available at *https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf*.
[12] Available at *https://www.unodc.org/corruption/en/cosp/conference/session7-resolutions.html*.

More specifically, Resolution 8/4 on safeguarding in sport invites States parties and relevant stakeholders "*to address the risks to vulnerable groups, in particular children and young athletes, posed by corruption in sport, with a view to promoting healthy lives and principles of integrity and to creating an atmosphere of intolerance towards corruption in junior and youth sport*".[13]

More recently, the General Assembly's declaration against corruption adopted in June 2021, paragraph 71 reads as follows: "*We will safeguard sport from corruption by strengthening and further coordinating our efforts in an inclusive and impartial manner, including in the framework of the United Nations, and by enhancing cooperation between all relevant stakeholders, including sports organizations at all levels, relevant international and regional organizations, and relevant domestic authorities, including law enforcement authorities, as appropriate. To that end, we will raise awareness within sports organizations and the broader sports community of the value of fairness and the gravity of corruption, promote accountability and good governance within sports organizations and facilitate the exchange of expertise, the timely dissemination of information and the sharing of good practices. We will address risks to groups in vulnerable conditions, in particular children and young athletes, posed by corruption in sport, with a view to promoting fair competition, healthy lives, and principles of integrity and to creating an atmosphere of intolerance towards corruption in junior and youth sport, in accordance with domestic legal systems*".

To this regard, it is worthy to note that the IOC Consensus statement on sexual harassment and abuse in sport states that "*sexual harassment and abuse in sport stem from power relations and abuses of power facilitated by an organizational culture that ignores, denies, fails to prevent or even tacitly accepts such problems*".[14]

According to the United Nations Office on Drugs and Crime (UNODC) Global Report on Corruption in Sport, although not all forms of abuse can be considered as forms of corruption, it is undeniable that abuse in sport can be linked to corruption when persons in positions of entrusted authority misuses such authority or their position of influence to exert power or authority over another person in order to derive private and undue benefit. It follows that the abuse of power is an act of corruption that may facilitate abuse in sport. Accordingly, anti-corruption legislation can play a pivotal role in helping governments, sports organizations and sports stakeholders to address abuse in sport.[15]

In this regard, the relevance for sports sector of the UN Convention on Corruption is twofold. On one hand, anti-corruption legislation may help to establish

[13] Available at *https://www.unodc.org/corruption/en/cosp/conference/session8-resolutions.html*.

[14] Available at *https://www.olympics.com/ioc/news/ioc-adopts-consensus-statement-on-sexual-harassment-and-abuse-in-sport*.

[15] UNODC Global Report on Corruption in Sport, available at *https://www.unodc.org/unodc/en/safeguardingsport/grcs/index.html.*

transparency and accountability within the governance of sports, such as clear reporting channels, independent oversight bodies, and rigorous investigations into allegations of abuse or corruption. On the other hand, when the abuse involves a misuse of authority, it crosses into the realm of corruption. Accordingly, by strengthening anti-corruption frameworks, it is possible to protect the integrity of sport and ensure that those who abuse their power for personal gain are held accountable.

## *3. The Council of Europe Conventions*

### *3.1 The Convention on Protection of Children against Sexual Exploitation and Sexual Abuse*

The Convention of the Council of Europe on Protection of Children against Sexual Exploitation and Sexual abuse (Lanzarote Convention),[16] adopted in 2007 and entered into force in 2010, represents one of the main legal instruments in the fight against child sexual abuse and exploitation.

The signatory parties must recognise sexual abuse of a child as a criminal offence (Article 18). On the basis of this important provision, the Convention defines a comprehensive framework to implement preventive and protective measures at the national level and calls for more co-ordination among private and public organizations responsible for the protection of children at international level.

In that regard, Article 4 mandates the States to take the necessary legislative or other measures to prevent all forms of sexual exploitation and sexual abuse of children and to protect children. These policies can be executed by raising awareness of children's protection and rights among individuals, such as coaches, trainers, volunteers in sport, who regularly interact with children (Article 5) and through specific information programmes addressed to the children during primary and secondary education, on the risks of sexual exploitation and sexual abuse, as well as on the means to protect themselves, adapted to their evolving capacity (Article 6).

While the Convention does not explicitly mention sexual exploitation and abuse in sport, the above provisions have the merit to affirm, in general way, the importance of proactive, preventive measures to raise awareness and promote child protection in all areas where children participate.

### *3.2 The European Sports Charter, and the Conventions on Doping, Violence, and Manipulations against Competitions*

The *European Social Charter* adopted in 1992, is a Council of Europe initiative that promotes fundamental social and economic rights as a counterpart to the

[16] Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, available at *https://rm.coe.int/1680084822*.

European Convention on Human Rights, which refers to civil and political rights.[17] The Charter emphasizes that children and young persons have the right to a special protection against the physical and moral hazards to which they are exposed (Part I, point 7), and appropriate social, legal and economic protection. (Part I, point 17).

Significant is the provision contained in Article 17 which refers to the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities. On this basis the Charter calls the Parties to undertake, either directly or in co-operation with public and private organisations, all appropriate and necessary measures designed to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose; to protect children and young persons against negligence, violence or exploitation; to provide protection and special aid from the state for children and young persons temporarily or definitively deprived of their family's support.

On the basis of the above document, the Council of Europe adopted the *European Sports Charter*[18] whose aim is to enable every individual to participate in sport and to ensure that everyone has the opportunity to take part in sport in a safe, secure and healthy environment (Article 1).

All stakeholders shall respect and protect internationally recognised human rights and fundamental freedoms in sport (Article 7). They should therefore ensure that the human rights of athletes and everyone involved in sport are respected, protected and promoted; fight arbitrariness and other abuses in sport so as to ensure full respect for the rule of law in sports activities, including access to remedies, justice and a fair trial in line with the applicable human rights standards; apply a policy of zero tolerance for violence and all forms of discrimination, paying particular attention to individuals and groups in a situation of vulnerability, such as children, migrants and persons with disabilities.

The *European Convention on Spectator Violence and Misbehaviour at Sports Events*,[19] adopted in 1985, addresses a growing concern over violence and misbehaviour among spectators at sports events. This includes enhancing security at events through policing and safety protocols, ensuring that participants, athletes and spectators are protected.

In 1989, the *Anti-Doping Convention*[20] had in view coordinating national actions against doping and encouraging governments to implement comprehensive anti-doping measures – such as testing protocols and educational programs in order to preserve the health of athletes and integrity of sports worldwide.

[17] Available at *https://www.coe.int/en/web/european-social-charter/*.
[18] Available at *https://www.coe.int/en/web/sport/european-sports-charter*.
[19] Available at *https://www.coe.int/en/web/sport/violence-convention*.
[20] Available at *https://www.coe.int/en/web/sport/anti-doping-convention*.

The *Convention on the Manipulation of Sports Competitions*, adopted in 2014[21] targets the manipulation of sports competitions, including match-fixing, which threatens athletes and fairness and credibility of sporting events.

Together, these Conventions testify the Council of Europe's commitment to safeguarding the values of sport, ensuring it remains a fair, inclusive, and safe space for all involved.

They address critical issues such as doping, violence, and match manipulation, all of which pose significant threats to the integrity of sport. However, despite their importance, none of these instruments systematically and comprehensively focus on the issue of abuse in sport – particularly the various forms of physical, psychological, and sexual abuse that athletes may endure.

Given the increasing awareness of abuse in sporting environments, perhaps the time has arrived for a dedicated convention that explicitly addresses this issue. Such a Convention could establish strict legal obligations for states, sports organizations, and other stakeholders to implement robust safeguarding measures. It could also provide a comprehensive framework for prevention, monitoring, reporting, and victim support, ensuring that no athlete – regardless of age, gender, or level of competition – is left unprotected.

By filling this critical gap in the international legal framework, a convention focused on abuse in sport would not only reinforce existing protections but also send a strong message that abuse in any form has no place in the sporting world. Establishing binding commitments and accountability mechanisms would mark a decisive step toward creating a sporting culture rooted in safety, respect, and dignity for all athletes.

### *3.3 The Council of Europe Projects on Safeguarding in Sport*

In order to strengthen its commitment to safeguarding in sport, the Council of Europe launched two projects: (a) the *Pro Safe Sport for Young Athletes (PSS)*; and (b) the *Child Safeguarding in Sport (CSiS)*. Both projects were co-financed by the European Union.

#### *The Pro Safe Sport for Young Athletes (PSS)*

The main core of PSS was the design of a toolkit which shall effectively promote the physical and mental well-being of emerging athletes for the benefit of coaches and sport organisations. In particular, the PSS aimed at promoting a safe and healthy sport environment for young athletes by raising awareness among the athletes' entourage on the importance of protecting and promoting the physical and moral wellbeing of young athletes, establishing relevant mechanisms to introduce and maintain highest levels of safety and health, harnessing synergies of existing initiatives.

[21] Available at *https://www.coe.int/en/web/sport/macolin*.

To accomplish these objectives, the PSS focused on improving the knowledge base of the relevant measures on the protection of young athletes.

*The Child Safeguarding in Sport (CSiS)*

The Child Safeguarding in Sport (CSiS)[22] is a European Union and Council of Europe joint project (1 March 2020 – 30 June 2022) to guide European countries in developing more effective child safeguarding in sport policies through the setting up of positions of Child Safeguarding Officers (CSO).

Its main target is enhancing the competences and skills of those who have a role to play in implementing the roadmaps and in setting up of CSO roles and equips all those who can play a role in ensuring a safe sport environment for all children (Child Safeguarding Officers, decision-makers, coaches, sport leaders, trainers, etc.) with examples of good practice.

One of the most remarkable achievements of the project was the establishment of a European network of Child Safeguarding Officers to provide them with a platform for peer-learning, sharing ideas and resources.[23]

Moreover, the Online Resource Centre for Child Safeguarding in Sport collected relevant practices and resources for everyone involved in protecting children from violence and abuse in sport.

In total 85 practices and resources were collected and uploaded under eight different categories: strategy and policy frameworks, educational programmes and materials, awareness-raising initiatives, codes of conduct and codes of ethics, risk minimisation measures, support systems and case management, studies, research and reports, systems of child safeguarding officer roles

### *3.4 The Council of Europe's Strategy for the Rights of the Child*

The Strategy for the Rights of the Child[24] serves as a framework for safeguarding children's rights across Europe. The Strategy does not explicitly focus on sport, nevertheless its six core priority areas, namely freedom from violence for all children, equal opportunities and social inclusion for all children, access to a safe use of technologies for all children, child-friendly justice for all children, giving a voice to every child, children's rights in crisis and emergency situations, are also relevant for safeguarding in sport.

---

[22] Available at *https://pjp-eu.coe.int/en/web/pss*. Six countries took part to the project: Austria, Belgium, Croatia, Israel, Norway and Portugal.

[23] Available at *https://pjp-eu.coe.int/en/web/pss/cso*.

[24] Available at *https://rm.coe.int/council-of-europe-strategy-for-the-rights-of-the-child-2022-2027-child/1680a5ef27*. The Strategy was adopted by the Committee of Ministers of the Council of Europe on 23 February 2022 and launched at the High-level Conference "Beyond the horizon: a new era for the rights of the child" in Rome on 7-8 April 2022.

Innovative is surely the fact that the Strategy underscores the importance to give to children the opportunity to express their views and participate in decisions affecting them.

In the sports context, this implies for young athletes to provide feedback, participate in governance, and have a say, for instance, in matters related to the organization of sports event, training, and well- being activities.

## *4. The European Union*

### *4.1 The Charter of Fundamental Rights of the European Union*

The *Charter of Fundamental Rights of the European Union*[25] is another useful instrument to shape safeguarding policies in sport.

Its Article 24 explicitly states that children have the right to protection and care as necessary for their well-being and that the best interests of the child must be a primary consideration in all actions concerning them, whether taken by public authorities or private institutions. Thus, Governments and sports associations (federations, leagues, clubs, and sports academies) have a duty to prioritize the safety and well-being of young athletes.

Beyond general child protection, the Charter also recognizes specific rights that directly impact safeguarding in sport. It guarantees the right to education, ensuring that every child has access to learning opportunities and vocational training (Article 14). This is especially relevant in high-performance sports, where young athletes may face the risk of educational neglect due to intensive training schedules. Safeguarding policies in sport must therefore ensure that children's educational rights are not compromised and that sports programs provide balanced schedules that allow for academic development alongside athletic training.

Additionally, the Charter prohibits exploitative child labour, reinforcing the EU's commitment to preventing young athletes from being treated as commodities rather than individuals with rights. Many young athletes, particularly those engaged in elite training programs, may be at risk of economic exploitation, where they are pressured to train and compete under conditions that prioritize financial gain over their well-being (Article 32).

### *4.2 The White Paper on Sport (2007) and the Lisbon Treaty (2009)*

In the *White Paper on Sport*[26] (2007), the Commission shed light on the plague of exploitation of young athletes (especially footballers) and the abandon of children not selected for competitions in a foreign country, as well as on sexual abuse and harassment of minors in sport.

[25] Charter of Fundamental Rights of the European Union, *OJEE*, C 202 of 7 June 2016, 389.

[26] White Paper on Sport, Brussels, 11 July 2007, available at *https://eur-lex.europa.eu/legal-content/EL/TXT/PDF/?uri=CELEX:52007DC0391*.

The Commission invited Member States and Sports Governing Organisations (SGOs) to cooperate on the protection of the moral and physical integrity of young people through the dissemination of existing legislation, establishment of minimum standards and exchange of best practices.

A few years later, following the entry into force of the Lisbon Treaty in 2009, the new Article 165 TFUE (Treaty on the Functioning of the European Union) provided that "*the Union shall contribute to the promotion of European sporting issues, while taking into account of the specific nature of sports, its structure based on voluntary activity and its social and educational function*". Moreover, the Union action shall be aimed, *inter alia*, at developing the European dimension of sport by "*protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen*".

By explicitly recognizing the need to protect the physical and moral integrity of athletes, particularly young athletes, this provision highlights the EU's commitment to fostering a safe and ethical sporting environment.

The reference to the social and educational function of sport highlights its role in the personal development of the athletes, their inclusion, and well-being.

Article 165 TFEU holds significant potential for safeguarding sport, and there is an opportunity to further enhance its impact. The EU has already made valuable progress in addressing doping, match-fixing, and good governance, and surely a more systematic and structured approach can further strengthen efforts to prevent abuse in sport and ensure that sport remains a safe environment for all. This provision may be a dedicated EU framework to promote and sustain the MS cooperation in common programmes on safeguarding in sport, ensuring that all athletes, regardless of nationality or level of competition, are adequately protected.

Finally, by emphasizing both the physical and moral integrity of athletes, Article 165 TFEU reinforces the need for a sport culture rooted in safety, dignity, and respect.

### *4.3 The Recommendations on the Protection of Young Athletes and Safeguarding Children's Rights in Sport*

In 2016-2019 two EU further initiatives addressed child protection in sport.

The Expert Group on Good Governance of the European Commission published the *Recommendations on the protection of young athletes and safeguarding children's rights in sport*. The Recommendations are provided for national and European authorities as well as SGOs and are aimed at providing a high level of protection of minors' rights and protect them from both physical and mental harmful in the context of sport activities.[27]

[27] Recommendations on the protection of young athletes and safeguarding children's rights in sport Final document, July 2016, available at *https://www.sportetcitoyennete.com/wp-content/uploads/2017/07/Expert-Group-recommendations-to-protect-young-athletes-and-safeguard-childrens-in-the-first-half-of-2016.pdf* (last accessed on 28 March 2024).

In particular, the Recommendations acknowledge that violence against minors in sport may assume multiple forms: physical maltreatment, sexual abuse (by word or action), emotional and psychological abuse, overtraining and/or training not according to individual physical development, discrimination, violence and harassment (based on sex, race, sexual orientation, disability,) doping, bullying, cyberbullying and any form of pressure.

For this reason, national authorities are invited, *inter alia*, to implement effective legislation in fighting against violence to minors in sport, to support SGOs for the development of child protection measures (educational programmes, codes of conducts, guidelines, toolkits), to improve data collection, to ensure safe and adapted sport infrastructures, equipment and qualified staff/volunteers.

On the other side, SGOs are mainly requested to prevent their staff, coaches and volunteers from harming minors.

In particular, they must have a child protection policy in place, they must implement guidelines of appropriate intervention on how to deal with and investigate complaints and suspicions, to raise awareness and inform minors about their right to be safeguarded from violence, to improve communication with parents, to organise specific and regular training for coaches, volunteers, medical staff and parents on potential risks.

Lastly, the European Commission is requested to conduct studies and research projects on violence against minors in sport and national best practices to respond to it. Moreover, the European Commission is expressly invited to mainstream the issue of sport when talking about minors, such as in the European Union agenda for the rights of the child.

In 2019 the European Commission commissioned Ecorys and Thomas More University to undertake a mapping study addressing the issue of safeguarding children in sport. The aim of the report was to undertake a review of empirical evidence on violence against children in sport across the European Union and provide the European Commission with adequate knowledge of existing initiatives in order to identify where best focus its efforts and those of Member States.[28]

The primary objectives were to review empirical evidence on violence against children in sport and to provide the Commission with insights into existing initiatives, thereby guiding future efforts at both the EU and Member State levels.

The study highlighted a growing body of research indicating that children in sport are vulnerable to various forms of violence, including physical, psychological, and sexual abuse. Notably, psychological abuse, encompassing bullying and emotional maltreatment, emerged as particularly prevalent.[29]

There was significant variation in the development and implementation of safeguarding initiatives across EU Member States. Some countries have

[28] *Safeguarding children in sport: a mapping study. A report to the European Commission*, September 2019.

[29] See *https://www.ecorys.com/app/uploads/files/2021-09/Sports%20evaluation%20report%20final.pdf?utm_source=chatgpt.com.*

established comprehensive safeguarding measures, while others are in the nascent stages of addressing these issues.[30]

The study found differing interpretations of what constitutes safeguarding in sport among Member States. While some focus primarily on preventing physical and psychological violence, others adopt a broader perspective, encompassing aspects like ensuring positive sporting experiences and promoting children's rights within sport.[31]

The findings underscored an urgent need for increased professionalization in safeguarding practices. This includes standardized training for coaches, educators, and sports administrators to effectively recognize, prevent, and respond to incidents of abuse.[32]

### *4.4 The 2019 Conclusions of the Council of the European Union on Safeguarding Children in Sport*

In December 2019, the Council of the European Union, along with representatives from Member States, adopted comprehensive conclusions aimed at strengthening the safeguarding of children in sport.[33] These conclusions call for a collective commitment to ensuring that all children can engage in sporting activities within a safe and supportive environment. The Council specifies that safeguarding children in sport should be understood as "*keeping all children safe from harm, abuse, violence, exploitation and neglect*".

The Council acknowledges that child safeguarding involves a set of actions that help to ensure all children participating in sport have a positive experience. At the same time, encourages Member States to establish adequate legal and policy frameworks that support the development of holistic measures to address safeguarding in sport. This includes preventive measures and appropriate sanctioning procedures to protect children effectively.

The conclusions highlight the importance of introducing and reinforcing awareness-raising initiatives, as well as providing initial and continuous education and training. Target audiences include children, families, sports organizations, volunteers, coaches, instructors, teachers, and youth workers. Tools such as policy guidelines, educational toolkits, codes of conduct, campaigns, and the exchange of best practices are recommended to prevent both physical and emotional violence and abuse.

The Council emphasizes the need for cooperation with sports organizations to develop safeguarding measures. This involves creating educational programs, codes of conduct, monitoring systems, and guidelines for preventing

[30] Ibid.
[31] Ibid.
[32] Ibid.
[33] Conclusions of the Council and of the Representatives of the Governments of the Member States, *OJEE*, C 419 of 12 December 2019, 1, available at *https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52019XG1212(01)*.

violence and abuse. Additionally, procedures for managing allegations, conducting appropriate follow-ups, and providing necessary support to affected children are deemed essential.

Important is the emphasis put on the fact that effective safeguarding requires collaboration across various sectors, including education, health, social services, justice, law enforcement, and youth sectors. Engaging diverse actors such as schools, sports organizations and clubs, families, physicians, coaches, teachers, sports officials, and peers is crucial for developing comprehensive safeguarding measures.

Finally, the Council acknowledges that sustainable results in safeguarding children in sport necessitate close cooperation with governmental and n on-governmental organizations at all levels. EU funding instruments, such as the Erasmus+ program, are identified as valuable resources to facilitate projects and initiatives aimed at safeguarding children in sport.

## *5. Reflections on the Way Ahead: Strengthening Safeguarding in Sport at International Level*

### *5.1 Embedding an Athlete-Centric Culture in Sport*

Athletes need care and attention and must be at the centre of any safeguarding legal instruments and policy.

Their right to play in a safe environment must be understood as a shared responsibility among all stakeholders who should adopt a protective rather than a reactive approach. This certainly requires a cultural, social and political change.

### *5.2 Advancing Legal Protections for Safeguarding in Sport*

As a global and politically sensitive domain, sport requires a comprehensive international legal framework to effectively combat abuse. The abuse in sport is a pervasive issue that demands greater international coordination and a dedicated, proper, exclusive international law instrument and implementing agency. While existing Conventions address doping, match-fixing, and event safety, they only marginally tackle abuse in sport.

A UNESCO act completely devoted to Safeguarding in sport would help strengthening legal protection and help sports associations to develop adequate safeguarding polices.[34]

It could be an international Convention, legally binding on the signatory States, mirroring the UNESCO Convention against Doping in some aspects such as for example, educational programmes, professional code of conducts, training

[34] M. Colucci, *Fighting Abuse in Sport: A Call for Global Action,* Rivista di Diritto ed Economia dello Sport, SLPC, 2023, 137.

of personnel, monitoring, would establish an adequate legal framework based on minimum safeguarding standards to be applied by all the signatories States.

Alternatively, depending on the States' majority political will, it could also be a resolution, a recommendation, a declaration or a charter, thus non legally binding acts, which could be used to guide future action and serve as an incentive for all International Sports Associations to adopt and effectively apply measures aiming at preventing abuses, educating athletes and their families, coaches, trainers, volunteers.

It could also provide better protection for whistle-blowers with the identification of clear and trusted reporting mechanisms, as well as professional support to victims of abuses and to their families.

Finally, it should detail rules and objectives in a structured and consistent programme to promote and obtain co-operation among governments, institutions, schools, NGOs and sports associations.

As regard a possible EU action on Safeguarding in sport, the scope of the current Article 165 TFEU on the promotion of European sporting issues allows the Council and the European Parliament only to adopt incentive measures such as for instance funding through the Erasmus + programme to those sports associations that effectively implement safeguarding measures. Those non legislative or regulatory measures can encourage widespread compliance and innovation, excluding any harmonisation of the laws and regulations of the Member States.

However, while Article 165 limits the EU's direct legislative action in sport, other legal bases in the TFEU could still be used for specific actions related to safeguarding. For example:

*(a)* Article 19 of the Treaty on the Functioning of the European Union (TFEU) grants the EU the competence to combat discrimination within the internal market and beyond, under specific circumstances. This provision is particularly relevant in the context of safeguarding against discrimination in sport, an area that often intersects with various protected grounds, including gender, disability, and other forms of discrimination such as age, race, sexual orientation, and religion. Article 19 TFEU empowers the European Union to take legislative action in combating such discrimination within the EU. This includes the ability to propose and implement measures that would protect against discrimination on various grounds, particularly in areas where sport functions as a public activity and a fundamental right. The European Union has already adopted legislative measures aimed at reducing discrimination in sport, and further legislative measures could be taken under Article 19 TFEU to address specific forms of exclusion. For example, as regard gender equality in sport, the EU already promotes gender equality through Directive 2006/54/EC on equal treatment of men and women in employment, but more specific rules targeting sport, including governance structures in sports organizations, would further advance gender parity. As regard disability and accessibility in sport, the EU could adopt more comprehensive legal measures under Article 19 TFEU to

ensure that both professional and recreational sports are fully inclusive, accessible, and fair for disabled athletes. Lastly, as regard racial and ethnic equality, the EU has already addressed this issue in other sectors through Directive 2000/43/EC, and the principles outlined in this directive could be extended to sports in order to guarantee equality and prevent racial segregation or exclusion in sporting activities. Similarly, as regard sexual orientation and gender identity, the EU could legislate under Article 19 TFEU to ensure that sports organizations are required to have policies and actions in place to combat discrimination on the basis of sexual orientation and gender identity.

*(b)* Article 114 TFEU on the approximation of the legislative provision on the establishment and functioning of the Internal Market): safeguarding in sport may be seen as part of the internal market, in the sense that ensuring consistent safety standards across Member States would support cross-border sports participation. Accordingly, the EU could adopt some measures to facilitate the free movement of athletes within the internal market, provided that it includes common safeguarding principles. The protection of young athletes is another critical issue that could benefit from harmonization under Article 114 TFEU. Ensuring consistent safeguarding measures for minors across all Member States would guarantee that athletes under the legal age of adulthood are not subjected to abusive or exploitative practices while traveling or participating in sports outside their home country.

*(c)* Article 168 TFEU on human health policy: safeguarding in sport is clearly and deeply related to the protection of athletes' health. Therefore, the EU could focus on health-related aspects of safeguarding, particularly related to mental health in sport. In particular, the EU could support initiatives aimed at raising awareness about mental health in sport, focusing on reducing stigma and encouraging athletes to seek help when needed. Moreover, through Article 168 TFEU, the EU could also encourage or even mandate that Member States implement specific mental health support systems within sports organizations and clubs. This could include having trained mental health professionals – such as sports psychologists or counsellors – available to athletes at all levels. Alongside with its approach to dual career of athletes, the EU, through Article 168 TFEU, could encourage initiatives that provide mental health support for athlete's post-retirement. These initiatives could include career transition programs, counselling services, and support groups, helping former athletes adjust to life after sports and maintain their psychological well-being. Lastly, the EU could also use Article 168 TFEU to promote programs that encourage healthy lifestyle practices among athletes, focusing not only on physical fitness but also on emotional resilience, stress management, and maintaining a balanced life.

### *5.3 Establishing an EU Day on Safeguarding in Sport*

The European Commission has long demonstrated a steadfast commitment to promoting the values of dignity, integrity, and protection across all sectors, including

sport. Through its initiatives, it has consistently championed the well-being of athletes, particularly the most vulnerable, by fostering a culture of safeguarding and empowerment.

In this spirit, establishing an EU Day on Safeguarding in Sport (S.A.F.E. – Safeguarding Athletes and Fostering Empowerment) may represent a powerful initiative to raise awareness, promote best practices, and reinforce policy efforts. In the context of the EU S.A.F.E Day it would be highly desirable for the following activities to be undertaken:

(a) workshops and seminars aimed at raising awareness of safeguarding policies;

(b) release of guidelines on best practices for safeguarding in sports and granting of awards to organizations, clubs, or individuals that have shown exemplary safeguarding practices;

(c) public discussions and debate on the opportunity of a stronger legislative support for safeguarding in sports in compliance with the limits imposed by Article 165 TFEU;

(d) appointment of elite athletes as safeguarding ambassadors;

(e) initiatives to promote cross-border collaboration and the exchange of knowledge and experiences among sports organizations within the European Union and abroad.

To maximize its impact, this day could be aligned with existing international observances, such as April 6 (International Day of Sport for Development and Peace) or June 1 (International Children's Day). Official recognition by the EU institutions, coupled with awareness campaigns and educational events, would further strengthen its significance.

## *6. Conclusion*

Any commitment to safeguarding in sport requires a well-defined legal framework capable of addressing current risks and responding to emerging challenges and threats. However, a legal framework alone may not be sufficient to effectively tackle issues such as abuse in sport. Promoting a broader cultural change – involving shifts in behaviour and attitudes – appears equally important. This process calls for a comprehensive approach, including leadership engagement, awareness-raising initiatives, training programmes, and the involvement of athletes in discussions aimed at developing proposals for national and international legislative bodies. Recognising that cultural change is gradual, sustained efforts based on cooperation, repetition and consistency are essential.[35]

[35] S. Bastianon, M.Colucci, C. Perez, D. Rapacciuolo, *Manifesto for an Immediate and Global Action against Abuse in Sport*, available at *https://www.ipetitions.com/petition/manifesto-for-an-immediate-and-global-action* (last accessed 28 March 2024).

# THE IOC SAFEGUARDING POLICY

by *Stefano Bastianon*[*] and *Michele Colucci*[**]

SUMMARY: 1. Introduction – 2. Safeguarding in the IOC Charter – 3. Ethical Behaviour and Safeguarding in the IOC Code of Ethics – 4. The IOC Framework for Safeguarding Athletes and Other Participants – 5. The IOC Safeguarding Toolkit – 5.1 Policies and Procedures – 5.2 Reporting Mechanisms and Confidentiality – 5.3 Dedicated Safeguarding Officers – 5.4 Education, Training, and Raising Awareness – 5.5 Managing Cases and Investigations – 5.6. A Critical Analysis of the IOC Safeguarding Toolkit – 6. The IOC International Safeguarding Officer in Sport Certificate – 7. The IOC Regional Hubs on Safeguarding – 8. The IOC Consensus Statements – 9. The Olympic Agenda 2020+5 and Recommendation 5 – 10. Conclusion: A Cultural Shift Towards Safeguarding in the Olympic Movement

## *1. Introduction*

The International Olympic Committee ("IOC") owns exclusively the Olympic Games and over the last twenty years has established comprehensive safeguarding policies to protect athletes and participants from harassment and abuse during the Olympic Games. These policies are designed to help national sports associations to implement effective safeguarding measures to ensure a safe and supportive environment.

[*] Stefano Bastianon is a Full Professor of European Union Law at the University of Bergamo (Italy), CAS Arbitrator and member of the "Collegio di Garanzia dello Sport del CONI" (Italian highest Sports Court of the Italian Olympic Committee). He is an Attorney-at-law and co-founder of the Law Firm Bastianon-Garavaglia in Busto Arsizio (Italy). He is a member of the Steering Committee of the *Rivista di Diritto Sportivo* and the Scientific Committee of the *Rivista di Diritto ed Economia dello Sport.*
The views presented in this article are solely those of the author and do not reflect the position of any affiliated institution.
[**] Michele Colucci is the co-founder and Honorary President of the Italian Association of Sports Lawyers (AIAS) and editor of the International Encyclopaedia of Sports Law.
The views expressed in this article are solely those of the author and do not reflect the position of any affiliated institution and association.

The IOC has continually adapted its interventions, including its terminology, in response to the evolution of scientific knowledge and societal awareness regarding safeguarding.

This cultural shift has promoted a progressive strengthening of the legal framework surrounding athlete protection.

The 2007 first IOC Consensus statement focused exclusively on sexual harassment and abuse.[1] By 2016, reflecting broader recognition of the multiple forms of harm athletes may face, the second Consensus statement expanded its material scope to explicitly include physical abuse, psychological abuse, neglect, bullying and hazing.[2] Finally, the 2024 Consensus Statement addressed safe sport as everybody's responsibility.[3]

This evolution not only mirrored growing scientific developments but also aligned with emerging international legal and policy measures ensuring athlete welfare.

## 2. *Safeguarding in the IOC Charter*

The IOC Charter contains the fundamental principles governing the Olympic Movement.[4]

It governs the organisation, actions and functioning of the Olympic Movement and establishes the conditions for the celebration of the Olympic Games, and the relations between the International Federations ("IFs"), National Olympic Committees ("NOCs") and the Olympic Movement.[5]

Moreover, it provides the ethical framework to protect the athletes and all those who participate in the Olympic Games, by putting emphasis on the need to protect the safety, dignity, and rights of all participants, namely children, young people, and vulnerable individuals.

The values and principles of Olympism, namely respect, peace, fair play, and non-discrimination, are enshrined in the Preamble. They form the basis of the IOC's commitment to safeguarding, creating an environment where human dignity and the well-being of athletes in a fair and inclusive society is paramount (Article 1). Thus, the Olympic Games should be an environment where individuals – regardless of gender, race, age, or background – are protected from harm and treated with dignity.

---

[1] IOC Consensus Statement on Sexual harassment and Abuse, *https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/News/20070802-IOC-adopts-Consensus-Statement-on-sexual-harassment-and-abuse-in-sport/EN-Sexual-Harassment-Abuse-In-Sportt-report-1125.pdf.*

[2] IOC Consensus Statement on Harassment and Abuse (non-accidental violence) in Sport, available at *https://pubmed.ncbi.nlm.nih.gov/27118273/.*

[3] IOC Consensus Statement on Interpersonal Violence and Safeguarding in Sport, available at *https://bjsm.bmj.com/content/58/22/1322*.

[4] IOC Charter, in force as of 30 January 2025, available at *https://stillmed.olympics.com/media/Documents/International-Ol*.

[5] *https://www.olympics.com/ioc/olympic-charter.*

One of the key developments in the Olympic Charter's approach to safeguarding is the recognition of a "shared responsibility" among the IOC and every member of the Olympic Movement. The Charter makes it clear that the IOC and the NOC must work together to ensure the well-being and safety of participants (Article 2). This co-operation duty requires all Games' individuals and organizations to uphold ethical and safeguarding standards in order to prevent in an international and multicultural context any form of child abuse, bullying, and exploitation, especially for young athletes who are most at risk.

In that regard, the Charter refers to the Olympic Games as "*a safe space where everyone is protected from harm*" (Article 3) meaning that the IOC should ensure that all possible safeguarding measures such as preventive programs, training on recognizing abuse, and reporting mechanisms.

The Olympic Charter also acknowledges the importance of qualified roles within the Olympic Movement, such as accredited Welfare Officers and Safeguarding Officers.

A critical aspect of safeguarding is ensuring that there are clear, accessible, and confidential channels for reporting concerns related to abuse, harassment, or mistreatment. The Olympic Charter calls for the implementation of these mechanisms at every level of the Olympic Movement, ensuring that athletes, coaches, and other participants know where to turn if they experience or witness abuse.

All safeguarding policies ought to be implemented in a consistent and transparent manner (Article 10). As a consequence, each host country and NOC should establish protocols for reporting incidents of abuse or harassment, so that participants feel safe and encouraged to denounce them. Furthermore, the Charter mandates that safeguarding issues be handled with confidentiality through appropriate investigations.

While the Olympic Charter provides the overarching framework for safeguarding, it also stresses the need for international, national, and local laws regarding the protection of individuals (Article 11) to comply with the Olympic rules. It mandates cooperation with local authorities to ensure that, in the event of serious allegations, the appropriate legal processes are followed. This includes notifying authorities when criminal activity is suspected, allowing for investigations and, where necessary, criminal prosecution.

The above provisions indicate that Charter is not simply a set of rules but rather the necessary basis to act and play in full compliance with the Olympic values: fair play, respect, peace, inclusion and non-discrimination.

By complying with the rules and ensuring a safe and respectful sports environment, it will be possible to foster a broader cultural transformation where every form of abuse is banned and the absolute well-being of every participant is granted.

This shift requires a collective effort from all sports stakeholders who must embrace safeguarding not only as a regulatory duty but, first of all, as an ethical and social responsibility. The introduction of Welfare and Safeguarding

Officers, confidential reporting mechanisms, and mandatory preventive measures are crucial steps, but their success depends on a genuine commitment in line with the commonly accepted values to changing attitudes, strengthening accountability, and fostering an environment where speaking up is encouraged and protection is guaranteed.

By upholding the values enshrined in the Olympic Charter, the Olympic Movement not only has the influence to lead by example but also carries the responsibility to set a global standard for integrity, safety, and respect in sport.

## *3. Ethical Behaviour and Safeguarding in the IOC Code of Ethics*

The IOC Code of Ethics is the reference for ethical behavior in the Olympic Movement.[6]

Its preamble is particularly significant because it explicitly calls the Olympic parties to disseminate a "*culture of ethics and integrity within their respective areas of competence and to serve as role models*".[7]

The IOC Code of Ethics is built on the dignity and rights of all individuals and put emphasis on the promotion of a safe and fair environment for all individuals involved in the Olympic Movement (Article 1).

This provision repeats four times the word "respect" in the following terms:

– "*Respect for the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play*" (Article 1.1);

– "*Respect of the principle of the universality and political neutrality of the Olympic Movement*" (Article 1.2.);

– " *Respect for international conventions on protecting human rights insofar as they apply to the Olympic Games' activities*", in particular

– "*Respect for human dignity*" (Article 1.4).

The same provision highlights the importance of non-discrimination and equality, ensuring that all participants – regardless of age, race, gender, or disability – are treated fairly and equitably which is directly linked to safeguarding, as it reinforces the commitment to protect vulnerable groups, such as children and young people within sports contexts.

Thus, the IOC Code of Ethics builds upon the fundamental values of Olympism to create a culture for safeguarding as an ethical obligation shared by all members of the Olympic Movement. Just as the Olympic Charter establishes a framework for protection, the Code of Ethics reinforces moral responsibilities of ensuring a safe and inclusive sporting environment.

Pursuant to the Code the dignity and well-being of every participant – especially children, young athletes, and other vulnerable individuals – are non-negotiable.

---

[6] IOC Code of Ethics, in force as of August 2024, available at *https://stillmed.olympics.com/media/Document%20Library/OlympicOrg/Documents/Code-of-Ethics/Code-of-Ethics-ENG.pdf.*

[7] Ibid.

Ultimately, the IOC Code of Ethics is important for cultural change, embedding safeguarding into the very fabric of Olympic values.

### *4. The IOC Framework for Safeguarding Athletes and Other Participants*

The "*IOC Framework for Safeguarding Athletes and Other Participants from Harassment and Abuse in Sport"*[8] ("IOC Framework") aims at ensuring a safe environment for all involved in the Olympic Games by supplementing existing rules and ethical guidelines with specific measures to prevent and address harassment and abuse. The IOC Framework applies to all accredited participants, namely athletes, officials, and team staff, and defines key forms of abuse – ranging from psychological and physical violence to sexual harassment, neglect, and online abuse (Articles 3 and 4).

Participants are expected to always uphold the laws of the Host Nation and all applicable sport codes, rules and regulations and regulations, and refrain from encouraging others to break any laws, rules, or regulations (Article 5). This ensures a foundation of legal and ethical responsibility.

Moreover, participants must prioritize the safety and well-being of all involved, ensuring their actions, intentions, and communications reflect this commitment. It is vital that they maintain the highest standards of conduct, stand up to their position of authority, and act in the best interests of children, young people, and vulnerable persons.

Being aware of one's own behavior and maintaining appropriate boundaries is another crucial aspect. Participants should respect the rights, dignity, and worth of every person, free from any form of discrimination. This includes standing against and reporting any form of harassment, abuse, neglect, abuse of power, trust, influence, authority, bullying, or any other harmful behavior. Such measures ensure that all individuals involved are treated with the utmost respect and care.

The framework also establishes a comprehensive framework of standards of behavior when dealing with victims of abuses in the following terms:

"*If a Participant is made aware of a concern of harassment and/or abuse, they must consider the following:*

*a. Be aware of the perspective of the Athlete or potential victim.*

*b. Stay calm, try to listen actively, and do not prejudge or make negative comments about the person/organisation being accused.*

*c. Avoid asking probing or leading questions.*

*d. Do not make promises that cannot be kept, for example, do not promise to have someone removed.*

*e. Ensure confidentiality while making it clear that information will be shared only with people who can help.*

[8] Available at *https://stillmed.olympics.com/media/Documents/Athletes/Safeguarding/IOC-Games-Time-framework-ENG.pdf?utm_source=chatgpt.com*.

*f. Write down some notes when feasible in order to make the report as accurate as possible, using their own words where possible.*
*g. Remember that it is not your responsibility to start an investigation, speak with people involved or acquire evidence.*
*h. Keep the athlete/potential victim informed of the steps you are or will be taking.*
*i. If needed, ask for help for your own well-being.*
*j. Assess whether someone may be at imminent risk of harm. If so, report this immediately via the available avenues provided below*" (Article 5).

Particular interesting is the concept of "active listening" that all safeguarding officers, independently from their background (legal, medical, academic, or others) should adopt when approaching a victim of abuses. Although this concept is not explicitly defined, it is generally understood to mean fully concentrating, understanding, responding, and remembering what someone is saying, rather than merely hearing their words.

The IOC refers also to the roles and responsibilities of the NOC Accredited Welfare Officers (Article 7) and the IOC Safeguarding Officers (Article 8) as crucial in safeguarding the well-being of participants during the Olympic Games (OG) and Youth Olympic Games (YOG). All accredited Welfare Officers must meet stringent professional requirements, either as nationally licensed mental health practitioners or internationally certified safeguarding practitioners. This ensures that participants receive the necessary expertise and prompt support when needed.

The IOC's initiative to encourage NOCs to appoint permanent Safeguarding Officers through the extra accreditation option offers the opportunity to strengthen the commitment to safeguarding within national teams. This proactive approach, which ties accreditation to the completion of the IOC's "Safeguarding Officer in Sport" course, promotes a well-trained and dedicated workforce ready to address safeguarding concerns from the very start of the Games.

On the IOC side, Safeguarding Officers provide indispensable support by overseeing and documenting reports of harassment and abuse, ensuring adherence to the Rules of Procedure. Their collaboration with NOC Welfare Officers, medical teams, and other experts is critical for a thorough response to any reported incidents. The IOC Safeguarding Officers are also tasked with facilitating communication with local authorities and providing ongoing support for those affected.

The cooperation of NOC Accredited Welfare Officers and IOC Safeguarding Officers should contribute significantly to the protection and well-being of all participants, providing a structured, coordinated approach to safeguarding.

The IOC framework also highlights the importance of confidentiality and appropriate reporting procedures (Article 9).

If an incident of harassment or abuse occurs, multiple reporting channels are available, including direct contact with Safeguarding Officers, a dedicated email, and an online integrity hotline. Every report is carefully documented, and appropriate steps are taken to ensure the well-being of those involved, particularly if the victim is a minor.

Moreover, if an incident is reported and unresolved, the IOC may form a special disciplinary commission to investigate and impose sanctions in line with the Olympic Charter and Rules of Procedure (Article 10).

Confidentiality is strictly maintained, ensuring that personal information remains protected. However, the IOC may disclose information if necessary to prevent harm or address unlawful activity. Decisions are made public with privacy safeguards, and details involving children remain strictly confidential. These measures reflect the IOC's dedication to justice, safety, and fairness in the Olympic Games.

## *5. The IOC Safeguarding Toolkit*

To assist National Olympic Committees (NOCs) and IFs in developing their own safeguarding policies, the IOC has also put a "toolkit" at their disposal,[9] helping them to take all practical steps against harassment and abuse.

The toolkit is the result of a broad process involving more than 50 organizations, including experts, athletes, and key stakeholders from various parts of the world.

One key harassment misconception is the belief that such issues are limited to certain countries or specific sports. Research confirms that harassment and abuse occur across all sports and at all levels, regardless of geography or discipline.

Crucially, the *toolkit* underscores the responsibility of sports organizations to implement safeguarding policies and procedures.

### *5.1 Policies and Procedures*

The IOC emphasizes that safeguarding policies should be comprehensive, covering a wide range of issues and guide the addresses trough several useful steps: benchmarking exercise, to do lists, best practices exercises and templates.

It calls for clear definitions of what constitutes abuse, harassment, bullying, and any form of mistreatment within the sporting environment. For example, the toolkit stresses the importance of including not just physical abuse but emotional, verbal, and even sexual harassment as part of safeguarding measures.

[9] Available at *https://stillmed.olympics.com/media/Document%20Library/OlympicOrg/IOC/What-We-Do/Promote-Olympism/Women-And-Sport/Boxes%20CTA/IOC_Safeguarding_Toolkit_ENG_Screen_Full1.pdf?utm_source=chatgpt.com.*

By creating clear policies, sports organizations ensure that there is no ambiguity in the way these behaviors are handled. The toolkit advises on how policies should be written, communicated to all stakeholders (athletes, coaches, administrators), and regularly reviewed to ensure they remain relevant and effective. Policies must also be comprehensive in detailing what happens when an issue arises, including the reporting mechanisms and consequences for violating safeguarding standards.

### *5.2 Reporting Mechanisms and Confidentiality*

A crucial part of safeguarding is making sure athletes and others in the sporting community feel empowered to speak up if they experience or witness abuse. The toolkit provides guidelines on creating safe reporting channels where individuals can report concerns in a secure, confidential, and respectful manner.

The toolkit acknowledges the sensitivity of safeguarding cases and stresses the importance of handling all reports carefully. Athletes may hesitate to report incidents due to fears of retaliation, stigma, or not being believed. By establishing clear, confidential pathways for reporting, the IOC encourages organizations to take these concerns seriously and create a culture where individuals trust the system.

The IOC stresses that confidentiality must be maintained throughout the process of addressing a report. This includes ensuring that personal information about both the victim and the alleged perpetrator is protected, unless disclosure is necessary for the safety of others or required by law.

### *5.3 Dedicated Safeguarding Officers*

The IOC highlights the importance of having dedicated Safeguarding Officers within sports organizations. These individuals are tasked with ensuring the safeguarding policies are adhered to and that any reports of harassment or abuse are investigated properly and fairly, with due process followed at every stage.

It is important to underline that these Officers are not just enforcers of policy but also act as advisors, they provide training, raise awareness about safeguarding issues, and ensure that all parties understand their roles and responsibilities.

To facilitate implementing the toolkit across the globe, the IOC has developed additional resources, such as the *International Safeguarding Officer in Sport Certificate*.[10] This is a training programme for professionals to manage safeguarding issues effectively. This certification ensures that individuals in safeguarding roles get the skills and knowledge to tackle these sensitive matters in a practical and professional way.

[10] The programme of the *International Safeguarding Officer in Sport Certificate* is available at *https://www.sportsoracle.com/course/ioc-certificate-safeguarding-officer-in-sport/*.

### 5.4 Education, Training, and Raising Awareness

The IOC recognizes that policies alone are not enough. For safeguarding to be truly effective, education and awareness are key. The toolkit offers training and educating resources to all stakeholders-athletes, coaches, staff, and others.

The toolkit advocates for regular training programs and workshops to help people recognize signs of harassment or abuse, understand the importance of safeguarding, and learn how to respond appropriately. For instance, it provides advice on creating e-learning modules that can be accessed by anyone in the sporting community, offering athletes and support staff the tools they need to identify and deal with safeguarding issues.

The IOC also encourages organizations to integrate safeguarding training into coaching certification programs and other educational opportunities to ensure that every person involved in the sport has a fundamental understanding of safeguarding principles. This education is essential in fostering a culture of respect and mutual care, where everyone knows their rights and responsibilities.

### 5.5 Managing Cases and Investigations

Once a report of abuse or harassment is made, the toolkit provides detailed guidelines for managing the case. From the moment a complaint is received, it is critical that the process is handled with transparency and fairness. The IOC stresses that investigations should be conducted by professionals, ensuring that those who make the report and those accused are treated with respect and dignity.

The toolkit provides a detailed process for investigating incidents, including how to ensure the person reporting feels supported and that the accused person has the right to respond to the allegations. It also outlines how to protect the privacy and safety of everyone involved during the investigation, ensuring the integrity of the process.

### 5.6 A Critical Analysis of the IOC Safeguarding Toolkit

The Safeguarding Toolkit surely testifies the IOC's commitment towards the creation of a safer environment for athletes.

One of the toolkit's greatest strengths lies in its comprehensive and proactive approach to safeguarding by emphasizing education, prevention, and clear reporting mechanisms.

This forward-thinking strategy ensures that athletes are not only protected but are also educated about their rights and the resources available to them. The toolkit encourages a culture of safety, where the well-being of athletes is the priority at every level of sport, from grassroots to elite competition.

The IOC has placed the athlete at the heart of its safeguarding efforts, focusing on creating spaces where athletes can thrive free from fear or abuse.

Importantly, the toolkit ensures that those responsible for athletes' safety, such as coaches, officials, and administrators, are trained to recognize the signs of potential abuse and misconduct. The IOC outlines training programs that equip these key figures with the knowledge and tools they need to maintain a safe environment. This proactive prevention model, grounded in training and education, provides a solid foundation for creating lasting positive change in sports organizations worldwide.

One of the most commendable aspects of the toolkit can be considered its global inclusivity. The IOC recognizes that the landscape of sports is diverse, and that cultures, legal frameworks, and resources can vary greatly across countries.

In such a scenario, the toolkit has been designed to accommodate these differences, providing a flexible framework that can be adapted to various contexts. Whether for large international federations or smaller local organizations, the IOC's Safeguarding Toolkit has proven to be a versatile resource.

The inclusion of clear reporting channels is another strength that has not gone unnoticed. The toolkit outlines specific processes for athletes to report abuse or misconduct, ensuring that these channels are confidential and safe.

The toolkit offers detailed guidelines and protocols for safeguarding, and it classifies different level of implementation by adopting a tiered approach using Bronze, Silver, and Gold medals where *Gold* represents best practices, while *Bronze* outlines the minimum requirements based on IOC Guidelines.[11]

However, without a way to monitor compliance, it is difficult to assess how effectively these practices are being put into place. In theory, an organization could adopt the toolkit's guidelines as a window dressing but fail to implement them rigorously or provide the necessary resources to carry them out.

Without monitoring, there is also the risk of lack of accountability if an organization fails to adhere to the safeguarding principles. This becomes especially problematic when issues of harassment or abuse arise, as the lack of consistent enforcement may result in athletes not receiving the protection they need or the opportunity to report grievances in a timely and effective manner.

In addition, without a clear system for tracking the implementation of safeguarding efforts, it becomes challenging to identify weak points or areas for improvement.

## *6. The IOC International Safeguarding Officer in Sport Certificate*

In 2012 the IOC launched the International Safeguarding Officer in Sport Certificate aims to train those involved in the safeguarding of athletes from harassment and abuse (non-accidental violence) in sport with the knowledge, skills and confidence needed to fulfil the role of Safeguarding Officer for their sport organisation. The course is delivered online, during a 7-month period. It is organized in 7 modules for

[11] IOC Toolkit, 18.

a total of 250 hours and candidates are expected to pass three exams (two assignments and a final examination) to get the certificate.

### *7. The IOC Regional Hubs on Safeguarding*

Sustainable success depends on understanding and engaging with local contexts.

In 2023 the IOC approved a plan to establish two pilot regional safeguarding hubs in Southern Africa and the Pacific Islands. These regional hubs act as central coordination points, providing athletes with independent guidance, and help them access psychosocial support, legal aid and any other assistance that they may need in their own language and with an understanding of their culture and local context.[12]

The IOC also created a dedicated Safeguarding Working Group has been tasked to consider the best approach to establishing independent safeguarding systems and structures at national level.[13]

The pilot hubs in Southern Africa and the Pacific Islands are expected to build on existing initiatives in the regions and have in-depth knowledge and understanding of local safeguarding measures, and the legal landscape and services available, so that they can guide anyone harmed in sport – from grassroots through to elite level – towards trusted services, particularly those designed to support their well-being.[14]

Where there are gaps in the available services, the hubs seek to mobilize resources and partnerships to address them. Their primary focus is on response, in order to ensure that any person who has been harmed in sport has a direct point of contact who can offer immediate assistance and access to local support. Both hubs will also coordinate a network of fully trained, trauma-informed safeguarding in sport investigators, as well as a network of trained safeguarding officers.[15]

### *8. The IOC Consensus Statements*

In 2007 the IOC published a Consensus Statement on sexual harassment and abuse in sport. The aim of the document was to improve the health and protection

---

[12] IOC, *Establishment of regional safeguarding hubs in Southern Africa and the Pacific Islands approved by IOC EB, groundwork laid for European safeguarding hub*, available at *https://www.olympics.com/ioc/news/establishment-of-regional-safeguarding-hubs-in-southern-africa-and-the-pacific-islands-approved-by-ioc-eb?utm_source=chatgpt.com*.

[13] HRH Prince Feisal al Hussein, Chair of the IOC Safeguarding Working Group stated:
"*Over the past few months, we discussed how we can bridge the gap between the work being done internationally and locally to safeguard athletes. With the establishment of pilot regional safeguarding hubs in Southern Africa and the Pacific Islands, we are taking a bottom-up approach - critical in this field. We provide standardised principles that can be adapted on the local level, aligned with the culture and context. By the region, for the region*".

[14] Ibid.

[15] Ibid.

of athletes through the promotion of effective preventive policy as well as to increase the awareness of these problems among the people in the entourage of the athletes.

In the first part of the document, the IOC defined "sexual harassment and abuse in sport" in the following terms:

a) sexual harassment refers to behaviour towards and individual or group that involves sexualized verbal, non-verbal or physical behaviour that is based upon an abuse of power or trust;

b) sexual abuse involves any sexual activity which is not consensual and/or illegal;

c) gender harassment consists of derogatory treatment of one gender or another which is systematic and repeated but not necessary sexual;

d) hazing involves abusive initiation rituals that often have sexual components;

e) homophobia is a form of prejudice and discrimination ranging from passive resentment to active victimisation of lesbian, gay, bisexual and transgender people.

In the second part of the Consensus Statement, the IOC focused on the scientific evidence showing the following key findings:

1. sexual harassment and abuse in sport happen in all sports and at all levels;
2. members of the athlete's entourage and peer athletes appear to be the primary perpetrators;
3. perpetrators are usually males;
4. risk situations are the locker-room, the playing field, trips away, the coach's car and social events;
5. sexual harassment and abuse in sport seriously impact on athletes' physical and psychological health as well as on athletic performances.

In the last part of the document, the IOC outlined the measures to be adopted. In particular, all sport organisations are invited to:

a) develop policies (i.e. statement of intent) showing a commitment to create a safe sport environment;

b) develop procedures (i.e. codes of conducts) describing acceptable standards of behaviour required to implement the policy;

c) monitor the implementation of such policies and procedures;

d) develop ad education and training program on sexual harassment and abuse in sport;

e) foster strong partnership with parents to prevent sexual harassment and abuse;

f) promote scientific research on these issues.

In 2016 the IOC updated the 2007 Consensus Statement and published a new one on harassment and abuse (non-accidental violence) in sport. The new Consensus Statement expressly focused on child and adolescent athletes, on athletes with disabilities and on lesbian/gay/bisexual/transsexual athletes and used the term 'violence' to describe the various non-accidental harms perpetrated on athletes.

As regard child and adolescent athletes, the IOC underlined that some risks to young athletes are unique to sport, such as the coach-athlete relationship,

intensity of sport practice and the demands of competition, media interest in child athletes, athlete recruitment practices, relocation of minors to a distant training facility, practices requiring physical measurement and biological passport, varied training locations and times, separation from family or school communities due to sports participation, sport initiation and hazing practices. Moreover, adolescence is a critical transition period that is also characterised by hight sport participation and therefore young athletes are more vulnerable to abuse at this time because of their need to be cared for, protected and supervised during their development.

As regard athletes with disabilities, data from sport confirmed that youth athletes with disabilities experience a two to three times increased risk of psychological, physical and sexual abuse and harassment when compared with youth athletes in general. Moreover, in addition to the general risks, specific vulnerabilities to non-accidental violence for athletes with disabilities relate to making uninformed assumptions about the care needs of athletes, exploiting the athletes' dependence on personal care and blurring the role and responsibilities in the coach-athlete relationship.

Lastly, in 2024 the IOC released a new Consensus Statement addressing interpersonal violence and safeguarding in sport.[16] For the first time, the IOC defines the term "Safeguarding" as "*all proactive measures to both prevent and appropriately respond to concerns related to harassment and abuse in sport as well as the promotion of holistic approaches to athlete welfare*".

The document synthesizes evidence on interpersonal violence, introduces a socioecological model to understand such issues in sport, and provides accessible safeguarding guidance for all stakeholders. The Consensus aims to enhance the understanding of interpersonal violence in sports settings and offers recommendations to prevent and address such incidents effectively.

Moreover, the new Consensus statement provides the following 5 overarching recommendations:

1. address safe sport as everybody's responsibility;
2. recognise that safe sport is for all within the sports ecosystem;
3. encourage awareness, adoption and implementation of current scientific knowledge on safeguarding in sport;
4. encourage sport that is athlete centred, emphasising mutual care and respect;
5. outreach to unheard voices and integrate global perspectives into safe sport.

Lastly, it is worthy to note that the Consensus statement underlines the principle that safe sporting environments and high-performance sporting success can go hand in hand. As recognized in literature, sport philosophies focused on conscientiousness, higher purpose and personal growth can also emphasize traditional values of (elite) sport such as achievement.[17]

---

[16] IOC consensus statement: interpersonal violence and safeguarding in sport, available at *https://bjsm.bmj.com/content/58/22/1322*.

[17] CJ Mallett, S. Lara-Bercial, *Serial winning coaches: people, vision, and environment*, Sport and exercise psychology research. Elsevier, 2016: 289-322, available at *https://linkinghub.elsevier.com/retrieve/pii/B9780128036341000145*.

To reach such a result, the Consensus statement invites to:

– include safe sport in the concept of sporting success;

– underpin safeguarding measures with an empowering climate and positive reinforcement;

– regularly ask for athletes' feedback; and

– find ways to both measure and increase mutual care and respect within sport settings.[18]

## 9. *The Olympic Agenda 2020+5 and Recommendation 5*

The Olympic Agenda 2020+5 is the roadmap determining the direction of the IOC and the Olympic Movement until 2025.[19] It is based on 15 recommendations identified to cope with key trends such as the digitalization of sport, the urgency of achieving a sustainable development, the growing demand for credibility, the need for greater solidarity.

Among these 15 recommendations, recommendation 5 is specifically oriented to safeguarding and calls for further strengthening safe sport and the protection of clean athletes.[20]

In particular, in order to inspire and support the Olympic Movement in fostering safe sport and athlete well-being worldwide, the IOC is invited to inspire and support the Olympic Movement in fostering safe sport and athlete well-being worldwide and to support the implementation of safeguarding policies and procedures amongst all stakeholders.

At the same time the IOC is invited to encourage the Olympic Movement constituents to establish a Safeguarding Officer position within their organisations and to fill such position with an officer certified through the international safeguarding officer in sport certificate and to support NOCs through Olympic Solidarity to deliver safeguarding education for their national stakeholders (athletes and entourage) through webinars, courses and international scholarships.

Moreover, in order to ensure that the Olympic Games are at the forefront in the field of athlete safeguarding and well-being, the IOC is invited to promote that considerations for the safeguarding of athletes are included at every stage of the lifecycle of the Olympic Games and Youth Olympic Games and to promote the values of safe sport amongst athletes and their entourage at the Olympic Games and Youth Olympic Games.

---

[18] JL Komaki, YA Tuakli-Wosornu, *Using Carrots Not Sticks to Cultivate a Culture of Safeguarding in Sport*. Front Sports Act Living 2021; 3:625410. doi:10.3389/fspor.2021.625410; T. Greither, J. Ohlert, *Empowering and disempowering climate and experiences of psychological violence in artistic gymnastics*. Ger J Exerc Sport Res 2023. doi:10.1007/s12662-023-00886-7.

[19] Available at *https://www.olympics.com/ioc/olympic-agenda-2020-plus-5*.

[20] Available at *https://stillmed.olympics.com/media/Document%20Library/OlympicOrg/IOC/What-We-Do/Olympic-agenda/Olympic-Agenda-2020-5-15-recommendations.pdf*.

## *10. Conclusion: A Cultural Shift Towards Safeguarding in the Olympic Movement*

The IOC Safeguarding efforts testify the constant attention of the Olympic Movement, embedding safeguarding as a core ethical conduct rather than a mere regulatory requirement.

Rooted in the Olympic Charter, the IOC Code of Ethics, and the other IOC policy documents examined in this chapter, safeguarding has become an essential pillar of sports governance at its highest level, ensuring that priority is always given to the well-being of athletes and all participants.

Through a comprehensive framework that includes specific safeguarding procedures and toolkits, educational programmes, dedicated professionals (safeguarding officers), the creation of regional safeguarding hubs, the IOC has not only provided the tools necessary for implementation but has also driven a shift in the collective cultural perception as well as a new mindset: safeguarding is not seen as an obligation but as an inherent personal and collective responsibility.

# SAFE COURTS: FIBA'S COMMITMENT TO SAFEGUARDING IN BASKETBALL

by *Jaime Lamboy*[*]

SUMMARY: 1. Introduction – 2. FIBA's Safeguarding Regulatory Framework – 2.1 Safeguarding as a Legal Obligation – 2.2 Operational Implementation at FIBA Level – 2.2 The FIBA Safeguarding Council – 2.3 The FIBA Safeguarding Policy – 3. The FIBA Safeguarding Action Plan – 3.1 Prevention and Education – 3.2 Case Management – 3.3 Development of Policies, Procedures, and Regulations – 3.4 Making FIBA Competitions Safe – 3.5 Communication and Awareness Plan – 4. Education, Training, and Awareness – 4.1 The SPOC Course: FIBA's Educational Flagship – 4.2 A Multi-Layered Pedagogical Approach – 4.3 Beyond Training: Follow-Up, Evaluation, and Sustainability – 5. Risk Management and Prevention of Abuses – 5.1 Identifying Risks – 5.2 Preventive Structures and Risk Management Tools – 6. Reporting Mechanisms, Confidentiality and Accountability – 6.1 Reporting Mechanisms – 6.2 Confidentiality and Case Management – 6.3 Towards Greater Accessibility – 7. Conclusions

## 1. *Introduction*

In recent years, safeguarding has emerged as one of the most pressing challenges in international sport. For example, in 2024, the International Olympic Committee (IOC) released an updated "IOC consensus statement: interpersonal violence and safeguarding in sport"[1] (IOC Consensus Statement), expanding the scope of the previous statement issued in 2016. This revised statement reaffirms that while sport can foster physical, mental, and social wellbeing, it also carries inherent risks, particularly when safeguarding measures are absent or inadequate. It emphasises that all forms of harassment and abuse constitute breaches of human rights and may amount to criminal acts. Accordingly, it confirms the legal, ethical, and professional duty of care held by all sport organisations to prevent and respond to such risks proactively.

[*] Attorney at Law (Puerto Rico), J.D., LL.M. currently Head of Legal Affairs at FIBA; former President of the FIVB Legal Commission (2012-2020); former High-Performance Director of the Puerto Rico Olympic Committee (2013-2020). The author gratefully acknowledges the invaluable collaboration and assistance of Javier Deshayes (FIBA Senior Manager and Safeguarding Officer) and Joella Appiah (FIBA Legal Affairs Associate) in the preparation of this chapter.

[1] See at *https://bjsm.bmj.com/content/bjsports/58/22/1322.full.pdf*.

As the world governing body for the sport of basketball and also an organisation with an inclusive mission, the *Fédération Internationale de Basketball* (FIBA) recognises that protecting the dignity, safety, and wellbeing of individuals involved in basketball (regardless of age, role, or background) is both an ethical imperative and a foundational governance responsibility.

In 2022, FIBA formalised this commitment by developing and adopting a comprehensive safeguarding implementation strategy, designed to operationalise its core principles across all levels of the organisation. This strategy is not merely a set of objectives but a process to move beyond compliance and toward creating a genuine culture of safeguarding within the global basketball community.

At the heart of this strategy lies the principle of institutional accountability coupled with local empowerment. FIBA's vision is not to impose a top-down model for safeguarding but to educate, equip, and empower its National Member Federations (NMFs) to develop and implement their own safeguarding frameworks.[2] By offering guidance, training, and operational support (while gradually increasing expectations), FIBA aims to build the long-term capacity of its members. This approach is summed up in the guiding metaphor: "teaching them to fish, rather than giving them the fish".

However, for safeguarding to take root, policies and action plans must be supported by internal change. To this extent, FIBA has pushed for cultural transformation and senior leadership support as critical enablers of effective safeguarding implementation. The commitment of FIBA's Central Board, the Secretary General, and top-level management has ensured that safeguarding is not isolated within one department but rather integrated across internal units, competitions, educational efforts, integrity services, and development activities.

This commitment is further demonstrated by the establishment of the FIBA Safeguarding Council (the Council), a permanent advisory body composed of independent experts and key stakeholders.[3] The Council plays a vital role in reviewing policies, providing implementation advice, and insight from fields such as child protection, sports law, and human rights. Its involvement in implementing FIBA's Safeguarding Policy has brought external validation and strengthened the credibility of FIBA's work.

From the legal point of view, FIBA's safeguarding framework[4] takes a whole-sport, whole-organisational approach. It goes beyond the traditional focus

[2] Empowerment of National Member Federations is one of FIBA's strategic priorities for the 2023-2027 cycle. See: *https://about.fiba.basketball/en/organization/strategy/empower-national-federations*.

[3] See at *https://about.fiba.basketball/en/organization/structure/judicial-and-other-bodies/safeguarding-council* and at *https://www.fiba.basketball/en/news/fiba-central-board-approves-expansion-of-womens-world-cup-2026*.

[4] This chapter will mainly refer to the FIBA General Statues (FIBA GS) (version 2023), Book 1 of the FIBA Internal Regulations (FIBA IR) in force as of 5 December 2024, and the FIBA Safeguarding Policy (the Policy) in force as of 2 December 2022. All references to FIBA's regulatory framework may be consulted in the FIBA Document Library at: *https://about.fiba.basketball/en/services/resource-hub/downloads*.

on youth players to promote protection to all Participants,[5] including adults, coaches, referees, support personnel, officials, and fans. This inclusive scope reflects the growing international consensus that safeguarding applies wherever power dynamics exist, and that harm can occur in many forms.

To instrumentalise this commitment, FIBA updated its Safeguarding Policy (the Policy)[6] in 2022. Although its provisions are addressed in the following sections of this chapter, it is important first to underscore the values it upholds: (a) zero tolerance for abuse and discrimination, (b) the primacy of education and prevention, (c) the duty to report, and (d) the application of risk-based measures across all basketball activities.[7]

Safeguarding is also linked to FIBA's broader governance and integrity strategy.[8] This approach is enshrined in its General Statutes[9] and Internal Regulations, including the Code of Ethics and Integrity.[10] and is increasingly integrated into case management procedures and eventually into event protocols. FIBA views safeguarding as an essential component of good governance and a reflection of the values that define the basketball community.

This chapter offers a general overview of FIBA's safeguarding strategy and institutional framework. It begins by outlining the foundational vision behind FIBA's approach to implementing its Policy and the structural role of the FIBA Safeguarding Council in guiding this development and cultural transformation. The subsequent sections explore the regulatory underpinnings of FIBA's safeguarding framework, the plans to integrate safeguarding into FIBA's activities, including education and training initiatives, risk management strategies, and the mechanisms for reporting and accountability.

## *2. FIBA's Safeguarding Policies and Regulatory Framework*

FIBA upholds the fundamental principle that participation in sport must occur in an environment that is safe, respectful, inclusive, and free from harm. In doing so, FIBA views safeguarding as both a legal obligation and an ethical imperative, enshrined within its internal legal instruments and aligned with international standards and best practices.

Thus, safeguarding within FIBA is governed by a layered legal structure that combines internal regulations, policy instruments, operational guidelines, and

[5] The term "Participants" is defined in article 1-1 of the FIBA IR as well as in the Policy. We will discuss the scope of such a definition in section 2.4 below (see footnote 23 for the full definition).
[6] The Policy may be accessed here: *https://assets.fiba.basketball/image/upload/documents-corporate-fiba-policys-and-rules-safeguarding-policy-v20-2022.pdf*.
[7] See Article 3.2 of the Policy.
[8] Under the "Sustainability and Innovation" strategic objective, FIBA has established the reinforcement of integrity in all competitions as the first implementation goal. See: *https://assets.fiba.basketball/image/upload/v1728586740/documents-corporate-others-strategy.pdf*.
[9] See FIBA GS, Articles 1.3, 4 (c), (d), (n), (p) and 25.1(b).
[10] See FIBA IR, Articles 1-95(c), 1-130 to 1-134, and 1-159 to 1-160.

oversight mechanisms. This regulatory approach ensures that safeguarding is not only an ethical commitment but also a binding obligation across all levels of basketball governance, from international competition to grassroots initiatives.

### *2.1 Safeguarding as a Legal Obligation*

FIBA's safeguarding architecture is not only grounded in its 2022 Policy, which affirms that "everyone has the right to participate in basketball in an environment that is safe and enjoyable".[11] FIBA's approach is multi-layered and intertwined within its regulatory framework.

While the Policy serves as the principal reference document for safeguarding, its principles are embedded throughout FIBA's legal and institutional ecosystem. Protecting Participants (particularly those in situations of vulnerability) is a transversal obligation that impacts governance, ethics, regulatory enforcement, and member relations. This integrated approach reflects an understanding that safeguarding is not an isolated function but a *foundational value* of modern sport governance.

This is evident beginning with FIBA GS, where Article 1.3 asserts the organisation's commitment to prohibiting discrimination in any form. In parallel, Article 4 mandates the formulation of safety, health, and equal opportunity policies, explicitly linking these areas to FIBA's core mission of ensuring basketball is conducted in a competitive *and* fair manner.[12]

The FIBA IR gives legal expression and operational clarity to the principles of the FIBA GS. Notably, Articles 1-118 to 1-133 define a broad set of safeguarding-related obligations, encompassing not only the prohibition of discrimination, abuse, and harassment but also the duty to respect the dignity, ensure psychological and physical safety, and promote ethical conduct among all Basketball Parties.[13] These provisions articulate conduct standards and set expectations for everyone under FIBA's jurisdiction, including officials, staff, volunteers, and event organisers.

The FIBA IR also places direct obligations on NMFs. Articles 1-157 to 1-162 codify a structured safeguarding mandate for NMFs, requiring them to adopt policies aligned with FIBA's minimum standards.[14] Article 1-159, in particular, encourages the development of national-level safeguarding policies and frameworks, which has become a *regulatory requirement by 2027* for Federations seeking full compliance with FIBA rules. These measures are not merely programmatic; they are a condition of good standing within the international basketball community. However, as discussed in Sections 3 and 4 below, this mandate is ineffectual unless NMFs are given the tools to develop these policies and frameworks.

[11] See Article 1 of the Policy.
[12] See FIBA GS, Article 4 (c).
[13] See FIBA IR, Articles 1-118-1-133.
[14] See FIBA IR, Article 1-134.

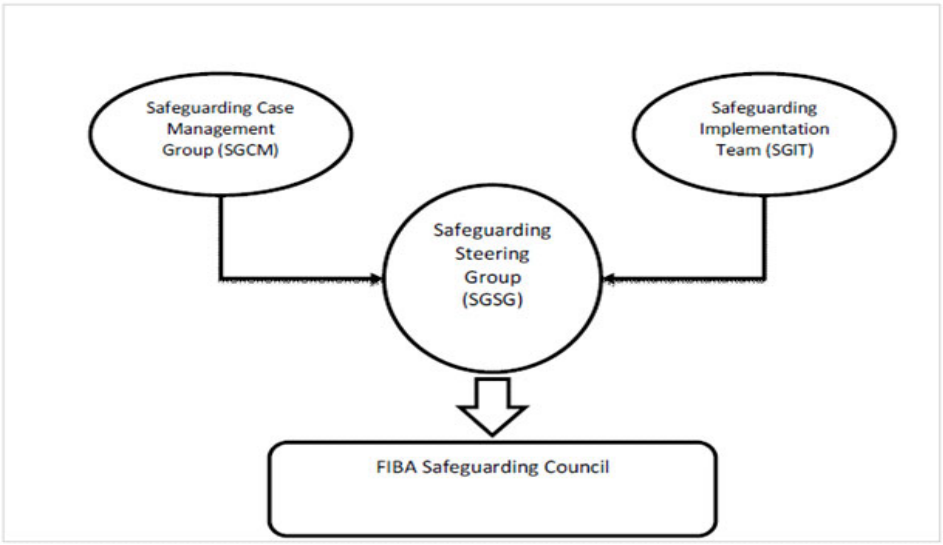
Notably, Article 1-160 of the FIBA IR provides FIBA with subsidiary jurisdiction to intervene in cases where an NMF fails to respond to a safeguarding concern appropriately. This legal safeguard ensures that the duty of protection remains actionable and enforceable, even in decentralised governance environments. FIBA thus reserves the right to investigate, adjudicate, and sanction safeguarding violations at the NMF level when local accountability mechanisms prove insufficient or inactive.

### *2.2 Operational Implementation at FIBA Level*

To translate these legal commitments into practice and ensure their effective enforcement, FIBA has a series of bodies with distinct safeguarding responsibilities. From the operational point of view, FIBA administers a multi-tiered safeguarding architecture designed to ensure both strategic oversight and case-level consistency. At the primary level lies the FIBA Safeguarding Council, which serves as an independent advisory body, and whose role and particularities we will discuss in more detail in Section 2.3 below.[15] Supporting its work, the Safeguarding Steering Group (SGSG) plays a pivotal role in monitoring the implementation of FIBA's Safeguarding Action Plan (see Section 3), coordinating the work of the various safeguarding stakeholders, and organising Council meetings and reporting activities. The Safeguarding Implementation Team (SGIT) focuses on the implementation of the Action Plan, ensuring that policy commitments are translated into concrete measures across all FIBA competitions and programmes. Day-to-day casework is addressed by the Safeguarding Case Management Group (SGCM), tasked with ensuring consistent handling and follow-up of individual cases in close interaction with FIBA's Legal Department.

This internal ecosystem reflects FIBA's recognition that safeguarding requires sustained institutional engagement across multiple functions, not only to prevent harm but also to respond effectively and transparently when risks materialise. The following diagram illustrates how these distinct but interdependent groups interact within FIBA's internal safeguarding framework to ensure a coherent and effective institutional response.

[15] See Articles 1-210 to 1-211 FIBA IR.




In parallel, FIBA has a clearly defined dispute resolution structure for handling safeguarding-related matters, covering both investigative and disciplinary stages. The Integrity Officer, acting under authority delegated by the Secretary General and Central Board, holds investigative powers and coordinates case fact-finding. The Ethics Panel is empowered to examine ethical complaints involving Basketball Parties, particularly those that raise concerns of conduct incompatible with FIBA's safeguarding standards. Where a potential breach of FIBA's rules is identified, the FIBA Secretary General, the Disciplinary Panel (DP) and the Appeals Panel (AP) are competent to adjudicate such matters in accordance with FIBA's established disciplinary framework. These bodies address charges brought against Basketball Parties implicated in safeguarding violations, ensuring procedural fairness and the right to be heard. In line with the practices of other International Federations, decisions rendered by these bodies are subject to appeal before the Court of Arbitration for Sport (CAS). The table below outlines the scope of competence and procedural roles of each of these bodies within FIBA's safeguarding enforcement system.[16]

[16] For a comprehensive discussion of FIBA's approach to dispute resolution and the relevant judicial bodies, see: J. Lamboy,. "*FIBA Justice: Four Pillars of an Effective and Efficient Dispute Resolution System*" *International Sports Justice*, M. Coccia and M. Colucci eds., Sports Law and Policy Centre, 2023.

| Judicial Body | Legal Reference | Description |
|---|---|---|
| Secretary General | Article 16 GS | Is the sole legal representative of FIBA who manages the Secretariat and is responsible for the implementation of decisions taken by the decision-making bodies of FIBA, takes decisions as the first instance in disciplinary proceedings, and ensures that measures concerning the promotion, supervision and direction of basketball worldwide are implemented. |
| Disciplinary Panel | Article 38 GS<br>Article 1-201 FIBA IR | Competent to impose sanctions for breaches of the Code of Conduct, as well as of the Safeguarding Policy. |
| Appeals Panel | Article 35 GS<br>Article 1-239 FIBA IR | Decides on appeals filed by an affected party against decisions of FIBA, unless such appeal is expressly excluded in the General Statutes or Internal Regulations of FIBA. |
| Ethics Panel | Article 36 GS<br>Articles 1-212 to 1-216 FIBA IR | Reviews ethical complaints, which may include safeguarding components, and issues prima facie decisions; if necessary, the matter is referred to the Disciplinary Panel. |
| Integrity Officer | Articles 1-205 to 1-208 FIBA IR | Conducts fact-finding and supports the investigation of complex or sensitive safeguarding cases, particularly where power asymmetries or systemic failures are involved, to provide an independent report to FIBA subsequently. |
| Safeguarding Council | Article 1-210 FIBA IR | A multidisciplinary advisory body that guides policy development, updates, and integration of best practices. |

As shown in the section, FIBA's institutional structure does not treat safeguarding as an isolated responsibility of one department or just as another policy. Instead, it is a legally enforceable norm supported by a coherent framework of rules, procedures, and adjudicative authority. Every layer of FIBA's governance, from statutory commitments to disciplinary enforcement, contributes to a system of protection grounded in legal accountability.

### *2.3 The FIBA Safeguarding Council*

Recognising that safeguarding requires specialised knowledge, sustained oversight, and collaborative leadership, FIBA established the FIBA Safeguarding Council in 2022 as a dedicated independent advisory body tasked with guiding and monitoring the implementation of its safeguarding commitments. The creation of the Council represents a step forward in ensuring that FIBA's safeguarding structures evolve in line with best practices, remain responsive to emerging risks, and maintain a credible, inclusive, and participant-centred approach.

The Safeguarding Council's primary purpose is to advise the Secretary General and other FIBA governance bodies on safeguarding matters. It provides

expert recommendations on policy design, education strategies, risk prevention, case management protocols, and monitoring frameworks. Importantly, the Council functions as a bridge between policy and practice, ensuring that safeguarding is not merely a compliance exercise, but a dynamic process of cultural and operational change. According to Article 1-210 of the FIBA IR, the Council is mandated to:

– Provide strategic guidance on safeguarding and the protection of vulnerable groups;

– Review and propose updates to safeguarding provisions within FIBA's regulatory instruments;

– Advise on the creation of tools and templates to support NMFs in developing their safeguarding frameworks;

– Contribute to the evaluation and continuous improvement of safeguarding practices, especially in the context of international competitions.

As of its launch, the composition of the FIBA Safeguarding Council reflects its multidisciplinary and independent nature, comprising both internal FIBA representatives and external experts with diverse backgrounds, bringing valuable expertise to FIBA's safeguarding efforts.[17]

The Council's role is advisory, but its influence is tangible. It has supported the creation of educational tools and shaped the direction of FIBA's Single Point of Contact (SPOC) network,[18] and helped refine reporting and risk mitigation strategies. It also ensures that safeguarding remains a standing topic in high-level decision-making. Ultimately, the Council provides an independent oversight mechanism within FIBA's safeguarding framework, contributing to transparency, accountability, and the ongoing development of safeguarding practices in international sport.

---

[17] The FIBA Safeguardin Council Members currently are: HRH *Prince Feisal Al Hussein* (Chair), an International Olympic Committee (IOC) member and President of the Jordan Olympic Committee. *Astou Ndour-Fall*, a distinguished basketball player for the Spanish national team, representing the perspective of athletes in safeguarding discourse. *Carol Callan*, serving as President of FIBA Americas until 2023, Callan has a long-standing history with USA Basketball, where she played a pivotal role in women's basketball development, serving as Women's National Team Director. *Alan Abrahamson*, an award-winning journalist renowned for his coverage of Olympic sports as well as an Associate Professor at the University of Southern California (Annenberg School), *Carmen Tocală*, President of the Romanian Basketball Federation and a former national team player and coach, Tocală has been a FIBA Europe Board member since 2010 and currently serves on the FIBA Central Board and Executive Committee. *Danka Barteková*, a four-time Olympian in shooting sports and former world record holder, she has been Vice-President of the Slovak Olympic and Sports Committee since 2021, the Vice-Chair of the IOC Athletes' Commission and is currently an IOC member/*Patrick Mariller*, as FIBA's Chief Operating Officer, Mariller, a Stanford University Graduate School of Business alumnus, provides internal oversight and ensures safeguarding initiatives are integrated into FIBA's operational frameworks.

[18] The Safeguarding SPOC network is a system of designated safeguarding officers appointed across NMFs. Its purpose is to ensure consistent implementation of safeguarding policies, facilitate education and awareness, and serve as accessible, trained points of contact for reporting and managing cases and reports of safeguarding transgressions.

### *2.4 The FIBA Safeguarding Policy*

The FIBA Safeguarding Policy[19] is the cornerstone of FIBA's institutional commitment to promoting and protecting the right of individuals to participate in basketball in a safe, respectful, and inclusive environment. It sets out FIBA's normative position on safeguarding, articulates its expectations for conduct and responsibility, and provides a coherent framework for protecting Participants, especially those in situations of vulnerability, such as minors, persons with disabilities, or individuals subject to power imbalances.[20]

The Policy is far from a standalone or symbolic document. The Policy functions as a regulatory instrument: it codifies conduct expectations, delineates institutional duties, and sets enforceable standards for all Basketball Parties. Its authority is derived from FIBA's Internal Regulations[21] and reinforced through implementation mechanisms such as case management procedures, safeguarding follow-ups, and oversight by the Safeguarding Council.

Framed around four core pillars: *Zero Tolerance, Education, Identifying Violations and Duty to Report, and Risk Management*, the Policy reflects both FIBA's internal governance values and broader international trends in sport safeguarding.[22] While the specific themes of reporting, case management, and education are addressed in detail in later sections of this chapter, the present section considers the Policy's main structural and regulatory elements that define its legal and ethical orientation.

One of the Policy's most important structural elements lies in its broad and inclusive definition of those it protects. Rather than limiting safeguarding duties to minors or elite players, the Policy defines "Participants" and "Basketball Parties" expansively and in line with FIBA's wider regulatory framework:

– "Participants" include players, coaches, referees, officials, team personnel, medical staff, volunteers, and any person involved in basketball activities or events under the jurisdiction of FIBA or its affiliated entities.[23]

---

[19] At the time of publication, FIBA is in the process of reviewing and updating the Policy to ensure it remains responsive to the evolving challenges and complexities that safeguarding issues present in the world of sport. This ongoing revision underscores FIBA's commitment to continuous improvement and alignment with international best practices.

[20] See sections 3.1 and 3.3 of the Policy.

[21] See Articles 1-130 to 1-134 FIBA IR.

[22] See Article 3.2 of the Policy.

[23] The definition of "Participants" is identical to the one found in Article 1-88 FIBA IR: "*Any Person playing a direct or indirect role in basketball, including without limitation the following: players and their agents or representatives; player support personnel (e.g. coaches, assistant coaches, doctors, physiotherapists, etc); any other person included on a National Member Federation's team delegation roster; commissioners; game officials (e.g. referees, Technical Delegates, Commissioners, Table Officials, etc); followers with special responsibilities (e.g. managers, statisticians, interpreters, mascots, etc.); Persons employed by, or engaged in activities on behalf of (whether paid or unpaid), or having a direct or indirect affiliation to FIBA, a FIBA Divion or a Local Organising Committee; and any other person accredited for or in attendance at an Official Game*".

– "Basketball Parties" extends this even further to include National Member Federations, Zones, Local Organising Committees, sponsors, service providers, event attendees, and any stakeholder directly or indirectly in the sport's ecosystem.[24]

This broad definitional scope serves two purposes. First, it acknowledges that vulnerability to harm is not limited to age or athlete status, which can arise due to power imbalances, gender, disability, cultural context, or social position. Second, it establishes a universal duty of care: safeguarding is not confined to protecting a narrow class of individuals. Still, it is everyone's responsibility, embedded in every layer of sport's governance and operation. This approach is in line with the IOC Framework for Safeguarding Athletes and Other Participants (the IOC Framework) regarding the collective duty of care across all actors in the Olympic Movement, as well as with the IOC Consensus Statement (see footnote 1).[25]

The approach also reflects the legal reasoning advanced in the jurisprudence of the Court of Arbitration for Sport (CAS), particularly in athlete maltreatment cases. In CAS 2019/A/6388, *Karim Keramuddin v. FIFA*, the Panel further supports the notion that safeguarding responsibilities do not lie solely with individual perpetrators but extend to institutional actors, including national federations. In the abovementioned case, although the Panel focused on the individual misconduct of the national football association, the facts presented make clear that the national association failed in its institutional safeguarding responsibilities.[26] In these types of cases, sports organisations not only carry regulatory authority, but also a corresponding duty to act diligently when safeguarding risks are present. This reinforces the importance of FIBA's provisions requiring NMFs to adopt local safeguarding mechanisms consistent with the Policy's standards.

Another notable strength of the Policy lies in its integration of precise terminology and operational definitions, grounded in international safeguarding practice. Concepts such as *harassment*, *abuse* (including physical, emotional, and sexual abuse), *neglect*, *bullying*, and *discrimination* are clearly defined.[27] These are accompanied by illustrative indicators of harm, supporting both proactive

[24] The definition of "Basketball Parties is identical to the one found in Article 1-89 of the FIBA IR: *"The following persons are subject to the jurisdiction of FIBA under the terms established in Chapters 5 and 6: FIBA Divisions; National Member Federations; any association, club, and other organisations (including leagues) that are members directly or indirectly or part of the National Member Federations or of FIBA or a FIBA Division; Persons employed by, or engaged in activities on behalf of (whether paid or unpaid), licensed by, or having direct or indirect affiliation to FIBA or any of the aforementioned entities; Basketball Officials, Participants; Spectators; any Person, city or state and the like bidding for the right to conduct events/Competitions of FIBA, including the Local Organising Committee formed to run such events; and any other Person bound by the General Statutes and Internal Regulations of FIBA.*

[25] The full name is: "IOC Framework for Safeguarding Athletes and Other Participants from Harassment and Abuse in Sport (Games-Time Period)". See: *https://stillmed.olympics.com/media/Documents/Athletes/Safeguarding/IOC-Games-Time-framework-ENG.pdf.*

[26] See paragraphs 6, 12(g), 12(h), 207; CAS 2019/A/6388 Karim Keramuddin v. FIFA, award of 14 July 2020.

[27] See sections 2 (Definitions) and 4.2 (Key Indicators of Abuse) of the Policy.

identification and procedural response. This alignment with international standards mirrors approaches found in the IOC Consensus Statement, which also emphasises the importance of shared terminology to ensure consistent, athlete-centred protection mechanisms.[28] This terminological clarity supports procedural due process and the consistent application of the Policy across different cultural and legal systems. It also ensures that NMFs have a reference baseline for developing their domestic safeguarding instruments.

While FIBA's approach is tailored to basketball-specific contexts, it shares structural commonalities with the IOC's Framework. Both instruments define clear thresholds for intervention and

– emphasise trauma-informed and victim-centred responses. Moreover, they recognise psychological safety as an essential component of athlete well-being and require federations to embed safeguarding into organisational culture and structure, not merely apply it at the level of individual events.[29]

A further notable feature of the Policy is its emphasis on institutional accountability. The Policy mandates that safeguarding considerations be integrated into recruitment, supervision, delegation of authority, and event organisation.[30] In doing so, the Policy goes beyond regulation of individuals' conduct and also addresses systemic factors that may enable or conceal abuse. It thus reflects legal developments in sport and human rights law, including the growing recognition that organisational negligence, such as unclear roles, insufficient training, or lack of follow-up, can constitute a form of harm or breach of duty.

Finally, the Policy contains a built-in mechanism for review and evolution, coordinated in consultation with the FIBA Safeguarding Council.[31] This reflexive structure ensures that the Policy remains aligned with emerging best practices and legal developments, including evolving international and human rights standards, to which sport federations are increasingly expected to adhere.[32]

In conclusion, the FIBA Safeguarding Policy is a comprehensive, principled, and practical framework that reflects the intersection of FIBA's regulatory authority and its ethical obligation to ensure that no harm is tolerated within the basketball ecosystem. That protection is not passive, but actively pursued through policy, structure, and institutional leadership.

In conclusion, the FIBA Safeguarding Policy is a comprehensive, principled, and practical framework that reflects the intersection of FIBA's regulatory authority and its ethical obligation to ensure that no harm is tolerated within the basketball ecosystem. That protection is not passive, but actively pursued through policy, structure, and institutional leadership.

[28] See IOC Framework (2016), paragraphs 3–5.

[29] See IOC Framework, paragraphs 6–7. See also: "IOC consensus statement: interpersonal violence and safeguarding in sport" (*https://bjsm.bmj.com/content/58/22/1322*).

[30] See section 5.1 of the Policy.

[31] See section 5.4.1(d) of the Policy.

[32] See also *UN Convention on the Rights of the Child* (1989), Articles 19 and 31; UNESCO International Charter of Physical Education and Sport (2015), Articles 1.3 and 9.1.

## 3. FIBA's Safeguarding Action Plan

FIBA's commitment to protecting all basketball participants is operationalised through a structured and evolving Safeguarding Action Plan (the Action Plan). Covering the 2023–2027 cycle, this Action Plan is both a roadmap and a living framework, designed to embed safeguarding across every layer of the organisation's activities, from policymaking to event operations. While the plan currently outlines key objectives and institutional responsibilities, it is explicitly conceived as a work in progress, to be reviewed and updated in 2027. The aim is to ensure that safeguarding standards remain aligned with emerging global best practices and the evolving needs of FIBA's global basketball community. The Action Plan is built upon five pillars, each representing a core domain of safeguarding implementation.

### 3.1 Prevention and Education

Prevention and education are a core strategic focus of the Action Plan, reflecting the understanding that safeguarding is most effective when risk is addressed before harm occurs. While we will go deeper into this topic in Section 4 below, it is important to stress here that this pillar centres on proactive measures to minimise safeguarding risks through education, awareness, and capacity-building. A key instrument in this effort is the establishment and development of the Safeguarding SPOC Network, a global network of trained safeguarding officers (including at FIBA level), in the NMFs, and at FIBA events.

These SPOCs are responsible for local implementation of safeguarding protocols, dissemination of educational content, and acting as accessible liaisons for players, coaches, and support staff. The network plays a critical role in contextualising safeguarding principles for different stakeholder groups and cultural settings. To support this, FIBA has developed multilingual training materials, organised safeguarding workshops at events, and promotes continuous education on evolving safeguarding risks. The objective is to normalise safeguarding discourse, increase detection and reporting of concerns, and empower all basketball stakeholders to contribute to a culture of safety, dignity, and respect.

### 3.2 Case Management

FIBA's case management approach is designed to ensure that any allegation or report related to abuse, harassment, neglect, or safeguarding risk is handled with fairness, consistency, and procedural rigour. Central to this framework is the SGCM (see Section 2.2 above), a designated internal body responsible for overseeing case intake, coordinating investigative actions, and ensuring appropriate follow-up. The group ensures that all cases are treated according to the principles of due process and confidentiality, while also prioritising the rights and safety of those affected.

The SGCM's mandate includes assessing the severity and complexity of each case, determining whether it can be resolved at the national level or requires FIBA's direct intervention, as well as providing guidance to NMFs where specialised expertise is needed. In instances where an NMF lacks the resources or capacity to handle a case, such as those involving high-profile individuals, transnational elements, or systemic failures, FIBA may assume jurisdiction directly.[33] This structured approach helps prevent improvised responses and builds trust in FIBA's safeguarding system, while ensuring victims are supported and cases are handled consistently across the board.

### *3.3 Development of Policies, Procedures and Regulations*

This foundational pillar focuses on embedding safeguarding obligations within the regulatory framework of FIBA and particularly into those of its NMFs. This approach reflects the recognition that safeguarding cannot be left to informal custom or discretionary goodwill; it must be codified in enforceable instruments that provide legal clarity, procedural consistency, and institutional accountability.

At the international level, FIBA will develop core templates, model policies, and implementation guidelines that establish minimum standards for safeguarding governance at the NMF level. These resources are disseminated to NMFs to serve as a basis for national adaptation. In turn, NMFs are expected to integrate these standards into their own legal and operational systems, aligning with national legislation and cultural contexts.

This pillar also includes the development of a monitoring mechanism through which FIBA can conduct regular assessments of safeguarding frameworks at the NMF level, identify gaps, and offer technical support to ensure progress toward full compliance. At all levels, FIBA Headquarters, Regional Offices, and NMFs, the goal is to establish a harmonised safeguarding ecosystem based on shared principles, formal rules, and transparent procedures.

### *3.4 Making FIBA Competitions Safe*

This pillar focuses on safeguarding implementation in the context of FIBA competitions, recognising that international events present distinct challenges due to their complexity, transience, and diversity of participants. FIBA aims to apply a lifecycle approach to safeguarding during competitions, integrating risk management and protection measures at the different stages of the event planning and delivery: from accreditation and logistics to post-event evaluation.

This approach will include the appointment of on-site Safeguarding SPOCs, the enforcement of codes of conduct on accredited personnel, and the application of safer recruitment practices, including background checks. Events would be assessed for contextual risk factors, and appropriate mitigation strategies would be developed in collaboration with local organisers.

[33] See Article 1-237 (b) FIBA IR.

In the case of minors or Participants in potential situations of vulnerability, additional supervision and protection protocols are to be implemented. Moreover, each event would serve as a platform for communication of safeguarding messages, including access to reporting mechanisms. The overarching aim is not only to ensure the physical and emotional safety of participants during competitions, but also to promote long-term safeguarding legacies in host communities by demonstrating and mainstreaming best practices.

### *3.5 Communication and Awareness Plan*

Safeguarding cannot be effective without a supportive culture of awareness, openness, and engagement. The fifth pillar of the Action Plan addresses this need through a communication and awareness strategy aimed at different levels of the basketball ecosystem. FIBA seeks to ensure that safeguarding policies are not only adopted, but also known, understood, and respected by all relevant stakeholders. To that end, the Action Plan promotes the use of communication channels, including public statements, digital content, and stakeholder briefings, to promote key safeguarding messages and facilitate behavioural change.

NMFs are encouraged to replicate these efforts domestically, tailoring outreach strategies to local contexts. The plan also includes efforts to destigmatise reporting, clarify roles and responsibilities, and build trust in the complaint-handling process. By fostering an environment where safeguarding concerns can be openly discussed and addressed, FIBA seeks to strengthen its accountability to participants and to embed safeguarding norms into the everyday culture of basketball.

## *4. Education, Training And Awareness*

FIBA recognises that education is the cornerstone of any effective safeguarding system. Education enables cultural change, strengthens preventive structures, and builds capacity for timely and appropriate responses. In line with its safeguarding mission, FIBA has prioritised structured educational pathways for NMFs, primarily through the development and deployment of the *FIBA Safeguarding Excellence – Single Point of Contact Course (the SPOC Course)*, tailored to train designated individuals at the NMF level to serve as the exclusive point of contact for safeguarding matters.

### *4.1 The SPOC Course: FIBA's Educational Flagship*

As explained in the previous section, education is a key focus of FIBA's Action Plan, directed at and tailored for NMFs, recognising their pivotal role in local implementation. The SPOC Course is a comprehensive capacity-building programme to empower SPOCs within each NMF and equip them with theoretical and practical tools to fulfil their safeguarding responsibilities effectively. The course participants undergo modules covering prevention and response, interpersonal

violence, grooming, policy implementation, case management, and safeguarding during events. It also includes training on trauma-informed approaches and the integration of safeguarding across organisational cultures. The entire course is designed to progressively build each participant's capacity toward a key final objective: for NMFs to develop their own safeguarding action plan tailored to the needs and context of their respective territories.

SPOCs must complete a declaration of integrity, ensuring they have not been involved in misconduct or disqualified from working with children or persons in situations of vulnerability. This prerequisite reinforces the importance of trust and accountability in safeguarding roles. Each appointed SPOC serves as the central point for safeguarding issues in their respective federation and acts as both strategic and operational lead, ensuring safeguarding is embedded across all functions, from elite to grassroots levels. To this extent, SPOCs are expected to lead the development of safeguarding action plans and coordinate educational initiatives for NMF staff, players, coaches, officials, volunteers, and parents. Furthermore, they are intended to facilitate the dissemination of FIBA policies and procedures by creating their own safeguarding policies and procedures and to promote safe recruitment practices and safeguarding-sensitive event planning.

Course participants are guided to move from the theoretical concepts of safeguarding to the operational realities of their respective federations. Each SPOC is tasked with developing a series of institutional tools designed to ensure that safeguarding is embedded not only in policy but also in practice. These include a federation-specific safeguarding action plan, a communications strategy tailored to diverse stakeholders, a context-sensitive map of referral and support services, and a flowchart outlining local procedures for case management. Special attention is paid to aligning these instruments with FIBA standards and relevant national legal frameworks. Resources provided throughout the course (e.g., guidelines, examples, checklists, mapping tools) are designed to support this integration process. SPOCs are encouraged to build steering groups within their federations to share responsibility and ensure institutional buy-in.

Importantly, these exercises are not conceived as mere academic tasks. Instead, they serve to initiate organisational transformation. By the end of the course, SPOCs are equipped not only to understand safeguarding but to lead its implementation within their environments. They emerge as agents of change, operationalising principles of safety, dignity, and inclusion in all basketball-related contexts. The SPOC course is available in multiple languages and incorporates feedback mechanisms to allow continuous improvement.

In complement to the SPOC Course, the FIBA Safeguarding Toolkit offers a concise and practical support system for SPOCs and other safeguarding stakeholders. While the course provides in-depth training and theoretical grounding, the toolkit distils much of the content into an accessible, user-friendly format, serving as a guide that brings everything together in one document. The toolkit

[33] See Article 1-237 (b) FIBA IR.

includes a range of adaptable templates and documents that NMFs, as well as other basketball organisations such as leagues, clubs, or academies, can use to implement safeguarding measures. Both the course and the toolkit are designed as evolving resources, regularly updated to reflect emerging trends, research, and best practices, ensuring their continued relevance and impact. Together, they form a comprehensive and practical approach to embedding safeguarding across all levels of basketball.

### *4.2 A Multi-Layered Pedagogical Approach*

FIBA promotes a tiered model of safeguarding education, ensuring all levels of the basketball ecosystem are covered:

| Stakeholder Group | Learning Focus |
|---|---|
| SPOCs | Safeguarding leadership, legal obligations, case management procedures, policy implementation, responding to disclosures |
| Coaches & Officials | Identifying signs of abuse, safe coaching practices, managing boundaries, reporting obligations, creating safe environments |
| Volunteers & Parents | Basic awareness, role-specific responsibilities |
| Players | Understanding their rights, recognising unsafe behaviours, how to seek help and report concerns, peer support |
| Basketball Organisations (e.g. FIBA/NMFs/leagues, clubs) | Embedding safeguarding into organisational practices, risk management, role modelling, promoting a safeguarding culture institutionally and during events. |

Education is delivered through interactive modules, scenario-based case discussions, videos, written materials, and group work. Special attention is given to ensuring that training is context-specific and culturally adaptable, reflecting the varying needs of FIBA's global membership. FIBA also emphasises blended learning models, combining in-person workshops with digital content to ensure accessibility.[34]

The end message is: safeguarding is everyone's responsibility. To be effective, it must permeate the operations and culture of every functional area within an NMF. Accordingly, SPOCs are motivated to engage with departments such as human resources, legal affairs, competitions, marketing, and communications. This cross-sectoral approach ensures that safeguarding policies

[34] FIBA has already organised SPOC meetings in Europe and Asia in 2024, having already identified NMFs SPOCs in those regions, and covering key topics during these workshops, such as policies and action plans.

influence all aspects from safer recruitment practices to media coverage and public messaging.

### *4.3 Beyond Training: Follow-Up, Evaluation, and Sustainability*

Completing the SPOC Course is not an endpoint but a transition into a continuous cycle of action, reflection, and learning. SPOCs are expected to turn to their federations and begin implementing their action plans. This may include delivering awareness presentations, conducting domestic training sessions, and initiating internal procedure reforms. In parallel, SPOCs become part of a growing FIBA's network of integrity professionals, where they can share experiences, discuss challenges, and exchange good practices.

The SPOC Course provides participants with a roadmap for monitoring and evaluation. SPOCs are encouraged to develop key performance indicators to assess progress across various domains: coverage of training programmes, stakeholder engagement, handling of reports, and shifts in organisational culture. Regular self-assessment and reporting are both a means of accountability and tools for adaptive learning. By embedding these evaluation mechanisms, FIBA promotes an evidence-based approach that ensures safeguarding remains dynamic and responsive to emerging needs.

## *5. Risk Management and Prevention of Abuses*

Safeguarding in basketball must begin with prevention. In line with the Policy, prevention is not merely an aspirational principle but a structured, proactive approach to identifying and mitigating risks before harm occurs.[35] One of the most effective ways to prevent abuse or misconduct is through systematic risk management. This involves understanding potential threats to the safety and well-being of all participants and putting appropriate safeguards in place. Risk management is not an isolated task, but rather an integrated process that must be embedded within all basketball operations, whether at the international level during FIBA Events, or the national level through the work of NMFs and Safeguarding SPOCs.

### *5.1 Identifying Risk*

FIBA recognises that sport, by nature, presents environments where power imbalances, authority structures, and high-performance pressures may create vulnerabilities. To that extent, risk assessments are essential across the basketball ecosystem, from grassroots to elite events, focusing on specific situations involving Vulnerable Groups,[36] such as insufficient supervision, unclear codes of conduct,

[35] See section 3.2.4 and 5, FIBA Safeguarding Policy.

[36] The Policy defines "Vulnerable Groups" as: *Individuals who are vulnerable or at risk of abuse or neglect due to their mental or physical disability, their level of ability, their age, ethnicity or social*

unregulated access to Participants, lack of training or screening among personnel, lone interactions between adults and Participants, travel and lodging arrangements, unsupervised access to changing areas, or monitoring of digital platforms.

To this extent, identifying the risk is the foundation of a four-stage risk assessment process:

During this process, identifying risks requires a systematic mapping of potential threats that may arise in basketball settings. On the other hand, assessing those risks requires evaluating both the likelihood of each identified risk occurring and its potential impact. This combined analysis of "likelihood" and "potential impact" allows us to conclude whether an "identified risk" should be prioritised. As an example, we refer to the "risk matrix" below, where the combined consideration of "likelihood" and "potential impact" directs us to the conclusion of whether the priority regarding a specific risk should be "high" or "low".

| IMPACT | | | | |
|---|---|---|---|---|
| | ***High*** | Medium | High | High |
| | ***Medium*** | Low | Medium | High |
| | ***Low*** | Low | Low | Medium |
| | | ***Low*** | ***Medium*** | ***High*** |
| | | | LIKELIHOOD | |

*background, religion, gender, sexual orientation, illness, or that are otherwise in the need for care, protection, or support.*

Developing risk management plans entails selecting appropriate strategies to reduce or manage the identified risks. These strategies may include: (a) avoidance: eliminating the activity), (b) mitigation: implementing measures to reduce the "likelihood" or severity of the "potential impact", (c) transfer: shifting the liability to third parties through contracts or insurance, or (d) acceptance: recognising and monitoring the risk.

Monitoring and review are the final stage of the process, involving not only verifying that the adopted measures achieve the intended purpose but also reassessing risks in light of previous experiences and evolving circumstances (e.g. changes in the sporting environment). Regular reviews help maintain a proactive approach, allowing for timely adjustments and the creation of prevention mechanisms, as explained in the next section.

### *5.2 Preventive Structures and Risk Management Tools*

Prevention in safeguarding begins with fostering the right culture. FIBA adopts a player-centred approach grounded in respect, equity, and trauma-informed principles. As explained previously, central to this strategy is the empowerment of each NMF to designate a Safeguarding SPOC and develop internal structures capable of leading safeguarding initiatives. These structures are designed to embed safeguarding into organisational governance, policy development, and day-to-day operations.

At the operational level, NMFs are encouraged to adopt a series of preventive measures, including: (a) establishment and enforcement of clear codes of conduct for all stakeholders; (b) conducting safer recruitment practices with mandatory background checks; (c) integrating safeguarding education into coaching certification programmes, and volunteer training; (d) embedding safeguarding considerations into logistical planning, especially for events involving minors or international travel.

Precisely in this last element, events involving minors or international travel, NMFs are advised to implement tailored mitigation strategies, including buddy systems, dual adult supervision, and digital safeguarding protocols. Risk management at the national level must extend beyond individual events to encompass the full scope of year-round activities, such as leagues, training camps, school partnerships, and youth academies.

The responsibility for driving this work rests with the Safeguarding SPOC, whose capacity is strengthened through FIBA's SPOC Course and the Safeguarding Toolkit. These resources guide NMFs in applying risk assessment frameworks and in adapting safeguarding measures to their specific cultural, operational, and legal contexts, ensuring that safeguarding is a continuous, organisation-wide priority rather than an isolated compliance task.

## 6. Reporting Mechanisms, Confidentiality and Accountability

No safeguarding framework is complete without mechanisms for reporting, responding to, and learning from violations. Accordingly, FIBA's approach to reporting safeguarding transgressions is grounded in transparency, safety, procedural fairness, and institutional accountability.

### 6.1 Reporting Mechanisms

FIBA currently maintains a centralised reporting channel for safeguarding transgressions through its website[37] and a dedicated email address: *safeguarding@fiba.basketball*. At the national level, all NMFs are encouraged to develop their own secure, confidential, and accessible reporting systems or to utilise existing systems such as FIBA's. While reporting mechanisms may vary, alternatives that are suggested to NMFs include online reporting, physical reporting forms, hotlines or designated personnel available onsite (in case of events), email reporting, and mobile apps.

FIBA aims to train its NMFs to recognise that safeguarding issues may arise not only from direct allegations but also from indirect disclosures or observed behaviours. To this extent, all stakeholders (i.e. players, volunteers, medical staff, and fans) share a duty to report suspected violations.

### 6.2 Confidentiality and Case Management

Maintaining confidentiality is a core ethical and procedural obligation in safeguarding cases. FIBA emphasises, not only in its handling of safeguarding cases, but also in its educational materials to NMFs, that all safeguarding reports must be managed with discretion, ensuring that information is only shared with individuals directly involved in the handling, investigation, or resolution of the matter. FIBA's guidelines put a high priority on the importance of data protection, trauma-informed support for victims, and non-retaliation measures for whistleblowers.

At FIBA level, case management is led by FIBA's Safeguarding Case Management Group (see Section 2.2 above), which includes proper operational and legal expertise, ensuring proper processes to handle reports and safeguarding concerns, as well as the necessary referrals to any required disciplinary procedures. During the process, cases are followed until final resolution, providing the support needed to victims and NMFs when necessary. This approach ensures consistency, but also timeliness, oversight, and proper evaluation. NMFs are expected to align

[37] See at *https://about.fiba.basketball/en/integrity/report-a-breach-of-integrity*. Currently, FIBA utilizes the International Olympic Committee's Integrity and Reporting Platform as its primary mechanism for receiving and managing safeguarding reports and referrals. Individuals wishing to report safeguarding concerns are directed to this platform, which ensures confidentiality and procedural integrity.

with this model by establishing similar structures capable of assessing, investigating, and addressing reports while respecting national legal frameworks.

NMFs are expected to align with this model by establishing similar structures capable of assessing, investigating, and addressing reports while respecting national legal frameworks. As a general principle, safeguarding concerns that come to FIBA's attention are first referred to the relevant NMF, which holds the primary responsibility to manage cases within its jurisdiction. FIBA monitors the handling of these matters to ensure that they are dealt with appropriately and reserves the right to intervene if a case is mishandled, not addressed in a timely manner, or presents systemic concerns. In cases that exceed the NMF's capacity, involve cross-border implications, or require independent oversight, FIBA may assume direct competence to manage or supervise the case, in accordance with the Policy and regulations.

### *6.3 Toward Greater Accessibility*

Looking into the future, FIBA has identified the need for further development in terms of independent reporting mechanisms. The creation of a dedicated FIBA reporting platform and a potential multilingual hotline are alternatives being explored that could enhance accessibility across jurisdictions. Notwithstanding, internally, reporting lines are clearly defined: safeguarding cases are reviewed by case managers and are overseen by senior leadership, which could include the FIBA Safeguarding Council in particular scenarios.

## *7. Conclusions*

Building upon internal regulations, policy instruments, and practical implementation tools, this chapter has demonstrated that safeguarding, understood both as the prevention of harm and the appropriate, as well as timely response to incidents, is a priority within FIBA's governance framework. The organisation's strategic emphasis on empowering National Member Federations (NMFs) is reflected in the allocation of significant time, expertise, and resources to equip them with the necessary structures and competencies to address safeguarding challenges effectively.

This commitment is not static. FIBA's safeguarding approach is conceived as a dynamic process, continuously informed by evolving international standards, comparative best practices, and lessons learned through both its successes and its challenges. Consultation with safeguarding experts, athletes, and partner organisations serves as an essential feedback loop, ensuring that policies remain relevant, operationally viable, and responsive to emerging risks in the basketball ecosystem.

Critically, safeguarding in basketball cannot be reduced to a set of formal rules or procedural checklists. It requires a cultural transformation, where the

values of safety, respect, and protection are embedded in the daily practices and attitudes of all stakeholders – athletes, coaches, officials, administrators, volunteers, and supporters alike. Such a transformation depends on awareness-raising, education, and leadership that model and reinforce safeguarding principles at every level of the sport.

In this sense, FIBA's ambition extends beyond mere compliance with international safeguarding benchmarks. The objective is to create an environment in which basketball is not only compliant with formal standards but also proactively safe, inclusive, and respectful. Safeguarding, therefore, is framed as an integral component of good governance, one that reinforces organisational integrity, builds stakeholder trust, and strengthens the sport's long-term sustainability.

Ultimately, safeguarding in FIBA is not merely a compliance issue; it is a governance imperative, a moral commitment and a shared responsibility.

# THE SAFE FOOTBALL SUPPORT UNIT, FIFA FOUNDATION

by *Joyce Cook*[*] and *Alex McLin*[**]

SUMMARY: 1. Overview of Safeguarding in Sport and the Role of the FIFA Foundation – 2. The Safe Football Support Unit's Mandate and Legal Framework – 2.1 Mission and Aims – 2.2 Governance – 2.3 Independence – 3. Safeguarding Services and Operational Methodology – 4. Protocols at Competitions and Events – 5. Education, Training and Awareness – 6. Risk Management and Prevention of Abuse – 7. Reporting Mechanisms and Accountability – 7.1 Reporting and case management – 7.2 Accountability – 8. Conclusion

## *1. Overview of Safeguarding in Sport and the Role of the FIFA Foundation*

Safeguarding in sport has taken on unprecedented urgency as cases of interpersonal violence, abuse and exploitation have come to light across the globe. The need for an independent unit that can provide necessary care and support to abuse victims and whistleblowers in football has been evidenced by high-profile cases (whether in football or in other sports) that brought to light the limitations associated with efforts made by governing bodies themselves to address the harm caused, at times by sport officials. These led to an extensive, FIFA-led multi-stakeholder consultation process that identified prevailing gaps in sports and state justice systems in many parts of the world, and the need to develop trauma-informed local, regional and international multidisciplinary solutions.[1]

These unfortunate situations highlighted three core issues: (1) potential conflicts of interest associated with a governing body's policing of its own officials, (2) the association that a victim of interpersonal violence is likely to make between their aggressor and a governing body (therefore substantially decreasing the likelihood that they will report the incident to the same governing body, due to lack of trust and fear of not being believed or of retaliation, whether real or perceived), and (3) the potential for compounding of trauma (or "re-traumatization") associated with needing to recount incidents of violence before governing body authorities,

[*] Chair, Independent Panel, Safe Football Support Unit, FIFA Foundation.
[**] Unit Lead, Safe Football Support Unit, FIFA Foundation.
[1] Final Report of the Interim Steering Group available at *https://digitalhub.fifa.com/m/1512d9786ff6aafd/original/ISG-Final-Report-1-June-23-without-Appendices.pdf.*

given (1) and (2), and also due to a lack of trauma-informed process (investigatory bodies being disciplinary rather than remedial in nature).

Recognizing the harm caused to victims, the effect on whistleblowers, and the erosion of public trust, FIFA and the FIFA Foundation have embraced a leadership role by petitioning the World Football Remission Fund[2] to support the creation of a specialized, trauma-informed mechanism to respond to such cases.

## *2. The Safe Football Support Unit's Mandate and Legal Framework*

### *2.1 Mission and Aims*

The Safe Football Support Unit (SFSU), an independent unit established under the auspices of the FIFA Foundation in December 2024, is a pioneering initiative designed to provide real-time guidance and expert support to victims and whistleblowers in football.

The main objective of the new Unit is to monitor and assess, in real time, reported cases of violence or abuse in football, and to provide impartial specialist guidance and services to survivors, victims and whistleblowers and (where required within the limits of the FIFA Disciplinary Code, the FIFA Code of Ethics and the applicable legal framework) to provide expert services to the disciplinary or ethics bodies within the football ecosystem. The SFSU is not an investigatory body: it provides trauma-informed support and connection to essential resources as a first and critical step in improving response to abuse in football.

The SFSU provides an alternative, independent safe and impartial environment for survivors, victims and whistleblowers to confidentially bring up their case within the football judiciary system without fear of any counteraction or prevention attempt (subject to national mandatory and statutory requirements), and to, should they wish, formally report the suspected abuser(s) with the support of the SFSU to the competent football authorities, whether at national, confederation or international level, including but not limited to the FIFA judicial bodies.

### *2.2 Governance*

The SFSU is governed by formal Internal Organisational Regulations (IORs)[3] with an Independent Panel (Panel) functioning as the leadership and directing authority of the SFSU.

Panel members are appointed by the FIFA Foundation based on their experience and expertise in areas relevant to the mission of the SFSU. Panel

[2] The WFRF is a dedicated fund established under the FIFA Foundation in August 2021. It was created with approximately USD/ 201 million in restitution awarded by the/ U.S. Department of Justice, returned after being seized from convicted officials involved in long-running corruption, as reported by FIFA at *https://inside.fifa.com/organisation/media-releases/us-department-of-justice-awards-fifa-foundation-usd-201-million-compensation*.

[3] Internal Organisational Regulations of the Safe Football Support Unit, Article 21.

members serve in their individual capacities and as such cannot be appointed to the Secretariat (SFSU staff), hired as External Experts, or receive remuneration from FIFA or the FIFA Foundation. FIFA, the FIFA Foundation and any FIFA subsidiary executives, employees or temporarily engaged contractors shall not serve as Panel members for the duration of their employment with such organisations.

The Panel has a range of powers, including the appointment and dismissal of the staff of the Secretariat, approval of the Integrated Strategic Plan, annual budget and Activity Report. Further, the Panel may seek the counsel of Special Advisors on specific areas related to the work of the SFSU, such as sport and integrity, crime agencies and statutory systems.

As the primary stakeholder of the SFSU, the Panel is supported by a Survivors Advisory Group composed primarily of individuals within football.[4] In accordance with best practice, members of the Survivors Advisory Group are reimbursed for their time and provided with counselling support services as requested.

The Secretariat is responsible for the operational delivery and administrative actions of the SFSU in line with the policies and procedures approved by the Panel. The staff of the SFSU Secretariat consists of a core team of senior expert personnel, namely a Unit Lead, a Survivor Advocacy Services Manager, and a Case Management Services Manager. The Secretariat is further supported by local and regional external experts hired on an ad hoc basis to provide culturally sensitive trauma-informed operational support services.

Panel members, Special Advisors, External Experts, members of the Survivors Advisory Group, and the staff of the Secretariat are required to perform their tasks in compliance with the applicable legislation and the IORs,[5] and in compliance with the principles of trauma-informed safeguarding and child protection excellence, independence, confidentiality, commitment, and transparency.

### *2.3 Independence*

As established in the IORs,[6] the SFSU is entirely independent in its operations, including its confidential support services and case management. The SFSU acts independently of the structures of FIFA, the FIFA Foundation or any other organisation or entity, while evaluating situations and cases reported to the unit. It cooperates with state structures and non-state structures at its own discretion, without reporting to or requiring authorisation from any organisation, including FIFA and the FIFA Foundation, to support victims in reported cases of violence or abuse affecting individuals, of any country, who are participating, at any level, in football organised by a FIFA member association and reportedly involving football officials, specifically in cases covered by the FIFA Code of Ethics.

[4] Ibid., Articles 4 and 13.
[5] Ibid., Article 14.
[6] Ibid., Article 2.

In its mission to provide care and support, the SFSU manages risk by gathering information and patterns of potential cases of violence or abuse, communicates with and supports victims in a way that is appropriate for their well-being, and provides guidance and/or helps to seek the support of the appropriate authorities and agencies in accordance with survivor-led best practices.

All matters concerning the Unit's operations and case management are entirely autonomous by virtue of the Independent Panel's and Secretariat's respective roles as clearly delineated in the IORs.. Independence is further reinforced through safeguards relating to the appointment and functioning of the Panel and the supporting functions. At its request, the SFSU receives limited ad hoc administrative support services from FIFA under the auspices of the FIFA Foundation in a manner that does not compromise its autonomy or operational independence.

### *3. Safeguarding Services and Operational Methodology*

In essence, the SFSU exists as an independent advisor and support service for victims, survivors and whistleblowers in football to fill a recognised gap in alternative and independent support and case management mechanisms, trauma-informed responses and advocacy for victims, survivors and whistleblowers in many parts of the world, and to provide survivor-centred case management including real-time triage, risk assessments, guidance and services, and referrals to appropriate authorities or proceedings. It stands with victims, with trauma-informed care and survivor-led practice.

In the delivery of its mandate, the SFSU provides a range of core services aimed at supporting individuals affected by interpersonal violence within football. These include:

– Mapping and expert pool coordination: identification and deployment of vetted local trauma informed service providers, including legal advisors, crisis interventionists, psychologists, shelters, and relevant statutory authorities);

– Independent support: alternative reporting mechanisms, offering a supportive impartial environment for survivors, victims and whistleblowers from the outset;

– Triage support: immediate trauma-informed guidance, process explanation, risk assessment, and survivor-led referrals to appropriate case pathways;

– Trauma-informed case management: ongoing support throughout ethics or disciplinary procedures before FIFA, continental confederations or national member associations;

– Prevention feedback: sharing anonymized insights with the FIFA Safeguarding Department following cases that may require remedial or preventative safeguarding measures in a specific geographical region, or to identify trends in abuse in the sport.

Importantly, the SFSU does not serve as a disciplinary authority. Instead, it supports individuals navigating systems that may lack the necessary capacity,

independence, or trauma sensitivity.[7] As such, if required and within the limits of the FIFA Disciplinary Code, the FIFA Code of Ethics and the applicable legal framework, the SFSU may assist the judicial bodies of FIFA, the confederations and the national member associations in cases falling within their jurisdictions, and, importantly, assist judicial bodies with trauma-informed case management and care support services.

### *4. Protocols at Competitions and Events*

While the SFSU does not directly oversee safeguarding at FIFA tournaments, it plays a complementary role when serious allegations arise, especially those implicating football officials or taking place in member association jurisdictions. The new Unit provides an independent alternative outreach and support mechanism, especially when existing systems do not address specific needs of a given situation. In doing so, the SFSU not only fulfils the recommendation for multiple reporting interfaces,[8] but also ensures the availability of a wholly separate and independent avenue for reporting and receiving support.

### *5. Education, Training and Awareness*

The SFSU supports awareness-raising and capacity-building indirectly, drawing on its operational engagements and data-driven insights. Its training initiatives focus on three key areas:

- Trauma-informed awareness for football disciplinary and safeguarding bodies;
- Cultural and statutory context awareness for service providers;
- Promoting survivor-centred approaches in the handling of cases.

In line with these objectives, the Unit plans to develop a dedicated trauma-informed training programme specifically tailored for disciplinary bodies.

### *6. Risk Management and Prevention of Abuse*

By providing victims and whistleblowers with a confidential, credible, and independent avenue for reporting and support, the SFSU plays a vital role in mitigating the risks associated with unreported or poorly handled cases. This function is particularly critical in environments where existing systems may lack the necessary capacity, independence, or trauma sensitivity. In such contexts, the SFSU not only acts as a safety net but also complements institutional mechanisms by offering an alternative pathway that prioritizes survivor trust and protection.

The SFSU further reinforces safeguarding structures through the mapping of local services and the deployment of vetted regional experts. These efforts

[7] Internal Organisational Regulations, Articles 6 and 7.

[8] UNODC/IOC *Reporting Mechanisms in Sport: A Practical Guide for Development and Implementation*, 10.

help to strengthen national-level capacity, especially where existing frameworks are weak or fragmented.

Crucially, the Unit does not stop at individual case support. Through the collection and anonymization of case insights, it contributes to broader institutional learning. These insights are shared, where appropriate, with the FIFA Safeguarding Department, helping to identify systemic gaps and inform policy recommendations aimed at enhancing global safeguarding standards across the football ecosystem.

## *7. Reporting Mechanisms and Accountability*

### *7.1 Reporting and case management*[9]

Reporting to the SFSU is confidential, voluntary, and survivor led. The Secretariat, supported by trauma-informed experts, ensures secure handling of all personal data in line with strict confidentiality protocols. The SFSU does not report to FIFA's Safeguarding Department or its judicial bodies or any other organisation unless expressly authorized by the victim. It protects confidentiality to the extent allowed by applicable law.

The SFSU acts with full independence from the structures of FIFA, the FIFA Foundation or any other organisation or entity. This independence applies in particular to the evaluation, triage, risk assessment and handling of reported cases.

In exercising its mandate, the SFSU cooperates with state and non-state structures at its own discretion, without reporting to or requiring authorisation from any organisation, including FIFA and the FIFA Foundation. This co-operation is undertaken exclusively for the purpose of supporting individuals affected by alleged incidents of violence or abuse affecting individuals, irrespective of their country of origin, and provided they are participating, at any level, in football activities organised by a FIFA member association and reportedly involving football officials, specifically in cases covered by the FIFA Code of Ethics.

The SFSU's policies, procedures, protocols and reporting mechanisms aim to incorporate trauma-informed care and first-do-no-harm principles, and to remain abreast of evolving best practices throughout its operations. As the primary stakeholder, the Survivors Advisory Group will provide ongoing feedback and reviews on the SFSU's policies and practices to ensure survivor-informed approaches remain central to the Unit's operations.

[9] The word "reporting" is used here in the general sense, meaning that by approaching the SFSU, a victim or whistleblower is choosing to recount their lived experience. It is not understood as a formal report initiating a disciplinary procedure. While the latter may ultimately result from a whistleblower's choice to do so, contacting the SFSU provides possibilities for care and support separate and distinct from the option to start a disciplinary process.

### 7.2 Accountability

Accountability is a core principle underpinning the work of the SFSU and is ensured through a multi-layered governance and oversight structure.

The SFSU is financed by the World Football Remission Fund and in accordance with this funding, operates based on an Integrated Strategic Plan that provides a detailed analysis of the proposed scope of operations for the respective period, together with a financial forecast and expected outcomes, with its implementation reflected in the SFSU's annual Activity Reports and accompanying independent financial audits. To ensure financial transparency and operational oversight, the Panel shall submit the annual activity reports and financial audits to both the FIFA Foundation and the World Football Remission Fund and shall publish them on a dedicated SFSU website.

The operational success of the SFSU will be independently monitored and evaluated by external stakeholders, academic institutions, or other appropriate bodies, to assess the effectiveness, integrity, and impact of the Unit's work.

Following an initial two years of operations, the independent monitoring and evaluation evidence gathered will help to inform and consider the appropriate next steps to further enhance the delivery of independent services to best support survivors, victims and whistleblowers, and to address the prevailing gaps for the longer term.

This framework reflects a commitment to transparency, trauma-informed approach, participatory governance, and continuous improvement, in line with international safeguarding standards and ethical best practices.

## 8. CONCLUSION

Sexual, emotional, and physical violence against athletes and other participants in sport is a widespread and systemic problem with a serious impact on the victims, the integrity of sport, and society as a whole. Such violence, in particular sexual abuse, is prevalent and underreported.

Confronted with an increase in the number and complexity of cases concerning sexual and other forms of violence and following extensive stakeholder engagement, FIFA recognized critical structural gaps such as the lack of access to trauma-informed investigators, the absence of trusted support and care services for victims and survivors, which eventually represented an important obstacle to an efficient and survivor-centred response to interpersonal violence.

Compounding the problem was the widespread reluctance to report, driven by a lack of trust in the sport justice system, often designed to deal with other integrity breaches, and because of the prevailing gaps in sports and justice systems at a local level.

The establishment of the Safe Football Support Unit marks a landmark step in advancing a trauma-informed approach to responding to cases of

interpersonal violence within international football. Rooted in the principles of independence, confidentiality, and transparency, the SFSU is designed to operate outside of existing internal mechanisms. It embodies a survivor-centred, trauma-informed, first-do-no-harm approach that bridges the divide between individuals in need and systems that too often fail to protect them. It offers a safe and supportive space necessary for healing and access to justice.

Its creation reflects FIFA's evolving role and responsibility in not only promoting safe sport but also enabling access to support and justice where local mechanisms fall short. Lessons from the SFSU may in time contribute to broader multi-sport efforts, but for now, its primary mission is to make football safer, one case at a time.

# THE INTERNATIONAL GYMNASTICS FEDERATION AND SAFEGUARDING

by *Carola Carrannante*[*]

SUMMARY: 1. Introduction – 2. Overview of Safeguarding at the International Gymnastics Federation – 3. The International Gymnastics Federation's Safeguarding Policies and Regulatory Framework – 4. Safeguarding in Gymnastics Competitions and Events – 5. Education, Training and Awareness – 6. Risk Management and Prevention of Abuses – 7. Reporting mechanisms and accountability – 8. Conclusions

## *1. Introduction*

The safeguarding of participants in sport has become an international regulatory priority, yet gymnastics presents particularly acute challenges that distinguish it from many other disciplines. Central among these is the age profile of its athletes. Unlike most elite sports, where athletes typically reach peak performance in adulthood, gymnastics is characterised by a high concentration of minors competing at the highest levels. In disciplines such as women's artistic gymnastics, it is not uncommon for international champions to be in their early or mid-teens. This demographic reality amplifies the need for robust safeguarding structures, as underage athletes are inherently more vulnerable to harassment, abuse and neglect.

The developmental environment in gymnastics further compounds these vulnerabilities. Athletes often enter intensive training programmes from a very young age, fostering a culture of obedience, dependency on coaches, and significant power imbalances. The nature of the sport involves close physical contact, long hours of supervised training, and frequent travel, including prolonged periods away from family and familiar support systems. These structural conditions may inadvertently facilitate environments where inappropriate behaviour can go undetected or unreported.

Moreover, the aesthetic and subjective nature of gymnastics judging can reinforce harmful pressures around body image, weight control, and perfectionism – factors that are particularly impactful on young athletes. Combined with the

[*] Regulatory Counsel at the Gymnastics Ethics Foundation. The views presented in this article are solely those of the author and do not reflect the position of any affiliated institution.

traditionally hierarchical coaching structures and, in some contexts, national performance expectations, these dynamics can make it particularly difficult for gymnasts to challenge authority figures or raise concerns.

As a result, safeguarding in gymnastics cannot simply rely on generalised sport protocols. It requires a sport-specific approach that addresses the particular vulnerabilities of child and adolescent athletes, mitigates the risks inherent in coaching relationships, and fosters accessible reporting structures that empower young gymnasts to speak without fear of retaliation.

## 2. *Overview Of Safeguarding At The International Gymnastics Federation*

The International Gymnastics Federation ("FIG") has taken a decisive and comprehensive stance on safeguarding, firmly embedding the protection of gymnasts within the core of its governance structure. Its commitment is not only regulatory but cultural, seeking to nurture an environment where respect, safety, and dignity are non-negotiable foundations of the sport. As articulated in the FIG Code of Ethics,[1] the organisation aims to uphold the fundamental respect for human rights and dignity, rejecting all forms of non-accidental violence including sexual harassment, sexual abuse, physical abuse, psychological abuse and neglect.

This ethical mandate is operationalised through specific frameworks and policies, creating a holistic and enforceable safeguarding ecosystem. At the heart of this cultural transformation is the "10 Golden Rules of Gymnastics" campaign,[2] launched as part of FIG's broader effort to instil safeguarding values at every level of the sport. These ten principles – such as "I listen to my body", "My health is more important than medals", and "I have the right to be respected as I am"[3] – aim to reframe the gymnast's experience around dignity, autonomy, and wellbeing. Developed in consultation with athletes, coaches, National Federations and the FIG Safeguarding Working Group, the campaign reflects a consensus that cultural change must underpin structural safeguards. Publicly promoted across gyms worldwide, the Golden Rules serve both as a declaration of athlete rights and a behavioural code for the gymnastics community, encouraging open dialogue, self-awareness and mutual respect. In aligning ethical principles with daily practice, FIG positions these Rules not as aspirational slogans but as foundational elements of a sport-wide safeguarding culture.

---

[1] FIG Code of Ethics (2022) available at:
*https://www.gymnastics.sport/publicdir/rules/files/en_Code%20of%20Ethics%202022.pdf.*

[2] Awareness campaign launched in October 2021 by FIG in consultation with top athletes, coaches, sports administrators, sports figures and several National Federations.

[3] The remaining golden rules include the following principles: "I do gymnastics for fun", "I pursue my own dreams, not someone else's", "I know that I will have good days and tough days", "I understand and respect the roles of the people around me", "I have the right to be respected as I am", "I balance my passion for gymnastics with other big goals in my life", "I have the right to express myself freely, be heard and be treated fairly" and "I act with fairness and integrity".

At the core of FIG's enforcement architecture stands the Gymnastics Ethics Foundation ("GEF"), an independent decision-making body responsible for dealing with alleged breaches of FIG Rules and for managing disciplinary proceedings in accordance with the FIG Code of Discipline, created in 2019 after the USA Gymnastics sexual abuse scandal.[4] GEF plays a central role in receiving, assessing, and managing complaints of harassment, abuse, and other ethical or compliance violations, with the authority to initiate investigations, oversee disciplinary proceedings, and ensure appropriate sanctions are applied in line with the FIG Code of Discipline. Its independence from FIG's executive structures is a deliberate safeguard to guarantee impartiality and procedural fairness. GEF also facilitates case coordination across jurisdictions when necessary and serves as a point of escalation in instances where National Federations fail to respond adequately. By bridging the gap between policy and action, GEF ensures that safeguarding is not only a matter of formal compliance but of enforceable consequences. Its work is essential in holding individuals and organisations accountable, thereby reinforcing FIG's commitment to a culture of zero tolerance and continuous protection in international gymnastics.

Recognising the unique vulnerabilities of young athletes, FIG has furthermore developed targeted measures to mitigate risks at event level. Central to this effort is the FIG Framework for Safeguarding Athletes and Other Participants from Harassment and Abuse in Sport During Events,[5] which outlines the specific obligations for National Federations hosting FIG events, Local Organising Committees, and appointed Event Safeguarding Officers. The Framework ensures that at all FIG events clear protocols are in place for prevention, reporting, and response. It emphasises early planning, stakeholder education, and coordination with legal authorities where necessary.

Collectively, these instruments reflect FIG's dual mandate: to establish enforceable standards of conduct through binding regulations, and to foster structural conditions that safeguard all participants. Safeguarding is not merely a policy compliance issue but a reflection of FIG's willingness to demonstrate leadership in eradicating unacceptable practices. This proactive and evolving safeguarding culture signals an important step towards restoring trust and redefining excellence in gymnastics at all levels.

---

[4] The Gymnastics Ethics Foundation was created in 2019 in the fallout from the scandal of U.S. Team doctor Larry Nassar, who was sentenced to prison for sexually assaulting athletes starting from as early as the 1990s and until the end of his career.

[5] FIG Framework for Safeguarding Athletes and Other Participants From Harassment and Abuse In Sport During Events (2019), available at: *https://www.gymnastics.sport/publicdir/rules/files/en_Framework%20for%20Safeguarding%20during%20Events.pdf*.

## 3. The International Gymnastics Federation's Safeguarding Policies and Regulatory Framework

FIG has established a multi-layered and comprehensive safeguarding architecture designed to meet international standards through a formal hierarchy of legal instruments and enforceable obligations. This regime is grounded in the FIG Statutes, the FIG Code of Discipline and the FIG Code of Ethics, and supplemented by the federation's Policy and Procedures for Safeguarding and Protecting Participants in Gymnastics. These documents collectively define not only the behavioural expectations of all participants in gymnastics but also the investigatory, disciplinary, and support structures available in cases of misconduct or abuse.

### 3.1 FIG Statutory Provisions on Safeguarding

The FIG safeguarding framework derives its legal authority from the FIG Statutes, which embed the protection of participants into the organisation's constitutional objectives. Notably, the Statutes articulate the commitment of FIG "to fight against all form of […] violence and of sport injustices".[6] This formulation positions safeguarding not as a subsidiary concern but as an integral objective of the Federation's operations and governance mandate.

Central to the enforcement of safeguarding principles is the creation of GEF, envisioned not merely as a procedural mechanism but as an autonomous guarantor of ethical governance. As set out in the Statutes, GEF is an independent decision-making body which shall "promot[e] and supervis[e] ethical principles in gymnastics and deal with disciplinary and ethics procedures".[7] The Foundation is explicitly vested with authority to act in safeguarding cases; it is competent to initiate and manage disciplinary proceedings and procedures in accordance with the Code of Ethics and the Code of Discipline, and to ensure the protection of participants in gymnastics. In this way, GEF functions as both a regulatory enforcer and a guardian of participants' rights.

The binding effect of the above instruments is codified in unequivocal terms by Art. 4.2.3(1) of the FIG Statutes which provides that "the statutes [of the applicant federation] shall abide by the FIG Rules and Regulations, the IOC Olympic Charter and the IOC Code of Ethics". This provision ensures that safeguarding obligations and disciplinary accountability extend uniformly across the global gymnastics' community, reinforcing the legal reach and enforceability of FIG's safeguarding mandate.

[6] FIG Statutes (2025), Article 2.1(4).
[7] Ibid., Interpretation and definition of term "Gymnastics Ethics Foundation", 4.

### *3.2 The FIG Policy and Procedures for Safeguarding and Protecting Participants in Gymnastics*

The operationalisation of FIG's safeguarding objectives is governed by the Policy and Procedures for Safeguarding and Protecting Participants in Gymnastics[8] ("FIG Safeguarding Policy"), which establishes the core procedures and institutional architecture through which safeguarding measures are implemented. This document serves as the primary vehicle through which FIG's statutory commitment to participant welfare is given effect in practice. This document sets out a detailed framework aimed at preventing, identifying, and responding to incidents of harassment and abuse, with specific obligations placed on FIG itself, GEF and FIG's National Federations.

Under the FIG Safeguarding Policy, harassment and abuse are defined in five forms which may occur in combination or in isolation and take several methods such as contact, non-contact, verbal and by means of electronic communication:[9]

a. Psychological abuse: any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilization, or any other treatment, which may diminish an individual sense of identity, dignity and self-worth;

b. Physical abuse: any deliberate and unwelcome act – such as punching, beating, kicking, biting, and burning that causes physical trauma or injury. Such acts include forced or inappropriate physical activity (e.g. age, or physically inappropriate and unreasonable training loads or activities, when injured or in pain), forced alcohol or drug consumption or forced doping practices.

c. Sexual harassment: any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.

d. Sexual abuse: conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced or manipulated, and is not, or cannot be given.

e. Neglect: neglect means the failure of a coach or other person with a duty of care towards the athlete to provide a minimum level of care, which may cause harm, allow harm or create an imminent danger of harm.

A central pillar of the FIG Safeguarding Policy is the requirement that all National Federations establish and maintain a formal safeguarding framework. Each federation is required either to adopt the FIG Policy directly or to develop an equivalent policy aligned with its standards. These policies must contain mechanisms for both the prevention and the response to abuse, including procedures for internal reporting, investigation, and education. The decentralised model reflects the Federation's intent to embed safeguarding obligations within national governance

[8] FIG Policy and Procedures for Safeguarding and Protecting Participants in Gymnastics (2018), available at *https://www.gymnastics.sport/site/pdf/safeguarding/Policy%20and%20Procedures_Clean.pdf*.

[9] Ibid., Part 1, Article 3.

structures, thereby ensuring that measures are tailored to the contexts in which athletes live and train.[10]

In this context, the GEF's Safeguarding Section operates as the designated body for receiving reports of incidents of harassment and abuse. It is supported by a helpdesk designed to facilitate access to the reporting system, with specific provisions to ensure confidentiality and protect whistle blowers.[11] This structure responds to a trauma-informed approach, intended not only to increase reporting but also to safeguard the procedural rights and dignity of both complainants and respondents throughout disciplinary proceedings.

The Policy clearly delineates the jurisdictional boundary between internal GEF proceedings and external criminal processes. Where a safeguarding concern appears to meet the threshold of criminality, the case must be referred to national law enforcement or another competent domestic authority. GEF retains authority over criminal cases once referred back from the police, as well as non-criminal matters and is empowered to conduct its own investigations into alleged breaches, which shall be carried out in a timely, fair, and sensitive manner, and ideally be concluded within two months.

Taken as a whole, the FIG Safeguarding Policy constructs a dual-layered framework of accountability – combining decentralised responsibility at the level of National Federations with a centralised, independent enforcement mechanism under GEF. This hybrid governance model is among the first of its kind in international sport, positioning FIG as an early adopter of independent safeguarding oversight. It reflects emerging international best practices by integrating domestic implementation with impartial, autonomous oversight, thereby enhancing the Federation's capacity to address the complex and sensitive challenges involved in protecting participants in gymnastics.

### *3.3 The FIG Code of Discipline*

In addition to the Safeguarding Policy, the FIG Code of Discipline (the "Code") governs disciplinary proceedings to be held in front of a three-member panel, offering procedural protections that align with fundamental principles of sports justice and international due process.

The Code expressly classifies violations of the FIG Safeguarding Policy, as well as acts of harassment and abuse in any form, as independent disciplinary offences. These include misconduct based on a person's race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth, disability, physical attributes or athletic abilities or other status.[12]

One of the most significant safeguards in the Code is the requirement that disciplinary panels convened to adjudicate safeguarding cases must include at

[10] Ibid., Part 1, Article 6, paragraph 3.
[11] Ibid., Part 2, Article 1, paragraph 2.
[12] FIG Code of Discipline (2025), Art. 3, paragraph 2.

least one member with specific knowledge and prior experience of dealing with harassment and abuse cases.[13] This requirement guarantees a minimum level of subject-matter expertise within the panel, reducing the risk of substantial mismanagement of complex safeguarding issues and ensuring that victims and respondents are treated in accordance with a trauma-informed approach that prioritises psychological safety, and promotes procedural fairness throughout the disciplinary process.

The Code also provides robust protections regarding confidentiality and the management of sensitive evidence. Parties involved in safeguarding proceedings are generally entitled to full access to the case file; however, the Code allows the President of the Disciplinary Panel to withhold certain highly sensitive documents where it is deemed that disclosure would place a person or persons at risk of harm or would amount to an unwarranted breach of privacy.[14] This discretionary power to protect confidentiality is particularly relevant in safeguarding cases involving minors, where the potential for secondary harm or traumatisation is significant. The careful balancing between the right to disclosure and the duty to prevent harm reflects the established best practice in international sport proceedings on the management of sensitive information.

In relation to evidentiary procedures, the Code permits special arrangements for witness testimony. When a witness is under the age of 18 or when the President of the Disciplinary Panel reasonably believes that the witness is likely to experience an unreasonable level of distress in relation to providing their evidence, the Code authorises the adoption of special measures.[15]

In this regard, GEF has developed dedicated Internal Guidelines on Special Measures for Protecting Vulnerable Witnesses[16] (the "Guidelines") to further strengthen safeguarding proceedings. These Guidelines, which elaborate on Article 17 of the FIG Code of Discipline, set out concrete protections to ensure that the process of giving evidence does not itself become a source of harm or re-traumatisation for vulnerable individuals. The Guidelines recognise that certain witnesses – particularly minors, whistle-blowers, and those who have suffered abuse – may experience significant psychological distress when participating in disciplinary procedures. To minimise this risk, the Guidelines prioritise the protection of the witness' psychological well-being over procedural formality, for example, by encouraging written testimony wherever possible and requiring in-person testimony only where it is strictly necessary to resolve the case. When in-person testimony is required, measures must be taken to avoid repeated questioning, and testimony should, where feasible, be given only once, either in written form or via

[13] Ibid., Article 28, paragraph 3.
[14] Ibid., Article 10, paragraph 3.
[15] Ibid., Article 17, paragraph 2.
[16] GEF Internal Guidelines on Special Measures for Protecting Vulnerable Witnesses (2023), available at *https://www.gymnasticsethicsfoundation.org/post/new-internal-guidelines-on-special-measures-for-protecting-vulnerable-witnesses*.

pre-recorded statements. The Guidelines further recommend a wide range of protective measures, including the use of anonymisation, voice distortion, and written-only cross-examination, as well as the option for questioning to be conducted by the panel rather than by the parties directly.[17]

The Code's provisions on limitation periods further demonstrate sensitivity to the particular dynamics of safeguarding cases. It extends the timeframe for initiating proceedings to thirty years for cases involving sexual abuse, and fifteen years for cases of other abuse or harassment. Where the victim is a minor, this fifteen-year period begins upon the victim's attainment of majority.[18] These extended limitation periods align with international recognition of the significant delays often associated with the reporting of abuse, particularly in contexts where power imbalances and fear of retaliation may inhibit timely disclosure.

Finally, the Code places liability on National Federations which are held liable for the behaviour of their members, gymnasts, judges and officials as well as for any other person assigned by them to officiate during a competition, thereby reinforcing the global accountability framework that underpins the FIG's safeguarding model.

## 4. *Safeguarding in Gymnastics Competitions and Events*

FIG has established a specific safeguarding framework that applies to gymnastics competitions and events. Recognising that international competitions present unique safeguarding risks – such as exposure to new environments, increased athlete dependency on coaches, and extended periods away from home – FIG has formalised event-specific protocols to ensure athlete safety and well-being throughout all stages of participation.

The *FIG Framework for Safeguarding Athletes and Other Participants from Harassment and Abuse in Sport During Events* (the "Framework") mandates that safeguarding provisions be integrated directly into the planning, delivery, and management of all FIG events. According to the Framework, safeguarding arrangements must be tailored to the nature of each event, with heightened protections required when younger athletes are participating in the event due to the recognised increased vulnerability of youth and developing athletes, especially those with disabilities.

The safeguarding responsibilities at events are distributed across multiple actors to ensure both preventative and responsive measures are in place. At the

[17] The GEF Internal Guidelines on Special Measures for Protecting Vulnerable Witnesses have been adopted for the first time in disciplinary proceedings GEF 2020/08 *AZE - Gymnastics Ethics Foundation v. Mariana Vasileva, Siyana Vasileva, Evgeniya Vilyayeva, Natalia Bulanova and the Azerbaijan Gymnastics Federation*, as it can be deduced using anonymized forms to refer to certain witnesses. The Decision is available at:
*https://www.gymnasticsethicsfoundation.org/_files/ugd/80218c_e236ce9f5ee4475fa608d0bbcae3c83b.pdf*

[18] Ibid., Article 5.

global level, the FIG Safeguarding Manager is responsible for conducting risk assessments for all events on FIG's calendar, determining what safeguarding arrangements are required based on the nature of the event along with the age and potential vulnerabilities of participants. When a safeguarding plan is deemed necessary, the Local Organising Committee must, in consultation with the FIG Safeguarding Manager, appoint a qualified Event Safeguarding Officer with demonstrable experience and competence in safeguarding. The Event Safeguarding Officer must be present throughout the competition, with accreditation to access all areas, and is charged with managing safeguarding concerns, providing pre-event briefings, ensuring visibility, and facilitating support for those affected by incidents.

The *Framework* provides that any safeguarding concerns arising during an event must be addressed without any unnecessary delay to the Event Case Management Group, which is tasked with decision making on appropriate responses on any safeguarding misconduct that arises during the event. Where the Local Organising Committee's response is inadequate, the Event Safeguarding Officer must escalate the matter to GEF.

### *5. Education, Training and Awareness*

An essential component of FIG's safeguarding framework is the provision of educational resources, training opportunities, and awareness-raising materials designed to support the development of a safeguarding culture across gymnastics. FIG makes safeguarding guidance, informational materials, and educational sessions available to National Federations, event organisers, and participants. These resources aim to promote a deeper understanding of safeguarding responsibilities and appropriate responses to harassment, abuse, and poor practice in sport.

The FIG Safeguarding Policy invites National Federations to make use of safeguarding education materials provided by FIG as well as of opportunities to share case studies and best practices. Similarly, the FIG Framework for Safeguarding during Events anticipates that Local Organising Committees will ensure that event personnel and volunteers are briefed on safeguarding responsibilities, expected standards of conduct, and appropriate reporting mechanisms.

At FIG-sanctioned events, safeguarding briefings are provided to all staff, volunteers and contractors to ensure they are familiar with the safeguarding procedures for the Event Safeguarding Plan. These briefings serve as a key awareness-raising mechanism during competitions and are intended to familiarise participants with event-specific safeguarding contacts, reporting procedures, and conduct expectations.

Starting as of 2023, the FIG Executive Committee mandated that all FIG registered coaches comply with the requirement of completing a Safeguarding Online Course, available on its eLearning Platform, before the end of the year.

After this deadline, coaches who fail to meet this requirement will have their FIG registration suspended and remain ineligible until they obtain a valid Safeguarding Certificate.

## 6. *Risk Management and Prevention of Abuses*

### *6.1 Medical Organisation and Mental Wellbeing*

The FIG Medical Organisation of Competitions and Events[19] incorporates explicit risk management strategies aimed at prioritising athletes mental and physical wellbeing at competitions. This document recognises that medical spaces present particular vulnerabilities due to their inherent privacy and the authority entrusted to medical personnel. To mitigate these risks, FIG mandates that medical assessments and treatments should be easily observable by all, and where privacy is required, an adult chaperone is required for safeguarding the athlete at all times.[20] This structural safeguard addresses the risk of isolated interactions and ensures that medical encounters remain within a visible and accountable framework.

The regulation further requires Local Organising Committees to develop policies and procedures for recruiting medical staff and medical volunteers working with children and adult athletes and to verify that all medical personnel have an athlete centred approach, creating a safe environment where all can participate without harassment or abuse.[21]

The formal designation of a lead safeguarding advocate within the medical team, who acts as the liaison with the Event Safeguarding Officer, provides an additional layer of accountability and enhances cross-functional coordination in safeguarding matters. The medical staff are not envisaged as passive participants in safeguarding – they are mandated to act as mandatory reporters of suspected abuse or violations of safeguarding rules or principles, and are responsible for ensuring that safeguarding information is actively communicated within their teams.

These integrated requirements demonstrate FIG's preventative approach, embedding safeguarding into the broader risk management structures governing medical care at events. By proactively addressing recruitment, visibility, staff education, and internal reporting within the medical context, FIG advances a model that reduces the likelihood of abuse and ensures that potential risks are managed through clearly defined procedures and professional expectations.

---

[19] FIG Medical Organisation of Competitions and Events (2025), available at: *https://www.gymnastics.sport/publicdir/rules/files/en_Medical%20Organisation%20of%20the%20FIG%20Competitions %20and%20Events.pdf*.

[20] Medical Organisation of the FIG Competitions and Events (2025), Article 1, paragraph 2(1).

[21] Ibid., Article 16.

## *7. Reporting Mechanisms and Accountability*

The FIG Safeguarding Policy establishes that GEF operates as an independent and confidential reporting body, with the capacity to receive complaints directly. The GEF's Safeguarding Section confidentially receives any reports concerning non-accidental violence, harassment and abuse, either via anonymised online form, phone call or WhatsApp message.

This reporting pathway is further reinforced at FIG events, where the FIG Framework requires that the Event Safeguarding Officer's contact details be widely disseminated in pre-event materials and prominently displayed at competition venues, thereby ensuring that all participants know how and where to report safeguarding concerns.

The Federation's reporting system is specifically designed to uphold the principles of confidentiality and whistle blower protection. Reports can be submitted without fear of identification or retaliation, and GEF is expressly mandated to protect the identity of complainants, witnesses, and whistle blowers unless disclosure is required by law or necessary to safeguard others. The GEF Guidelines on the protection of vulnerable witnesses further reinforce this commitment by permitting anonymous participation in proceedings and providing for enhanced confidentiality protocols when handling sensitive safeguarding cases.[22]

## *8. Conclusions*

FIG has demonstrated a resolute commitment to safeguarding by instituting a comprehensive regulatory framework encompassing policies and regulations, education, risk management, and accountability mechanisms. These measures collectively aim to mitigate the risk of abuse and uphold the welfare of all participants engaged in the sport.

In parallel, GEF actively supports the development of a safe and respectful environment for all gymnasts. By promoting transparency, integrity, and fairness, the Foundation has played a crucial role in the aftermath of harassment and abuse cases, by working to restore justice within global gymnastics. Through independent investigations, ethical oversight, and the promotion of accountability, the Foundation helps ensure that violations are addressed transparently and fairly. Its efforts contribute significantly to rebuilding trust and reinforcing a culture of respect and integrity throughout the sport.

Nonetheless, it is imperative to acknowledge that effectuating a substantive cultural shift within the gymnastics community is a gradual process that will necessarily take time. Sustained efforts, continuous vigilance, and systemic reinforcement are requisite to engender enduring change. Moreover, adherence to evolving legal standards and the integration of evidence-based practices remain

[22] *Supra*, 5.

critical to the efficacy of safeguarding initiatives. In this context, FIG's ongoing dedication to fostering transparency, safeguarding education, and rigorous enforcement of its policies will be essential to safeguarding the integrity of gymnastics and protecting the rights and dignity of its athletes.

# FIVB AND SAFEGUARDING: TRANSFORMING VOLLEYBALL INTO A SAFE SPORT

by *Stephen Bock*[*] and *Alessandra Deliberato*[**]

SUMMARY: 1. Introduction – 2. Athlete Uniforms – 3. Overview of the FIVB Safeguarding Framework – 4. Conclusion

## 1. INTRODUCTION

Tom Cruise. Val Kilmer. Anthony Edwards. Rick Rossovich. Sun, sand, a net and a ball. The 1986 film, Top Gun, depicts the perception of beach volleyball throughout time in a famous scene in which the main characters engage in a highly stylized, physically intense beach volleyball match. This scene – charged with competitive energy and physical display – serves as a cinematic metaphor for the rivalry and camaraderie between two elite fighter pilot units, a central theme of the film.[1] It is not by coincidence that the filmmakers chose beach volleyball as the sport to use to make this point.

This scene encapsulates the way beach volleyball has often been perceived in popular culture: athletic prowess is combined with skin, sweat and sand. It showcases all aspects of the beauty of elite competitive sports. At times, it can "take your breath away".[2] (pun intended).

Historically, the International Volleyball Federation (FIVB) has fully embraced and encouraged this perception as reflected in a New York

[*] Stephen Bock is the Head of Legal and General Counsel at the Fédération Internationale de Volleyball in Lausanne, Switzerland, and a licensed attorney in the state of New York, United States of America. Stephen is also Chair of the Association of Summer Olympic International Federation's Legal Consultative Group. Within the FIVB, safeguarding matters are overseen by the FIVB Legal Department.

[**] Alessandra Deliberato is the Senior Legal Counsel at the Fédération Internationale de Volleyball in Lausanne, Switzerland, and a Brazilian attorney-at-law. Alessandra is also an International Olympic Committee-certified Safeguarding Officer from 2024.

[1] Beach Volleyball scene available on YouTube at *https://www.youtube.com/watch?v=okyLAKclleo.* Top Gun (1986), produced by Jerry Bruckheimer and Don Simpson, Paramount Pictures.

[2] "Take My Breath Away". Written by Giorgio Moroder and Tom Whitlock, performed by Berlin. Top Gun Soundtrack. *https://www.youtube.com/watch?v=Bx51eegLTY8*.

Times[3] article in 1998 in which, the FIVB President at the time openly promoted the appeal of the athletes as well as the strict uniform rules as a commercial strategy.

However, a lot has changed in the world since the days of Top Gun and, with it, the FIVB's perspective as well. During Dr. Ary Graça's mandate as FIVB President from 2012-2024, one of the FIVB's strategic goals was to be the number one family sport in the world.

This shift raises important questions about the balance between commercial appeal and athlete well-being. The article explores how the FIVB has responded to reputational and ethical challenges by revising uniform policies and implementing a broader safeguarding framework. Section 2 analyses the evolution of uniform rules to prioritise athlete comfort, Section 3 outlines the safeguarding structures now in place, and Section 4 considers the next steps in the FIVB's commitment to creating a safe and inclusive environment for all participants.

## 2. *Athlete Uniforms*

Every four years without exception, the FIVB is confronted with the same question in the lead-up to the Olympic Games – a question shaped by the enduring public perception mentioned in the Introduction. The question goes something like this: "Why does the FIVB force its athletes to wear bikinis?".[4]

In response, the FIVB's communication team has to prepare the same response. The reality is that, since March 2012, beach volleyball athletes have no longer been required to wear bikinis.[5] Ahead of the London Olympic Games 2012, the FIVB amended its rules to allow greater flexibility, enabling athletes to choose from a wider range of apparel options. This change was, in part, intended to accommodate the cultural and religious norms of countries vying for qualification. As the sport expanded globally, adapting the uniform policy became a necessary step toward greater inclusivity and accessibility.[6] As the sport started to expand worldwide, it was imperative for the FIVB to change its approach in order to make the sport more accessible and inclusive.

The defending two-time Olympic gold medalists, Misty Mae-Treanor and Kerry Walsh, applauded the change at the time in an interview with the

[3] "For Volleyball's Guru, Sex Appeal is Key to Future", Steve Keating, New York Times, 30 November 1998, *https://www.nytimes.com/1998/11/30/sports/IHT-for-volleyballs-guru-sex-appeal-is-key-to-future.html*.

[4] For example, see the following article from the Associated Press published right before the Tokyo Olympic Games. "Explainer: Why Olympic beach volleyball players wear bikinis", Jimmy Golen, Associated Press, 27 July 2021 available at *https://apnews.com/article/2020-tokyo-olympics-lifestyle-sports-female-attire-9ef8f0ad24f91a94ae126006304261af*.

[5] "Female beach volleyball players can wear more conservative uniforms", Sports Illustrated, 27 March 2012, available at *https://www.si.com/more-sports/2012/03/27/beach-volleyball-olympic-uniforms*. See also "FIVB allows alternative to bikinis", Play the Game, 29 March 2012, *https://www.playthegame.org/news/fivb-allows-alternative-to-bikinis/*.

[6] Ibid.

Associated Press[7] with Walsh stating: "*I think it's fantastic (...). I don't want anything as trivial as a uniform to keep anyone from chasing their Olympic dream*".

However, Mae-Treanor and Walsh both highlighted that they would stick with their bikinis. Walsh said[8] about the uniforms: "*It's something I really feel comfortable with (...). It's something that I feel empowered by, not distracted with. I'm not a sex symbol; I'm an athlete. I want to be streamlined out there*".

The focus of the uniforms was no longer about how to sell the sport but rather about how to allow more people to play the sport in a way that is comfortable for them. These rule changes resulted in an iconic image[9] from the Rio Olympic Games 2016 in which an Egyptian beach volleyball player in a hijab clashes at the net with a German beach volleyball player in a bikini. Since implementing the rule change, the FIVB has also witnessed the opposite scenario unfold.

In 2021, a German beach volleyball team pushed back against guidance requesting female athletes to wear shirts and long trousers "out of respect for the culture and traditions of the host country" in an FIVB World Tour event held in Doha, Qatar.[10] The German beach volleyball team insisted on wearing their bikinis at the event and threatened to boycott the tournament. The team explained their decision in the following way: "*We are there to do our job, but are being prevented from wearing our work clothes... This is really the only country and the only tournament where a government tells us how to do our job – and that's what we're criticizing*".

The FIVB regulations respect an athlete's right to choose from options rather than being forced to wear something uncomfortable to them. This discussion illustrates the evolution of the FIVBs regulatory approach, reflecting a shift toward prioritising athlete comfort and individual choice. The era in which strict sanctions were imposed to enforce the use of tight-fitting uniforms – regardless of athletes' personal comfort – has passed. Under the current framework, athletes are granted greater autonomy: those who wish to compete in bikinis may do so, while those who prefer shorts or attire that aligns with cultural or religious practices, such as the hijab, are equally accommodated.

While this rule change predates the common use of the term "safeguarding" in sports, it is in fact an accommodation for athletes tied specifically to their comfort. In this way, it protects the image and dignity of the athlete and

[7] "Top Players sticking with bikinis", Associated Press, re-published by ESPN, 9 April 2012, available at *https://www.espn.com/olympics/volleyball/story/_/page/International%20Volleyball%20Federation;%20bikinis;%20shorts/top-beach-volleyball-players-sticking-bikinis.*

[8] Ibid.

[9] Photo by Reuters. "Rio 2016: Wearing a Hijab 'won't keep' Egyptian volleyball player Doaa Elghobashy 'away' from sport", Alexandra Sims, The Independent, 9 August 2016, *https://www.independent.co.uk/news/people/rio-2016-wearing-a-hijab-won-t-keep-egyptian-volleyball-player-doaa-elghobashy-away-from-sport-a7180636.html.*

[10] "German beach volleyball duo shun Qatar over bikini ban", DW, 23 February 2021, *https://www.dw.com/en/german-beach-volleyball-duo-shun-qatar-over-bikini-ban/a-56658786.*

falls squarely within a measure that we would associate today with a safeguarding measure, i.e. protecting athletes from being uncomfortable while competing at FIVB competitions. As such, it may be considered as one of the first true "safeguarding" measures taken by the FIVB. While this could be seen as a first step, there were more changes to come as safeguarding was brought to the spotlight in the broader Olympic Movement.

### *3. Overview of the FIVB Safeguarding Framework*

Shortly after the aforementioned rule change, broader reforms began to take shape across the sport and Olympic Movement, aimed at ensuring that athletic environments were safe, respectful, and supportive spaces for all participants. In 2015, the importance of protecting the human rights of children and elite athletes across various sporting environments gained increased attention within the Olympic Movement through multiple communication channels. The 2016 IOC's Consensus Statement on harassment and abuse[11] sought to uphold the right to participate in 'safe sport' – defined as an athletic environment that is respectful, equitable, and free from all forms of non-accidental violence.

Unfortunately, sports in general is not immune to harassment and abuse. Incidents have ranged from punitive coaching methods[12] and retaliatory practices that resulted in player injuries,[13] to the encouragement of peer abuse, physical violations, and alleged cases of sexual assault of young athletes by their coaches.[14] These examples reflect the involvement of multiple stakeholders and highlight systemic vulnerabilities. Victims often face barriers such as lack of awareness, distrust in the institutions, feelings of shame, or active discouragement by officials, which prevent them from coming forward.

While all the above cases occurred outside of FIVB's events and competence at the time, the FIVB has demonstrated a willingness to exercise broad jurisdictional reach for its own events when it comes to protecting individuals in and around such events. This protective reach extends beyond those directly participating in competition to include other individuals present at FIVB venues, such as accredited guests and persons staying in official team hotels.

---

[11] Available at *https://stillmed.olympics.com/media/Documents/Athletes/Medical-Scientific/Consensus-Statements/2016_harassment-abuse-non-accidental-violence-sport.pdf.*

[12] Human Rights Watch, "I Was Hit So Many Times I Can't Count", Abuse of Child Athletes in Japan, July 2020, available at *https://www.hrw.org/report/2020/07/20/i-was-hit-so-many-times-i-cant-count/abuse-child-athletes-japan.*

[13] R. Young, *Former Northwestern volleyball player sues school after alleged hazing incident*, 2023, available at *https://sports.yahoo.com/former-northwestern-volleyball-player-sues-school-after-alleged-hazing-incident-200640598.html.*

[14] NBC News, "*Top youth volleyball coach was accused of raping players in the 1980s, yet still trained kids, lawsuit charges*", March 2018 available at *https://www.nbcnews.com/storyline/sexual-misconduct/top-youth-volleyball-coach-was-accused-raping-players-1980s-yet-n852311* and New York Times, "*Athletes Who Say Volleyball Coach Abused Them Speak Out*", May 2018 available at *https://www.nytimes.com/2018/05/15/sports/volleyball-coach-sexual-abuse-illinois.html#* - .

In one disciplinary case prior to the creation of the FIVB Safeguarding Framework, the FIVB suspended several national team players involved in the alleged rape of a female guest at the hotel that the team was staying at during an FIVB competition.[15] After the conclusion of criminal court proceedings in the country in which the rape took place, the FIVB Disciplinary Panel suspended four athletes who were convicted of being directly involved in the act for an unlimited period of time from FIVB, World and Official Competitions[16] and two other athletes who were present during the act for a period of five years from FIVB, World and Official Competitions.

One of the interesting legal aspects of this case is that the survivor of the act was not actually connected to the event itself. Rather, she was a person who the players met while out in the host city. However, the FIVB Disciplinary Panel considered that she fell under the term "guest" once she was invited into the team hotel by the players in question.[17] Thus, the Disciplinary Panel found that the players violated Article 11, paragraph 1, FIVB Disciplinary Regulations 2016, which stated that: "*Any action, attitude, public statement displaying an improper use of physical or emotional force in order to injure, intimidate or defame the FIVB, its guests or any of the persons listed in Article 1 herein is considered violent conduct which shall be sanctioned in accordance with seriousness of the offense*".

Based on this case, the FIVB has demonstrated a clear commitment to safeguarding all individuals present at its competitions. This commitment was further underscored by the implementation of its Framework for Safeguarding Athletes and Other Participants from Harassment and Abuse in Sport, which was introduced around the same time that the decision in this case was issued in 2018.

As of 2023, this framework has been embedded within the FIVB Disciplinary Regulations,[18] ensuring due legal process, strict confidentiality, and the imposition of sanctions by an independent panel. It may also apply to cases under the jurisdiction of a National Federation if the National Federation does not have internal regulations or existing procedures are deemed inadequate to protect athletes.

The FIVB's Safeguarding Framework is composed of four essential elements that make up how the FIVB combats safeguarding issues: i) the creation of the safeguarding policy and its incorporation into the FIVB's regulatory framework (see section 3.a. below), ii) the education and awareness-raising efforts

---

[15] See FIVB DP 2016-01, *https://www.fivb.com/wp-content/uploads/2024/03/20190507_FIVB-Disciplinary-Panel_Case-2016-01.pdf*.

[16] For the definition of FIVB, World and Official Competitions, see Article 2 of the FIVB Event Regulations. This sanction resulted in suspension mainly from national team competitions and club continental competitions. Upon release from prison, the players were still allowed to participate in national league competitions in order to avoid impacting their right to work.

[17] Ibid., 45.

[18] See the FIVB Disciplinary Regulations, Appendix B, available at *https://www.fivb.com/wp-content/uploads/2024/03/FIVB-Disciplinary-Regulations-2023-clean_website_23062023.pdf*.

made by the FIVB (see section 3.b.), iii) risk management and the prevention of abuse (see section 3.c. below) and iv) reporting mechanisms and accountability (see section 3.d. below). These efforts combined allow both pre-emptive and reactive action to be taken by the FIVB to ensure a safe and comfortable volleyball environment.

### *a. FIVB's Safeguarding Policy and Regulatory Framework*

An important milestone for the FIVB in its efforts to create a safe sport was the incorporation of the FIVB Policy against Harassment and Abuse (hereinafter "The Policy") into Appendix B of the FIVB Disciplinary Regulations. This incorporation allowed the FIVB to recognize and pursue disciplinary actions in the event of a violation of the Policy. The latter also defines the legal framework for safeguarding athletes and participants from harassment and abuse during FIVB Volleyball, Beach Volleyball, and Snow Volleyball events.

The Policy clarifies key forms of harassment and abuse, and introduced preventive measures aimed at raising awareness and promoting a culture of safety. As part of these measures, safeguarding information is presented to coaches and shared during the Preliminary Inquiry, ensuring that all participants and their entourages are informed of their rights and responsibilities.

Under this framework, the FIVB Medical Delegate – an official appointed by the FIVB Medical Commission to oversee medical matters throughout an event – serves as the designated FIVB Safeguarding Officer. In the absence of the Medical Delegate, the FIVB Technical Delegate assumes the role and is responsible for both technical compliance to the regulations and safeguarding duties. Once a safeguarding incident is reported, the FIVB Medical Delegate is responsible for documenting it, assessing the need for follow-up, and determining the appropriate course of action.

This may include referral to the FIVB Control Committee, the Disciplinary Panel, or local authorities, depending on the severity and nature of the case. The Safeguarding Officer also ensures that appropriate support is provided to the individuals concerned, and that all proceedings are conducted with strict confidentiality in accordance with the Policy. The FIVB reserves the right to intervene in cases where a National Federation fails to take adequate action to protect the individuals involved, thereby reinforcing the organization's commitment to creating a safe and respectful sporting environment for all.

While a legal framework is essential, it alone is not sufficient – it represents just one of several necessary measures to ensure a truly safe sporting environment. As part of the implementation of the FIVB Safeguarding Framework, the FIVB has demonstrated its commitment to upholding a safe and respectful environment for all participants by bringing forward several disciplinary cases. This has been clearly evidenced by FIVB's past disciplinary cases involving safeguarding issues starting in 2023.

One disciplinary case[19] involved an FIVB referee and a female hotel staff member who reported feeling uncomfortable following an unsolicited note from the international referee complimenting her and asking her to meet him after she was finished with her work. The case was handled with strict confidentiality and in line with the victim-centered approach outlined in the Safeguarding Framework. The investigation focused not only on the facts but also on the perception of the affected female hotel staff member.[20] The decision acknowledged that even a seemingly minor act of asking someone to meet, when understood in the full context and subjective perception of the recipient, can contribute to an unsafe or inappropriate environment.[21]

As a result of the disciplinary proceedings, the official was prohibited to participate in any official activity within the sphere of the FIVB for a three-month period and was required to complete mandatory safeguarding education through the FIVB's e-learning platform. This outcome reinforces the FIVB's zero-tolerance stance on inappropriate behavior and its ongoing efforts to educate all stakeholders on acceptable conduct and safeguarding responsibilities.

This case also underscores the practical effectiveness of the safeguarding framework and serves as a reminder that respectful behavior, sensitivity to context and cultural diversity, and awareness of personal boundaries are fundamental to maintaining the integrity and inclusivity of volleyball events worldwide.

In another case that tested the robustness of the FIVB Safeguarding Framework, a coach was observed slapping a minor female athlete during an international competition – an incident that was captured on live television. A provisional suspension was immediately imposed on the coach based on his violent misconduct.

Immediately following the incident, an internal investigation was launched at the event location. The Technical Delegate on-site obtained statements from witnesses, including match officials, security personnel, and volunteers, providing consistent testimonies confirming the inappropriate conduct. The well-being and protection of the athlete and her teammates remained the primary focus throughout the process.

The provisional suspension was maintained by the FIVB Disciplinary Panel Sub-Committee,[22] the coach's accreditation was withdrawn without delay, and he was required to return to his home country immediately. Subsequently, the FIVB Disciplinary Panel[23] imposed a two-year ban on any volleyball-related activities. This decisive action underscored the organization's zero-tolerance policy for any form of violence or abuse, especially against minors.

---

[19] See FIVB DP 2023-01 available at *https://www.fivb.com/wp-content/uploads/2024/03/FIVB-DP-2023-01.pdf*.
[20] Ibid., 24.
[21] Ibid.
[22] See DP 2023-02, paragraph 8, available at *https://www.fivb.com/wp-content/uploads/2024/03/FIVB-DP-2023-02.pdf*.
[23] Ibid.

According to the official report submitted by the Technical Delegate present at the competition, the atmosphere among the team's minor players changed markedly after the coach's removal. The athletes appeared noticeably more relaxed, confident, and emotionally at ease – clearly benefiting from the prompt safeguarding intervention.

The reaction of the team after the coach's removal from the competition highlighted the reason why safeguarding is important. When playing with the coach present, the players appeared to be scared, like any mistake would result in an outburst from the coach. After his removal, the players danced and smiled, celebrating winning a set. These images were shown to us at the FIVB offices and are something that we will not forget.

This case not only highlights the effectiveness of the safeguarding framework in real-time situations but also reinforces the FIVB's unwavering commitment to ensuring that volleyball is a safe, supportive, and respectful environment for all athletes – especially the youngest and most vulnerable.

### *b. Education, Training and Awareness*

Over the past years, the safeguarding culture within the FIVB has progressively evolved, embracing an athlete-centered approach that places the rights, experiences, and well-being of athletes at the forefront. Central to this shift is the recognition that a genuine understanding of athletes' knowledge, attitudes, and beliefs is essential. Empowering athletes to know, identify with, and defend their rights is a foundational step in fostering a culture where those rights are truly protected.

A lack of awareness undermines the entire safeguarding system. If athletes are unaware of their rights, they cannot assert or defend them – rendering the system ineffective. This point was made evident through qualitative data collected from athletes[24] from different sports, some of whom courageously shared personal experiences. Reports included instances where federations ignored coaches' inappropriate behavior, coaches forcing injured athletes – especially minors – to train, and the neglect of female athletes' specific biological needs at club level. These accounts highlight the immeasurable value of survivor voices in shaping safer environments and influencing meaningful change.

Particular attention must be paid to underage athletes, who are among the most vulnerable participants in sport.[25] Safeguarding efforts must actively target this group to ensure they are aware of their rights and feel safe when participating in FIVB competitions. This is especially urgent given recent disciplinary cases involving abuse by coaches towards young female players or misconduct by officials towards staff.

---

[24] D. Rhind, H. Musson, A. Florence, P. Gilpin, G.P. Alford, *World Players Association Census of Athlete Rights Experiences Report*, 2021, World Players Association, available at *https://files.cargocollective.com/c520687/World-Players_CARE-Report-2021-.pdf.*

[25] Available at *https://home.crin.org/latest/childrens-rights-big-issue-sport*.

Interestingly, some studies[26] have shown that adult athletes in different sports, while generally more aware of their rights, often lack confidence in the safeguarding systems intended to protect them. This skepticism stems from past inefficiencies and perceived inaction, which reinforces a belief that their rights are not fully enforceable in practice.

In response, the FIVB has initiated a strategic plan that prioritizes athlete education and the establishment of a whistle-blower mechanism. This system shall guarantee anonymity, confidentiality, and psychological safety for those reporting misconduct. Furthermore, athlete mental health has become a focal point for the FIVB Medical Commission, which has formed a dedicated working group to explore and support this critical area.

The FIVB has taken a significant step forward in strengthening its commitment to athlete welfare with the launch of its first official safeguarding education module. Rooted in the existing legal safeguarding framework, this module aims to raise awareness and build foundational knowledge across all stakeholder groups involved in volleyball, including athletes, officials, coaches, and event staff. The initiative reflects FIVB's holistic approach to promoting a culture of safety, respect, and dignity in sport - recognizing that education is a vital pillar in the prevention of harassment and abuse. This first module is designed to ensure that everyone engaged in FIVB-sanctioned activities understands their roles and responsibilities under the safeguarding policy and knows how to act when a concern arises.

As part of a broader educational strategy, the FIVB plans to expand this initiative through targeted and practical outreach. At the core of this effort is the inclusion of safeguarding information booths at youth and age-group competitions aimed at directly engaging underage athletes and their entourages. This on-the-ground presence will serve both as a learning opportunity and a support mechanism, ensuring visibility of safeguarding resources in real time.

Looking ahead, FIVB is developing additional modules tailored to specific stakeholder groups, including National Federations, coaches, and competition officials. These upcoming training programs will address context-specific risks and scenarios, promoting consistency in safeguarding implementation at both global and local levels. These programs will be tailored to the specific cultural and geographical considerations of the region in which they are focused. The FIVB is also exploring training more regional experts to allow for this adaptation of education to be more effective and tailored with the program being delivered by someone familiar with the region and the different cultures therein. Through this phased and inclusive educational plan, the FIVB seeks to foster a proactive safeguarding culture throughout the volleyball community.

---

[26] M. Mountjoy, C. Brackenridge, M. Arrington, C. Blauwet, A. Carska-Sheppard, K. Fasting, S. Kirby, T. Leahy, S. Marks, K. Martin, K. Starr, A. Tiivas, R. Budgett, *International Olympic Committee Consensus statement: Harassment and Abuse (non-accidental violence) in Sport. British Journal of Sports Medicine*, 2016, 50(17), 1019–1029, available at *https://bjsm.bmj.com/content/bjsports/50/17/1019.full.pdf*.

Integral to this approach is the adoption of a trauma-informed perspective. Widely used in healthcare, education, and justice systems, a trauma-informed approach acknowledges the profound and lasting impact trauma can have on individuals. It seeks to create physically, psychologically, and emotionally safe environments for both providers and survivors.

Key principles of this model include safety, trustworthiness and transparency, peer support, collaboration, empowerment, and sensitivity to cultural, historical, and gender-based issues. In the context of law and safeguarding, this means understanding that victims, witnesses, or even alleged perpetrators may have experienced trauma – something that deeply influences how they interact with legal systems and authority figures.

Trauma can affect memory, communication, and behavior. For instance, a victim may seem detached or inconsistent – not due to dishonesty, but as a neurobiological response to trauma. Legal and safeguarding professionals must be equipped to recognize and appropriately respond to such signs.

Trauma-informed legal practices involve creating calm and private spaces for interviews, avoiding confrontational questioning, clearly explaining procedures, and offering choices to empower survivors. Collaboration between legal, mental health, and social service professionals ensures a more holistic and supportive response – particularly in cases involving child protection.

Most importantly, a trauma-informed framework actively avoids re-traumatization. This framework might include minimizing the number of times a survivor must recount traumatic events, use of video testimonies, or appointing trained intermediaries. For example, in disciplinary proceedings involving abuse, survivors may benefit from physical separation from the perpetrators, the presence of a support advocate, or the elimination of cross-examinations.

In conclusion, the FIVB's commitment to safeguarding continues to advance through strategic, educational, and empathetic initiatives. By embedding a trauma-informed approach into its safeguarding practices, the organization is looking not only to reinforce athlete rights but also to cultivate an environment of trust, respect, and long-term cultural change in sport.

### *c. Risk Management and Prevention of Abuse*

A thorough risk assessment forms the cornerstone of any effective safeguarding strategy. By identifying potential vulnerabilities and areas of concern, it enables organizations to anticipate and mitigate safeguarding risks before harm occurs. This proactive approach is essential not only for preventing incidents, but also for ensuring that clear, effective remedies are in place should a situation arise. The FIVB has sought to implement a well-designed safeguarding policy, grounded in comprehensive risk assessment, in order to protect all participants and uphold the integrity of its sporting events.

In the lead-up to the Olympic Games Paris 2024, the FIVB faced a complex safeguarding challenge involving an international-level athlete with a prior

criminal conviction.[27] The athlete's participation generated significant media attention and public scrutiny, raising legitimate concerns about potential risks to both event participants and the athlete himself.

Though the athlete had earned his selection through the FIVB Beach Volleyball World Ranking, the National Federation and National Olympic Committee were free to enter another athlete if they chose. However, the position of the National Federation was that the athlete had served his prison sentence, been rehabilitated, followed all of its requirements to be reintegrated back into beach volleyball activities and had not had any safeguarding issues since his imprisonment. The athlete is also married to a police officer and has a young child.

While the subject of internal conflict and debate, the International Olympic Committee reviewed the case as the entity responsible for inviting athletes to the Olympic Games but found that there were no grounds to prevent the athlete from competing in the Olympic Games. Once this assessment was conducted, the FIVB turned its focus to ensuring a safe environment for everyone by collaborating closely with the Paris 2024 Organizing Committee, the International Olympic Committee and his country's National Olympic Committee. A proactive safeguarding plan was implemented tailored to the specific circumstances of the event. The goal was twofold: to uphold the integrity of the competition while protecting all individuals at the venue and to ensure the dignity and psychological wellbeing of the athlete, who was under intense public pressure.

The measures adopted included accommodations outside of the Olympic Village for the athlete arranged by his National Olympic Committee, a dedicated entrance for the athlete close to the athlete pre-match area, enhanced supervision in athlete interactions with the staff and the public, clear behavioral protocols, limited media activities and pre-event safeguarding briefings for all staff and volunteers. These steps were guided by the principle of preventive safeguarding, aimed at reducing the risk of harm. The measures limited his interactions with the staff outside of his National Olympic Committee as well as reduced the risk as much as possible for his own well-being.

Ultimately, the pressure on the athlete grew as the event went on. Whereas other athletes were able to socialize with their friends and families outside of the public warm-up court area, this athlete did not have that benefit. Instead, meetings had to be arranged with his family in a private area in order to minimize the risk of exposure for him.

As the event went on, more media attention about his past resulted in an increase in fan reactions against him and his teammate, who was also substantially impacted as he had to take on the media obligations for the team. While no one could not prevent the fan reaction to his participation, which was their right as fans, the IOC and the FIVB needed to ensure his protection along with the safety of all other stakeholders. It was no doubt a tough situation for all involved, the

[27] "Convicted rapist...to compete at Olympics on Sunday", BBC Sport, 25 July 2024, available at *https://www.bbc.com/sport/articles/cx721j6n6w3o*.

athlete competed and reached the Round of 16 of the competition without any safeguarding incidents.

This case exemplifies the collective ability of sport organizations to work together to address safeguarding risks through balanced, pre-emptive action. By protecting both the potential victims and the individual in question, the organization demonstrated its commitment to safeguarding not only as a reactionary tool but as a governance standard that prioritizes prevention, inclusion, and respect for all individuals – regardless of their background or circumstances.

### *d. Reporting Mechanisms and Accountability*

An effective safeguarding framework relies not only on clear policies and strong disciplinary mechanisms but also on the presence of secure, trusted, and accessible reporting channels. For victims or witnesses of harassment, abuse, or misconduct, the decision to come forward can be fraught with fear – fear of retaliation, disbelief, exposure, or even professional consequences. In this context, ensuring both confidentiality and the possibility of anonymous reporting is not just a best practice – it is a foundational requirement.

Trustworthy reporting systems empower individuals to raise concerns without fear. When those affected believe that their identity will be protected and their report handled with seriousness and impartiality, they are far more likely to speak up. This, in turn, allows institutions to intervene early, investigate thoroughly, and take corrective action – ultimately preventing further harm and strengthening the overall integrity of the sport.

While the FIVB's current safeguarding reporting mechanisms – through email and submission of a formal safeguarding incident form – do guarantee the confidentiality of information received, the absence of a fully anonymous electronic reporting system remains a critical gap.

Victims or whistle-blowers who are not ready to reveal their identity may be discouraged from reporting altogether, particularly in hierarchical environments where power imbalances exist.

Global data from whistle-blower protection programs across sectors demonstrates that anonymous reporting tools increase the frequency and credibility of reports, especially in environments where cultural or structural barriers to speaking up persist. According to studies from the OECD[28] and the 2024 IOC Consensus Statement on Interpersonal Violence in Sport,[29] organizations with well-functioning, anonymous reporting channels detect misconduct more quickly, respond more appropriately, and are better positioned to maintain a culture of accountability and transparency.

[28] OECD, Committing to Effective Whistleblower Protection, 2016, available at *https://www.oecd.org/en/publications/committing-to-effective-whistleblower-protection_9789264252639-en.html*.
[29] Available at *https://bjsm.bmj.com/content/bjsports/58/22/1322.full.pdf*.

Moreover, such systems foster a sense of psychological safety within the organization. They signal that the institution is genuinely committed to listening and taking action – without compromising the identity or dignity of those who report. In safeguarding contexts, this is especially important, as victims are often in vulnerable positions and may already feel silenced by shame, fear, or trauma.

For the FIVB, the integration of an electronic, anonymous reporting tool – while continuing to ensure confidentiality and due process – would represent a significant step forward in aligning its safeguarding practices with international standards. It would also reinforce its role as a leading sports federation actively working to protect the rights and well-being of athletes, staff, and all participants in volleyball worldwide.

## *4. Conclusion*

As the sole governing authority for the sport of volleyball worldwide, the FIVB holds the responsibility to ensure an effective safeguarding framework across all disciplines and levels of competition. Such a framework must extend beyond legal mechanisms to include preventive tools and awareness-raising among all stakeholders. While the FIVB has made significant progress in this area, there remains room for further improvement.

The FIVB is currently undergoing a full review of its regulatory framework. As part of this review, the FIVB will not only examine the explicit language in the FIVB Regulations but also will look at a more comprehensive view of issues such as safeguarding by taking the next step to reach one of its strategic goals found in the FIVB Strategic Vision 2032: To have state-of-the-art governance.[30]

To be truly effective, the FIVB needs to strengthen its *Safeguarding Framework* through binding commitments from key stakeholders – for example, requiring competition officials to sign a *Code of Conduct* that acknowledges their safeguarding obligations and reinforces athletes' rights.

Moreover, the FIVB will examine devoting time and resources to a sport-specific risk assessment, coupled with a comprehensive risk management plan, to paint a clearer picture of the prevalence and patterns of harassment and abuse across all competition levels. This, in turn, can inform the development of targeted educational initiatives aimed at driving long-term cultural and institutional change.

While the FIVB has already established a comprehensive general safeguarding framework, the real impact lies in its effective implementation across all levels of the sport. Thus, the next step for the FIVB to take now that it has implemented its own policy is to take measures to ensure that National Federations and Confederations embrace a cultural transformation by embedding safeguarding principles into their institutional values and daily operations. This broader

[30] See FIVB Strategic Vision 2032, available at *https://www.fivb.com/inside-fivb/fivb/strategic-vision-2032/.*

transformation is not merely a matter of compliance, but a governance imperative that strengthens the credibility and integrity of volleyball worldwide. It will be a focus of the FIVB over the upcoming years.

A true culture of safeguarding must extend beyond regulations. It requires collective ownership and proactive engagement from all stakeholders – especially at the national level – where policies must be translated into action through education, accountability, and constant attention at domestic competitions. In this regard, collaboration with National Federations is key to ensuring that safeguarding policies are not only adopted but truly lived.

It is also important to empower athletes with knowledge of their rights and foster trust in the safeguarding measures available – such as reporting mechanisms, confidentiality protocols, and independent adjudicatory bodies – to ensure those rights are fully protected.

The Athletes' Commission also has a critical role to play in this transformation. The FIVB will work on ways to collaborate with the Athletes' Commission to include the voices and protection of underage athletes, who, according to research, are among the most vulnerable to harassment and abuse in sport.[31] Addressing their needs directly contributes to the broader goal of fostering a safe, respectful, and empowering environment for all athletes.

In parallel, the Volleyball Foundation, as an independent entity, plays a crucial role in advancing this cultural shift globally. By supporting grassroots and development projects involving minors across diverse regions, the Foundation actively contributes to disseminating safeguarding responsibilities. It raises awareness among stakeholders—many of whom operate in cultural or legal contexts where these issues remain neglected or misunderstood. In doing so, the Foundation not only helps prevent rights violations but also promotes a global standard of respect and protection for minors in volleyball. As an entity that is only one year old and has limited resources, the FIVB is currently exploring ways in which it can partner with the Volleyball Foundation to use best practices in order to mitigate the risk of its participants experiencing harassment and abuse.

Ultimately, this multi-level strategy – grounded in cultural change, stakeholder engagement, and educational outreach – will reinforce the core values of the volleyball family and position the FIVB as a model of good governance among international sports federations. It will affirm volleyball's identity as a safe, inclusive, and ethically driven sport at all levels and across all continents.

While, in the past, the FIVB positioned itself as a product that sold the appeal of its athletes on the court, the reality is that a cultural shift in volleyball has occurred since Dr. Graça's mandate in which the focus of the FIVB has been to appeal across cultural lines. Specifically, at one point in time, the FIVB was trying to position itself as a family sport that can be played by everyone all year round.

[31] F. Owusu-Sekyere, D.J. Rhind, and L. Hills, *Safeguarding culture: Towards a New Approach to Preventing Child Maltreatment in Sport*. Sport Management Review, 2021, 1-23, available at *https://www.tandfonline.com/doi/figure/10.1080/14413523.2021.1930951?scroll=top&needAccess=true*.

In order to create that shift, the FIVB has to ensure that it is a safe sport in which it is comfortable for all ages and demographics to compete. Whether on the beach during the summer, a mountain during the winter or in a gym on a rainy day, the goal for the FIVB is that everyone feels comfortable and safe playing volleyball.

The changes within the priorities of the FIVB and the Safeguarding Framework have contributed to that environment at the FIVB level. Now the FIVB must turn its attention to work with all of its stakeholders to foster safe and comfortable environments at all levels from mass participation activities with the Volleyball Foundation through its member federations, Zonal Associations and Confederations to make the world a better place through sport in line with the FIVB's broader transformation from an International Federation to a Global Volleyball Movement.

# INTERNATIONAL BIATHLON UNION AND BIATHLON INTEGRITY UNIT AND SAFEGUARDING

by *Greg McKenna*, *Lucie Rothauer* and *Katharina Gatterer*[*]

SUMMARY: 1. Overview of safeguarding in sport and the Federation – 2. The Federation's safeguarding policies and regulatory framework – 3. Safeguarding in sports competitions and events – 4. Education and awareness raising – 5. Risk management and prevention of harassment and abuse – 5.1 Developing Prevention Mechanisms and Strategies – 6. Reporting mechanisms and accountability – 7. Conclusion

## *1. Overview of Safeguarding in Sport and the Federation*

The International Biathlon Union (IBU) has demonstrated a clear and sustained commitment to safeguarding through the establishment of the Biathlon Integrity Unit (BIU), an independent body mandated to protect the integrity of the sport in all its forms. Launched in 2019 in response to growing awareness of ethical challenges in sport, the BIU embodies the sport's resolve to uphold athlete welfare and ensure that biathlon provides a safe, respectful and inclusive environment.

That commitment was shaped in part by hard lessons: the BIU's creation followed serious failures of leadership that had threatened the sport's credibility. The case of former IBU President Anders Besseberg, who was found guilty of serious breaches of integrity including accepting bribes and obstructing anti-doping efforts, exposed how unchecked power and a lack of ethics at the top can cast a long shadow over a sporting community. When leadership lacks integrity, the risks are not theoretical, they are real, widespread and systemic. Corruption at the top creates an environment where abuse can flourish, where doping may be ignored or enabled, and where manipulation of competitions becomes a possibility. Often in sport, we are left trying to address the symptoms, mistreatment of athletes,

[*] Greg McKenna is the Head of the Biathlon Integrity Unit and is a former Senior Law Enforcement Officer from the UK, with significant experience leading major investigations into serious and organised crime.
Lucie Rothauer is the Prevention Manager at the BIU, overseeing Education, Safeguarding and Communications, as well as Anti-Doping Coordination.
Katharina Gatterer is the BIU's Safeguarding and Education Officer, providing information and education in relation to integrity-related issues to all stakeholders.

cover-ups, scandals, without confronting the root cause: poor governance and leadership. The BIU was created to break that cycle, to ensure accountability at all levels, and to build a system where protecting athletes and preserving the integrity of the sport are not optional, but non-negotiable.

Recognising that safeguarding is not only a regulatory necessity but a moral imperative, the BIU's approach is rooted in proactive cultural change, accountability, and integration across its integrity functions. Safeguarding is not treated as a siloed function within the BIU; rather, it is understood to intersect with nearly every area of integrity work. Whether addressing doping, match manipulation, abuse, or governance failures, safeguarding risks and considerations are embedded in how the BIU understands vulnerability and acts to protect those involved in biathlon.

For instance, doping investigations often reveal safeguarding dimensions: athletes – particularly younger competitors, may be subjected to undue pressure, coercion, or even abuse from support personnel who control their access to training, selection, or substances. In such scenarios, safeguarding concerns do not emerge after doping violations are discovered; rather, they form part of the context in which the doping occurs. Similarly, in cases of match-fixing, athletes may be targeted precisely because of their financial or emotional vulnerability. Perpetrators often exploit not only the athlete's insecurity but also their wider circumstances, such as familial debt, isolation, or dependency, raising the need for protective, not just punitive, responses. These cases highlight how manipulation of results is not solely a breach of sporting ethics or betting regulations, it can also involve coercion, grooming, or exploitation, and must be assessed through a safeguarding lens.

Understanding these overlaps, the BIU has adopted an integrated model in which safeguarding is both a foundational ethic and a practical tool for intervention. Education, early-warning systems and athlete support mechanisms are deployed not only to prevent abuse or harassment but also to mitigate broader integrity threats. While the detailed policy framework, outlined in the IBU Safeguarding Policy,[1] will be addressed in a later section, it is worth noting that the BIU has worked to embed safeguarding expectations across all its procedures, including intelligence collection, event oversight, disciplinary processes and governance evaluations.

Working with the International Federation, the BIU's emphasis is on creating a sporting culture in which respect, dignity, and athlete wellbeing are foundational, not optional, values. This means taking a preventive, intelligence-informed approach that places the athlete at the centre of all integrity work. In doing so, the BIU aligns with the IBU's broader vision: that sport must be a positive force, free from abuse, exploitation, and discrimination, and that protecting its participants is not ancillary to sporting success, it is essential to it.

[1] Available at *https://biathlonintegrity.com/wp-content/uploads/2023/01/IBU-Safeguarding-Policy_20230112.pdf.*

## *2. The Federation's Safeguarding Policies and Regulatory Framework*

The IBU, working through the independent BIU, has created a strong and proactive safeguarding system. This is not only designed to meet international standards but to offer meaningful protection to all those involved in the sport. The core of this system is the IBU Safeguarding Policy, which is built on the legal and ethical foundations set out in the IBU Constitution[2] and the Integrity Code.[3] It provides detailed definitions of unacceptable behaviours, clear procedures for reporting and investigations, and practical support for those affected. Under the Safeguarding Policy, forbidden conduct is defined as any conduct set out in Clause 3 of the Policy, including bullying (or cyberbullying if conducted online), hazing, neglect and negligence, psychological abuse, physical abuse, sexual harassment and sexual abuse.

Safeguarding is not treated as a standalone issue. It is woven into every aspect of the IBU's commitment to ethical sport and good governance. This includes a new Governance Framework for National Federations (NFs), developed and overseen by the BIU. That framework aims to embed safeguarding into the day-to-day operations of each NF, regardless of its size or resources. It reflects a simple truth: safeguarding systems are only as strong as the organisations delivering them. To help NFs meet their responsibilities, the BIU provides tools, guidance, and direct support.

The Governance Framework sets out six core principles: transparency, accountability, ethical conduct, sustainability, safeguarding, and equity. Safeguarding is treated both as a principle in its own right and as something that runs across all areas of governance. NFs are assessed on their ability to manage safeguarding, with criteria that include the presence of trained officers, clear and confidential reporting procedures, regular training for staff and volunteers, and working links to national child protection authorities.

Rather than a top-down or punitive approach, the BIU uses the framework to help NFs build practical and effective safeguarding systems that reflect local realities. This includes the use of templates, toolkits, and bespoke advice. Where an NF lacks capacity, the BIU steps in to ensure that athletes and others are not left without protection. For example, Australian Biathlon Association was found to lack elements of national recognition, breaching IBU rules. The BIU worked directly with state bodies to provide templates, regulatory advice and hands-on support, ensuring safeguarding remained in place during the transition. The national federation is now fully functional, with BIU's intervention as the catalyst. The framework also encourages collaboration with statutory agencies, international NGOs, and law enforcement, recognising that safeguarding is a shared responsibility that extends beyond sport alone.

---

[2] Available at *https://assets.ctfassets.net/cz0vl36hcq0x/2kyflHOP4Bhl9GK5o3FiZl/367aef5939f6b41fb9954b808a6ebd7b/Rules_2024_EN_cap1.pdf*.

[3] Available at *https://assets.ctfassets.net/cz0vl36hcq0x/3uzVzmm4KfCkWg7pLJhmMD/68f66ff210ed210d3ddc19f4e321b380/Rules_2024_EN_cap2.pdf*.

The BIU supports this work with regular education programmes. These include online training, in-person workshops, and outreach materials aimed at athletes, coaches, officials, and administrators. The BIU also supports ethical rehabilitation for those who have breached standards, where this is appropriate, using education and behavioural interventions as part of a broader safeguarding response. Where appropriate, and in line with a case-by-case assessment, the BIU offers rehabilitative pathways that go beyond punitive measures. These may involve tailored education, reflective exercises, and behavioural interventions aimed at promoting accountability, restoring trust, and reducing the risk of reoffending. This approach not only contributes to the personal development of the individuals involved, but also strengthens the overall safeguarding culture within the sport. For example, the BIU has applied this approach in cases where athletes breached weapon safety protocols, creating risks to others. While punitive sanctions were still imposed, the athletes were also offered an opportunity to reduce the severity of these measures by committing to education and awareness efforts. They completed tailored reflective tasks to understand the risks and consequences of their actions and agreed to speak out about safety in biathlon, using their own time to engage with younger athletes and promote responsible behaviour. This dual approach helped reinforce the importance of safety while encouraging constructive learning and leadership.

NFs are expected to take a lead in adapting and applying the IBU's safeguarding model. This means appointing national safeguarding leads, maintaining local complaint systems, and making sure safeguarding is a regular part of how they operate. Where required, the BIU helps them to draft national policies that are consistent with both the IBU framework and local laws.

The BIU also promotes external collaboration. This includes building working relationships with national child protection services, police and judicial bodies, and other safeguarding experts. For example, the BIU has an ongoing partnership with Katholieke Universiteit (KU) Leuven. Every summer, one to two students from the Master of Arts in Sports Ethics and Integrity (MAiSI)[4] Programme complete a two-month internship with the BIU, contributing to a range of projects. Interns are actively involved in initiatives such as developing the safeguarding policy, creating educational materials on competition manipulation, and drafting an inclusion policy. The internship combines research with practical application, offering students the opportunity to directly support integrity efforts within the sport. This collaboration has been further amplified with the Doctoral Training Network in Sport Ethics and Integrity (DAiSI),[5] with the IBU, through the BIU, acting as associated partners for one Doctoral student, supporting one doctoral student through secondments, access to data, and practical insights into integrity-related initiatives in international sport governance.

[4] Please find more information about the programme here *https://www.maisi-project.eu/*.
[5] Please find more information on the programme here *https://daisi-project.eu/*.

Additionally, the BIU collaborates with national integrity bodies during major events such as during the World Championships in 2025 in Lenzerheide, Switzerland. The BIU partnered with Swiss Sport Integrity (SSI) and Swiss Law Enforcement to ensure the integrity of the event and to protect everyone involved from any safeguarding, corruption or doping issues. An operational plan was developed, outlining pre-event measures such as a risk assessment (i.e., review of intelligence and previous event reports to identify vulnerabilities) and border checks (coordinated with Swiss customs) as well as event measures such as venue monitoring, real-time intelligence and incident response (i.e., developing response protocols for addressing any breaches of the IBU Integrity Code). Due to the success of this approach, it has now formed a model that will be implemented at future events.

Finally, the IBU is an active partner in the SAFE HARBOUR Project, a European initiative led by the EOC EU Office. Details of the project will be addressed in a later section of this chapter.

Alongside these institutional efforts, the BIU actively promotes the exchange of safeguarding knowledge across the wider sports community, recognising that collective learning and collaboration are essential to driving meaningful change. To this end, the IBU regularly shares practical resources, anonymised case studies, and key lessons learned with other sport organisations, national federations, and relevant stakeholders. This open exchange supports a culture of transparency, mutual support, and continuous improvement across the sector.

A critical component of the IBU's approach is the direct engagement with survivors of abuse. The BIU has actively involved survivors in the development of its safeguarding framework, including policy design, content, and awareness materials. Their input has been central to shaping an approach grounded in reality rather than assumption. By embedding lived experience into all aspects of its safeguarding work, the BIU ensures that policies are not only robust but also reflect the nuanced risks and dynamics that survivors understand first-hand.

Survivors consistently emphasise the importance of recognising 'small warning signs', subtle but telling behaviours that often precede more serious abuse. These include boundary-blurring by authority figures (such as excessive one-on-one contact or overfamiliar messaging), grooming through favours or gifts, and patterns of isolating athletes from peers or support networks. Survivors also speak of the institutional signals that discourage disclosure: lack of follow-up, inconsistent enforcement, or a reluctance to challenge popular figures in sport. The BIU uses these insights to shape its guidance and training, giving athletes, coaches, and staff the tools to notice and respond to these early indicators before harm escalates.

---

[2] Available at *https://assets.ctfassets.net/cz0vl36hcq0x/2kyflHOP4Bhl9GK5o3FiZl/367aef5939f6b41fb9954b808a6ebd7b/Rules_2024_EN_cap1.pdf*.

[3] Available at *https://assets.ctfassets.net/cz0vl36hcq0x/3uzVzmm4KfCkWg7pLJhmMD/68f66ff210ed210d3ddc19f4e321b380/Rules_2024_EN_cap2.pdf*.

This survivor-informed approach strengthens both the credibility and effectiveness of the BIU's safeguarding education. It also empowers members of the biathlon community to act early, support one another, and contribute to a safer, more accountable environment. In doing so, the BIU reinforces a culture of care, vigilance, and integrity. Values essential to safeguarding and central to the future of the sport.

This integrated safeguarding architecture, anchored in the IBU's legal instruments, extended through the BIU's governance strategy, and operationalised via NF support, positions the IBU not only as a compliant federation, but as a proactive leader in the global safeguarding movement.

## *3. Safeguarding in Sports Competitions and Events*

The IBU serves as the sport's global governing authority. It is responsible for the organisation, regulation, and supervision of all official biathlon events held under its jurisdiction. These include the World Cup (WC), the IBU Cup (including the Open European Championships, OECH) and the Junior Cup (including the Youth and Junior World Championships, YJWCH).[6] The BIU is deeply committed to ensuring a safe and supportive environment for all participants, athletes, team staff, officials and anyone else involved, during all these biathlon events.

Safeguarding during events is a team game, and the Organising Committees (OCs) play an important role in delivering each event aligned to the standards of safe sport. Starting with the season of 2025/26, each OC will appoint a designated Event Safeguarding Officer for each IBU-Covered Event, in line with the IBU Safeguarding Policy. This designated person is the first point of contact for safeguarding concerns at IBU-sanctioned events. Appointed by the OC, this role supports the implementation of the IBU Safeguarding Policy on-site, ensuring all participants have access to a safe, respectful and inclusive environment. The officer is responsible for receiving concerns, signposting support, and escalating issues to the BIU or relevant statutory bodies, as appropriate.

Similarly, the BIU actively promotes a future where every participating NFs appoints a designated Safeguarding Officer. This individual would serve as the first point of contact for any safeguarding issue within their team, whether raised by athletes, coaches, or support staff. The NF's Safeguarding Officer would be responsible for ensuring that the Safeguarding Policy is implemented and respected, to receive safeguarding concerns and act appropriately, and to support education and awareness raising of integrity standards within the respective national team. Some federations are already leading by example in this area, while others are still building their frameworks. As safeguarding becomes an integral part of international sport, the BIU encourages OCs and NFs to adopt these standards to

[6] More information on the IBU Events can be found in the "IBU Event and Competition Rules", available at *https://assets.ctfassets.net/cz0vl36hcq0x/7mkQn1kQTB7VzlUZHAcuec/a2cb9a1d8e380ac7e77cf077b6016d03/Rules_2024_EN_cap3.pdf*.

ensure every athlete, particularly youth and vulnerable participants, feels protected and empowered.

To strengthen its presence and approachability, the BIU is always on-site during major events, frequently operating outreach booths where athletes and team members can ask questions and raise concerns confidentially. This face-to-face engagement helps build trust and makes the BIU a visible, accessible point of contact for integrity-related matters. To help increase visibility, posters, clearly stating the importance of reporting and outlining the ways of contacting the BIU in confidence, are displayed during IBU-covered events. The large stadium screens often feature a 35-second video designed to introduce the BIU, highlight their work, and provide contact information. In addition, safeguarding posters in national language were created and are displayed at each biathlon venue.[7]

While the BIU recognises the importance of safeguarding at events, it is essential to remember that events represent only a small part of an athlete's sporting life. That's why the focus extends beyond competitions to include education and awareness for everyone involved. By promoting a culture of safety and vigilance, the BIU aims to prevent incidents from occurring – especially in situations where athletes may be alone with a coach or in less supervised settings. Equally important, it is ensured that everyone in the biathlon family knows who they can turn to and how to report concerns if something does happen.

## *4. Education and Awareness Raising*

Education and awareness raising within the BIU are grounded in a holistic and athlete-centred approach, aiming not only to inform but to truly engage the biathlon community in a culture of integrity. Safeguarding is seamlessly integrated into BIU's broader education and prevention strategies, recognising that protecting athletes' physical and mental well-being is essential to maintaining fair play and ethical standards. Education in the BIU context goes beyond delivering isolated messages; it employs a natural, narrative-based methodology that resonates across different demographics and roles in the sport. By addressing a range of integrity themes, such as anti-doping, match-fixing, prevention of harassment and abuse, and whistleblower protection, through tailored channels like workshops, e-learning modules, social media, and in-person sessions, the BIU ensures messages are not only delivered but understood and internalised. Each educational initiative is adapted to the needs, cultural context, and maturity level of its audience, fostering trust and encouraging proactive engagement with integrity issues at all levels of the biathlon community.

The BIU has developed a series of educational material aimed at athletes, coaches, and other NF staff to equip them with the knowledge and skills necessary to prevent misconduct and ensure a safe and respectful environment for all involved.

[7] Please refer to Section 4. *Education and Awareness Raising* for more information.

These emphasise the importance of safeguarding against harassment, abuse and unethical behaviour, reinforcing the BIU's dedication to creating a secure space for participants at every level of the sport. The BIU's website features a dedicated safeguarding section that includes information about the Safeguarding Policy, printable materials such as infographics and do's and don'ts for coaches and athletes, as well as a list of external organisations (such as the IOC Safe Sport Unit) and resources, including e-learning programmes tailored to various stakeholders.[8] From 2022, the BIU runs an informative YouTube channel that offers a transparent glimpse into its mission and operations.[9] The channel features a range of videos – from introductory overviews on the BIU's role in safeguarding and clean sport to in-depth profiles like "Life as a BIU Ambassador. To ensure content remains relevant and useful, topics are selected through ongoing dialogue with athletes and coaches, reflecting their current interests and concerns. Each video is developed in collaboration with a graphic designer and the communications team, including a journalist and a social media expert, to ensure the message is clear and accessible. The channel serves as a valuable resource for the biathlon community, fostering awareness and building trust through engaging, well-crafted multimedia content. Recently, the podcasts previously featured only on the YouTube channel have also become available on Spotify,[10] making it even easier for people to listen to them on the go.

One of the key priorities of the BIU's educational programmes is ensuring that athletes and coaches are educated about their roles in maintaining a safe, fair, and respectful environment. Through targeted safeguarding training, the BIU helps coaches understand the importance of creating an atmosphere where all athletes can thrive without fear of exploitation, harassment, or discrimination, and also make them feel safe, supported, and equipped with the awareness and skills to recognise, respond to, and avoid potentially harmful situations. In 2022, the Biathlon Integrity Certificate[11] was launched, an obligatory e-learning course for all NF staff members (including coaches, medical personnel, technicians, media personnel and other NF members such as the president and the secretary general). The course is divided into four modules: the role and influence of an Athlete Support Personnel (ASP) on athletes' behaviours and attitudes, basic anti-doping information, an introduction into safeguarding and integrity (including the definition of safeguarding, the forms of harassment and abuse, how to recognise signs of abuse and how to react), and basic information on competition manipulation. After working through the content, participants need to pass a final exam (13 quiz questions) with 100% accuracy. The purpose of the certificate is to ensure that everyone dealing with athletes has a basic knowledge of integrity and anti-doping matters. In addition, everyone dealing with athletes should be aware of the influence of their words and actions on athletes and know their obligations under the

[8] Available at *https://biathlonintegrity.com/education-safe-guarding/.*
[9] Available at *https://www.youtube.com/channel/UC3Ujd8D-guH-d01QXIddH7Q.*
[10] Available at *https://open.spotify.com/show/6npg9DvbzyxkcXKEHaTwKw.*
[11] Available at *https://biathlon.mylearnworlds.com/.*

IBU Integrity Code and the IBU Safeguarding Policy. Completion of the course and obtaining its certificate is needed to receive the required accreditation when participating in any IBU Event. To ensure ongoing education, the certificate needs to be renewed every two years.

In addition, the BIU collaborates with the IBU Academy[12] in relation to their Coach Education Programme. The programme is a comprehensive initiative to enhance the quality and consistency of biathlon coaching across the globe. With its four levels, it offers a structured pathway for coach development, including multiple certification levels, practical and theoretical training, and a strong emphasis on long-term athlete development. The BIU plays a key role in the programme by integrating essential education on ethics, anti-doping, and safeguarding into the curriculum. Through its involvement, the BIU ensures that coaches are not only technically proficient but also uphold the highest standards of integrity and fairness within the sport. The focus is set on the exchange of experiences through group discussions, including topics proposed by the participants themselves, with the aim of giving them a voice, ensuring the relevance of the discussions, and fostering mutual learning between young and experienced coaches.

For athletes, particularly those at the youth and junior levels, the BIU provides a range of educational resources aimed at fostering a culture of safety, respect, and accountability within the sport. These resources cover key topics such as respect, consent, and personal boundaries, helping athletes to understand their rights and responsibilities both on and off the field of play. Athletes are encouraged to speak up if they feel something is uncomfortable. At the same time, the BIU recognises that speaking up, particularly in situations involving power imbalances or personal discomfort, can be incredibly difficult. That is why part of their educational approach includes equipping athletes with practical tools and guidance on how to report concerns, seek help, and support others who may be affected. Importantly, the BIU has been working in collaboration with survivors of abuse to enhance its educational efforts. Through seminars, podcasts, and social media initiatives, survivors share their personal experiences to shed light on the realities of abuse in sport. These testimonies play a vital role in making abstract safeguarding concepts tangible and relatable. Hearing from individuals who have lived through such experiences helps to humanise the issue, reduce stigma, and empower others to come forward. By integrating educational content with real-life stories and survivor perspectives, the BIU not only raises awareness but also builds a stronger, more supportive environment for athletes at every level.

Additionally, the BIU has developed a suite of written materials to support safeguarding across the biathlon community, including infographics, glossaries, guidelines and summaries.[13] These resources are designed for flexible use by NFs, teams, coaches, support staff and athletes at all levels. They are designed to

[12] Please find more information on the IBU Academy and their programmes here: *https://www.ibuacademy.com/*.

[13] Available at *https://biathlonintegrity.com/education-afeguarding-resources/*.

be easily translate, distributed and integrated into national-level education programmes, and NFs are encouraged to translate them into their local languages. Together, these materials form a clear, consistent, and accessible foundation for safeguarding education. They help everyone in the biathlon family to:

- Understand what safeguarding means and why it matters;
- Recognise and avoid prohibited behaviours;
- Know how to report concerns in a timely way; and
- Actively contribute to a culture of safety, respect, and accountability.

The BIU also works closely with its member federations to ensure that all staff are familiar with the ethical standards and safeguarding protocols that must be adhered to at all times. These programmes ensure that every aspect of biathlon, from local training sessions to major international events, meets the required safety and ethical guidelines. To support this, the above-mentioned Governance Framework was developed, helping NFs in building practical, locally relevant systems. As Safeguarding is a rather new topic for many federations, the BIU supports the implementation of the Framework by giving them tools, training, and direct assistance.

As an international organisation, the BIU primarily engages with athletes and support staff participating in IBU-sanctioned events. However, to extend its reach to younger athletes at the grassroots level, as well as their families and local teams, the BIU launched a broader safeguarding initiative in 2024, targeting all NFs. The primary goal of this initiative is to raise awareness about safeguarding, help individuals recognise signs of abuse, and provide clear guidance on how to report any form of misconduct. A central element of the initiative is a safeguarding poster, designed to be both informative and accessible. The poster was translated into the respective national languages and distributed to biathlon venues across participating countries. To ensure cultural relevance and accuracy, the BIU collaborated closely with NFs. The ease of collaboration varied depending on their current level of safeguarding efforts. For example, NFs in member countries where governments were already investing in the prevention of harassment and abuse were easier to engage with, as they already had an understanding of the issue. Larger NFs were more able to allocate resources to review and distribute the poster. In contrast, other NFs were more difficult to reach and had to be contacted several times, with the greatest success when talking to them in person (e.g., during events). Where available, national safeguarding organisations were contacted, too. These partners helped adapt the wording and content to align with each nation's specific context and needs. Importantly, the posters also include the contact details of those national safeguarding organisations, providing athletes and support personnel with direct, local options for reporting concerns and accessing support.

In January 2025, the European Olympic Committees (EOC) EU Office launched the SAFE HARBOUR Project,[14] a collaborative project aimed at

[14] Please find more information on the project here *https://www.euoffice.eurolympic.org/safe-harbour*.

strengthening the response mechanism for safeguarding in European sports. The IBU, supported by the BIU, is one of just two international sports federations taking part in the project. Coordinated by the EOC EU Office and running until June 2026, the consortium will carry out the project in three key phases: assessment, framework development, and national strategy implementation. Participants will assess current practices, identify service gaps, and develop a European Response Framework to guide safeguarding initiatives. They will also create tailored national strategies for partner countries, supported by specialised training programmes to build capacity and expertise. A major milestone will be the launch of the European Network for Safeguarding in Sport (ENSS), an online platform designed to foster collaboration, share best practices, and ensure the long-term sustainability of safeguarding efforts. National Multiplier Events will engage a broad range of stakeholders, further amplifying the project's reach and impact. Safe Harbour marks a significant step forward in strengthening the European sport sector's ability to respond to safeguarding challenges.

Understanding that safeguarding is an ongoing commitment, the BIU has established a continuous education system, where all individuals are regularly updated on best practices, new regulations, and the evolving standards of integrity. By establishing such comprehensive and ongoing programmes, the BIU demonstrates its strong commitment to safeguarding the sport of biathlon and fostering a culture of respect, fairness, and integrity at every level of the sport, by creating a safe, ethical environment for everyone involved in the sport, from grassroots participants to elite-level coaches, athletes, and officials.

### *5. Risk Management and Prevention of Harassment and Abuse*

The prevention of harassment and abuse in biathlon begins with structured, proactive risk management rooted in intelligence gathering, strategic planning, and accountability. The IBU, through the BIU, has adopted a comprehensive approach that integrates safeguarding risk management into all levels of governance, operations and event delivery. This approach aligns with international best practices and is informed by continuous assessment, education, and review mechanisms.

A critical starting point is the systematic identification of risk areas, particularly those involving children and vulnerable adults. The BIU employs intelligence-led assessments to understand the unique vulnerabilities within the sport, such as training environments, hierarchical coach-athlete relationships, travel and accommodation logistics and digital communications. These insights are supported by direct disclosures, anonymous reports and environmental scanning.

Crucially, the effectiveness of this approach depends on the quality and depth of the intelligence product. Prevention is only possible when those responsible for safeguarding have a genuine, working knowledge of the sport's structures, cultures and risks. This requires long-term trust-building with athletes, coaches and Member Federations, something that can only be achieved by an embedded, sport-specific capability. Like a good community police officer who lives and works

within their environment, the BIU builds day-to-day relationships, listens to those it protects, and earns the trust that enables early intervention. Too often, integrity challenges are approached solely through reactive models, where external consultants are brought in after harm occurs. The BIU's model demonstrates the value of having a dedicated, internally governed unit that can engage, educate and intervene before issues escalate into safeguarding crises.

The BIU applies the Biathlon Integrity Unit Decision Model (BIUDM), a structured decision-making framework built around six key elements – Integrity Code, Information, Assessment, Law and Rules, Options, Action and Review (CIALOAR). This model ensures that all safeguarding risks are contextualised within the broader ethical expectations of the IBU and assessed in terms of likelihood, severity, and systemic impact. It puts the IBU Integrity Code at the heart of all BIU decision making, recognising the need for all BIU decisions to be consistent with the principles and standards of behaviour set out in the Integrity Code.

Risk assessment is not static; it is dynamic and iterative. Regular review points are embedded into the IBU's safeguarding structure, ensuring that the mitigation strategies evolve with the sport's changing landscape and emerging threats.

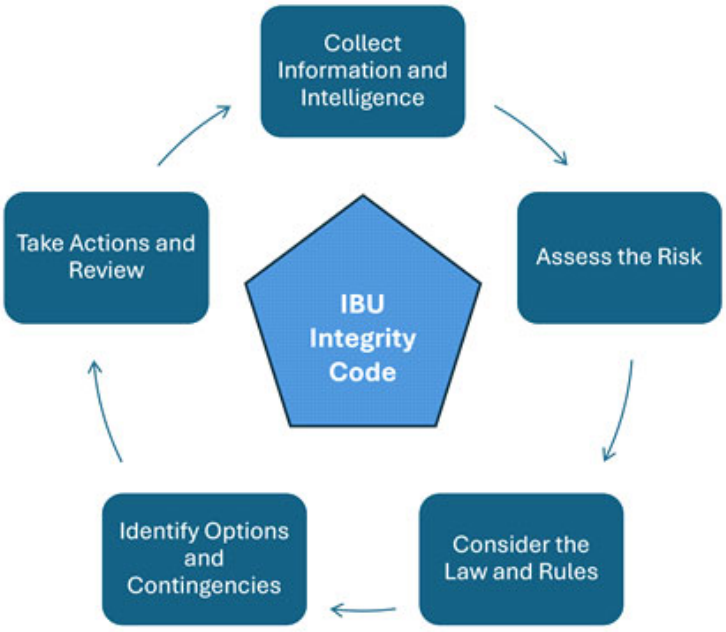



Figure 1: The Biathlon Integrity Unit Decision Model (BIUDM)

### *5.1 Developing Prevention Mechanisms and Strategies*

The BIU is working to develop the design and implementation of multi-layered preventive mechanisms, emphasising education, structural safeguards and behavioural expectations. Best practices include:

– *Clear Codes of Conduct* for all roles in the biathlon family, athletes, coaches, support staff, and volunteers, with behavioural guidance tied directly to safeguarding principles.

– *Safeguarding Training* at international, national, and local levels, including modules on recognising signs of grooming, harassment, bullying, and abuse.

– *Appointment of Trained Safeguarding Officers (SOs)* at every level, from the IBU to Member Organisations (MOs), with responsibilities to receive disclosures, manage referrals, and coordinate responses. Their qualifications and duties are clearly defined in the IBUs policy, ensuring professional oversight and accessibility.

– *Environmental and Operational Safeguards* such as supervision ratios, safe travel protocols, digital communication policies, and chaperoning procedures during events and camps.

To promote consistency, the BIU provides toolkits and SOP templates that NFs and MOs are encouraged to adopt or adapt. These include sample safeguarding policies, whistleblowing procedures, risk audit templates, and disclosure reporting forms – all aligned with IOC and UNICEF safeguarding pillars.

Long-term partnerships with independent safeguarding professionals ensure that IBU policies remain grounded in best practice and scientific research. These relationships also enable access to trauma-informed training resources and culturally competent support mechanisms.

The BIU embeds safeguarding into the broader culture of biathlon by integrating it into athlete development pathways and organisational governance. Regular stakeholder feedback, and post-incident reviews are used to refine approaches and improve policy responsiveness. The emphasis on CIALOAR-based reflection and review ensures accountability and learning from both success and failure.

In summary, safeguarding in biathlon is not a reactive process, it is an embedded, strategic priority. Through rigorous risk assessment, clear preventive frameworks and a commitment to international cooperation, the IBU and BIU are building a sport culture where the risks of abuse are actively mitigated and protected.

## *6. REPORTING MECHANISMS AND ACCOUNTABILITY*

The BIU is deeply committed to maintaining a safe and respectful environment across the biathlon community. At the heart of this commitment is the development of transparent, accessible, and effective safeguarding reporting mechanisms. The BIU ensures that all athletes, coaches, officials, and other stakeholders have

a clear, secure way to report any concerns related to abuse, harassment, discrimination, or misconduct.

One of the BIU's key priorities is ensuring that reporting systems are not only visible and easy to use but also uphold the highest standards of confidentiality. To support this, the BIU operates an online reporting platform[15] to submit reports related to any integrity violation, including doping, harassment, abuse or corruption. A bright pink button linking to the reporting hotline is prominently displayed in the top right corner of every page on the BIU's website,[16] making it easy to find. Each seminar presentation concludes with a final slide featuring the BIU's contact details and a QR code or link to the reporting hotline. Similarly, every informational video on the BIU's YouTube channel ends with the same contact details and reporting link. Posters highlighting the importance of reporting and providing confidential contact options for the BIU are displayed at biathlon venues during events. Athletes and their entourage are also regularly reminded of the anonymous reporting hotline through social media posts. Reports can be submitted anonymously if desired and is available in three languages: English, German, and Russian. All reports submitted through these channels are handled by trained professionals in strict confidence, with access limited solely to those directly involved in the case management process, thereby safeguarding the privacy and dignity of all parties.

The BIU carefully assesses every report independently and, when necessary, initiates impartial investigations. By providing these accessible, secure, and confidential reporting options, the BIU reinforces its commitment to fostering a culture of openness and accountability, ensuring that integrity concerns are taken seriously and addressed promptly within the sport of biathlon. Processes are aligned with the standards of organisations such the International Olympic Committee (IOC) and its Safe Sport Unit, ensuring credibility and consistency across the global sporting landscape.

Building trust is central to this process, particularly for those who have experienced or witnessed abuse. Drawing on previous law enforcement experience supporting victims of crime and survivors of abuse, and in line with international best practices, the BIU understands how important it is that individuals feel heard, informed, and respected. For this reason, when individuals are willing to share their identity and are comfortable engaging with the BIU, it becomes a priority to keep them fully informed throughout. This includes providing regular updates on the process, explaining decisions being made, and, when appropriate, seeking their views on possible next steps. This clarity helps build trust in the system and reassures those affected that their voices will be heard and acted upon.

Where possible, the BIU also prioritises personal interaction. In-person contact can significantly accelerate trust-building, especially in sensitive cases. It often enables those reporting to be more open, which in turn can improve the quality of information shared and strengthen the overall investigative process.

[15] Available at *https://biathlonintegrity.com/reporting-hotline-2/*.
[16] Available at *https://biathlonintegrity.com/*.

Protecting whistleblowers is a cornerstone of the BIU's safeguarding framework and broader commitment to integrity in sport. The BIU recognised that individuals who come forward in good faith – often at personal and professional risk are vital to uncovering misconduct and maintaining the sport's credibility. To this end, the BIU has implemented a Confidential Source Policy[17] under which whistleblowers, referred to as informants and whistleblowers, are guaranteed confidentiality, protection from retaliation, and ongoing support. Whether the concern relates to doping, corruption, abuse, or any form of unethical behaviour, whistleblowers are assured that their identities will be safeguarded and that they will not suffer discrimination, intimidation, or any adverse consequences because of speaking up. They also have the right to obtain guidance from the BIU before making a disclosure, receive acknowledgment of receipt, and participate in interviews without incurring any cost. The BIU's commitment to psychological and legal safety is evident in its promise to provide external legal assistance depending on the case and to maintain secure means of communicating using encrypted tools compliant with international privacy standards. Confidentiality is strictly enforced: identities are never revealed outside the BIU without written consent, and all documents undergo anonymisation to remove any risk before being shared externally. Protection against retaliation is non-negotiable: The policy expressly prohibits any adverse actions – such as dismissal, harassment, demotion, or wage reduction – against whistleblowers. In the rare event a respondent attempts reprisals, the BIU will offer legal recourse, including assistance from law enforcement, provided the whistleblower consents to identity disclosure where required. Whistleblowers receive status notifications, updates on investigations, final outcome briefs, and may remain in contact with BIU staff post-case. They are also under no obligation to continue participation and can revoke their agreement at any time. Importantly, whistleblower protection under the BIU's framework applies independently of whether an investigation leads to disciplinary action, thereby reinforcing the message that the act of reporting itself is valued and protected. These efforts are instrumental in fostering a culture of trust, openness, and shared responsibility, creating an environment where athletes, officials, and stakeholders feel empowered to act when they witness wrongdoing.

Accountability within the BIU is upheld through the implementation of clear, structured, and fair investigative procedures designed to ensure that every report of potential wrongdoing is handled with the utmost rigor and impartiality. Reports are assessed independently and, where necessary, investigated by impartial experts. These investigations follow standardised protocols that guarantee due process and fairness to all parties involved. Upon conclusion of an investigation, the BIU evaluates the findings and determines appropriate outcomes, which may include sanctions against individuals or organisations found responsible for breaches of integrity. Outcomes, sanctions, and policy changes are communicated

[17] Available at *https://biathlonintegrity.com/wp-content/uploads/2024/06/20230124_Policy_Confidential-Source_PUBLISHED.pdf.*

(within confidentiality limits) in annual integrity reports, reinforcing the IBU's transparency commitment.

In addition to procedural accountability, the BIU operates under the governance of an independent BIU Board, which includes three independent members, including a Chair. The Board is responsible for overseeing the BIU's strategic direction, ensuring the operational independence of the Unit, and monitoring performance across all areas, including safeguarding. Although the Board does not intervene in individual cases, it receives anonymised reports of casework trends and outcomes and is responsible for reviewing the BIU's effectiveness, resourcing, and adherence to policy. This layer of independent oversight reinforces accountability by ensuring the Unit remains transparent, proportionate, and aligned with its ethical mandate.

### *6.1 Best practices*

Best practices in handling cases require a structured and comprehensive approach to ensure fairness, effectiveness, and transparency. The process typically begins with a thorough risk assessment or triage of the report information submitted to BIU to determine the urgency and severity of the case.

Once the initial assessment is complete, the case is assigned to either an internal expert or, if necessary, an external expert with the appropriate knowledge and experience. If relevant, coordination with national organisations or authorities is established to ensure alignment and access to additional resources. This is followed by detailed interviews and information gathering from all parties involved, including potential witnesses. The collected information is then used to carry out a formal assessment of the case, which may involve legal or ethical evaluations. The findings are reviewed by the BIU Board and if necessary, sanctions such as fines, bans, or other disciplinary actions are imposed.

Importantly, the process does not end with the decision. Post-case follow-up includes support and guidance not only for victims but also for perpetrators, aiming to address harm, prevent recurrence, and promote long-term behavioural change through appropriate support structures.

In conclusion, the BIU provides the biathlon community with a safeguarding system that is transparent, confidential, accessible, and accountable. Through strong whistleblower protections and alignment with global best practices, the BIU reflects the IBU's unwavering dedication to protecting the integrity of the sport and the well-being of everyone involved.

## *7. Conclusion*

The safeguarding work of the International Biathlon Union (IBU), developed and delivered through the Biathlon Integrity Unit (BIU), reflects a clear understanding that protecting athletes and other participants is not optional. It is central to the

credibility, ethics and future of the sport. Rather than treating safeguarding as a side project or isolated function, the BIU has embedded it into every part of its integrity system. This includes education, event delivery, risk management, investigations and governance oversight.

From the outset, the BIU has taken a long-term, structured approach. The creation of the BIU gave the safeguarding function independence and authority. Over time, this has been supported by a detailed policy framework, accessible reporting systems, and a wide range of educational materials tailored to athletes, coaches, and support staff. National Federations have also been brought into the process, with clear expectations for local policies, safeguarding officers and practical tools to support those at risk.

One of the most important features of the BIU's model is its emphasis on prevention. Through regular risk assessments, the development of behavioural standards, and intelligence-led analysis, the BIU seeks to stop harm before it happens. Where misconduct does occur, the BIU's reporting, investigation and whistleblower systems are designed to respond quickly and fairly, always putting the needs of victims first.

Just as importantly, the BIU has embraced the value of partnerships. By working with governments, NGOs, law enforcement and survivors of abuse, it has opened its systems to scrutiny, learning, and growth. Its participation in the SAFE HARBOUR Project and the development of the European Network for Safeguarding in Sport show a willingness to contribute to broader change across sport, not just within biathlon.

In short, safeguarding is not a tick-box exercise for the IBU. It is a lived priority, reflected in every decision the organisation makes. Through the BIU, it has created a structure that is not only compliant with international standards but also forward-thinking and athlete-focused. The IBU's safeguarding journey shows that with commitment, collaboration and clarity, sport can create environments where safety, respect and integrity are not just expected but guaranteed.

One of the IBU's most significant innovations has been establishing an embedded integrity unit that not only reacts to safeguarding concerns but actively prevents them through trusted intelligence. The BIU's daily presence within the sport allows it to build relationships, understand risks in context, and act before harm occurs. This embedded, trust-based model, more akin to a community-based support approach, has allowed the BIU to develop preventive strategies that are informed, sensitive and effective. It demonstrates that structural independence, when combined with proximity to the sport, creates the conditions for genuine cultural change.

# UEFA SOCIAL AND ENVIRONMENTAL SUSTAINABILITY: THE CHILD AND YOUTH PROTECTION POLICY

by *Nicoletta Flutti*[*] and *Michele Uva*[**]

SUMMARY: Introduction – 1. UEFA Sustainability Strategy 2030 - Strenght Through Unity – 1.1 The Outraged initiative, the Football for All Abilities policy and the Take Care Programme – 1.2 UEFA's Strategic Framework for Human Rights and Child Protection in Football – 2. UEFA Child Safeguarding Policy – 2.1 Scope, Purpose and Definitions – 2.2 Steps for Child Safeguarding – 2.3 Implementation of the Strategy: Measures and Procedures – 2.4 Assessment and Reporting – 3. The Safeguarding Platform – 4. UEFA Online Safeguarding Courses – 5. UEFA Child and youth protection toolkit – 5.1 Purpose and Development – 5.2 Key Principles and Types of Abuse – 5.3 Implementation Steps for Organizations – 5.4 Importance of Safe Recruitment Practices – 5.5 Guide Sheets on Specific Relevant Topics – 5.6 Monitoring and Evaluating Child Protection Efforts – 6. Child and Youth Protection Event Guidelines – 6.1 Scope and Definitions – 6.2 Commitment to Child Safety and Specific Roles – 6.3 Identifying Risks and Reporting Concerns – 6.4 Some Further Guide Sheets on Specific Relevant Topics – 7. Conclusion

## *INTRODUCTION*

As the challenges confronting society grow in scale and complexity, UEFA responds with a commitment to social and environmental responsibility that is stronger than ever. UEFA understands that it is not just about addressing today's urgent issues but about anticipating the needs of tomorrow. To do so, UEFA developed a clear strategy/vision, took proactive actions, established key performance indicators and ensured transparent reporting. This forward-looking mindset guides UEFA's efforts to make the sustainability strategy "*Strengh Through Unity 2030*"[1] a reality, preparing UEFA to lead in shaping what sustainability in football will mean in the future.

There is nothing quite like football. It is more than just a game: it moves UEFA in a way that is special and provides community, identity and inspiration. In

[*] UEFA Social & Environmental Sustainability Expert.
[**] UEFA Executive Director for S&E Sustainability and UEFA Officials Delegate for EURO 2032.
[1] Available at *https://editorial.uefa.com/resources/0270-13f888ffa3e5-931c597968cb-1000/uefa_football_sustainability_strategy.pdf.*

a fractured world, football stands as a powerful force that strengthens the ties that bind us. At UEFA, there are 55 member associations, each with their own football ecosystems, deeply woven into national cultures and UEFA owns 19 events that create unforgettable, shared memories. This unique platform gives us not only an opportunity but a profound responsibility in the field of sustainability. Football can do more than entertain: it can raise awareness, connect people and drive actions to reach the change we need.

Every season UEFA *Respect Report*[2] highlights an intense focus on our action plan, which last year consisted of 79 targeted actions among the ESG (*Environmental, social, and corporate governance)* pillars. This Report demonstrates the enhancement of programmes, expansion into new and exciting areas, and alignment with rising expectations. This has included a deliberate effort to amplify UEFA impact through the engagement of the national associations and commercial partners, highlighting the power of collective action around shared goals, guided by common interests to drive solutions.

On the social side, in particular, UEFA believes in football's unique power as a unifying force. To amplify this potential, the new "#*FootbALL* programme" has been developed to showcase how football can drive positive change to create a concrete impact in our society.

The *FootbALL* programme unites and amplifies all social initiatives across European Football through a campaign that emphasizes messages of respect, an online platform that connects the community and the activation pillar dedicated to delivering concrete actions.[3]

UEFA sustainability efforts are driven by a specialised team of professional with established expertise in the field. Over the years, this team has become a catalyst for positive systemic change, with measurable impact across multiple areas of operation. Their approach is characterised by methodological rigour and continuous engagement with stakeholders, ensuring that key partners are equipped with up-to-date resources, including revised toolkits, updated guidelines, and evidence-based recommendations aligned with emerging real-world developments. This proactive strategy enables UEFA to identify trends early and maintain a leading position in the evolving sustainability landscape.

UEFA's commitment extends beyond addressing current sustainability challenges; it also encompasses a forward-looking vision aimed at shaping future trajectories. By closely monitoring regulatory developments and anticipating normative shifts, UEFA seeks not only to comply with evolving standards, but to actively influence the direction of social and environmental sustainability in European football. Through strategic foresight and innovative policy implementation, UEFA

[2] The last published report related to the season 2023/24 is available at *https://www.uefa.com/news-media/news/0294-1c9b3852c505-817938bae822-1000—uefa-releases-2023-24-respect-report/* (last accessed on 7 July 2025).

[3] Available at *https://www.uefa.com/news-media/news/028c-1a9c80b6410e-e9bdb2ada116-1000—football-everyone-is-welcome/.*

aspires to define benchmarks for a sustainable sport ecosystem across the continent.

### *1. UEFA Sustainability Strategy 2030 - Strenght Through Unity*

UEFA's comprehensive sustainability strategy "*Strength through Unity 2030*"[4] aims at addressing social and environmental challenges in football through collaboration and measurable commitments over the next decade.

Like all of society, the European football community, including national associations, fan groups, clubs and leagues, is increasingly confronted with more complex and interrelated challenges in the field of human rights and environmental sustainability. As one of continent's largest communities – encompassing 18.5 million players, 1.2 million coaches, and a global audience of 5.2 billion through UEFA events– UEFA is convinced that football can help tackle these issues and drive positive, sustainable change as well as inclusive development.

However, realising this potential requires coordinated action across all levels of the football community, underpinned by a shared framework of objectives, terminology, and operational standards.

As the European football's governing body, UEFA assumes a leadership role in fostering this alignment. By setting normative benchmarks and mobilising stakeholders around a unified agenda, UEFA seeks to harness the game's social capital and cultural resonance to drive systemic change.

UEFA Sustainability mission is centered on activating and accelerating collective action in support of human rights and the environmental stewardship within the European football context.

This mission is operationalised through the integration of sustainability principles into the organisation's policies, events, and institutional practices. Guided by UEFA's core values, the approach prioritises the safeguarding and respect of individuals, the promotion of dignity and inclusion, and the long-term protection of the game as a public good for future generations.

UEFA has developed a structured process to implement its sustainability strategy, underpinned by stakeholder engagement and a clearly defined roadmap. The strategic process consists of six steps: approval, context analysis, policy articulation, guiding principles identification, target definition, and execution.

Stakeholder consultation plays a pivotal role in increasing acceptance and credibility of the policies. This strategy also serves as a guiding framework for other football organizations to align their sustainability efforts with UEFA's methodological approach and normative standards.

The strategy outlines five specific areas of action each supported by dedicated policies that prioritize human rights and environmental responsibility. In

[4] The full strategy is available at *https://www.uefa.com/sustainability/our-commitment/sustainability-strategy/.*

total, eleven policies have been formulated, tackling issues such as child and youth protection, anti-racism, equality and inclusion, and environmental sustainability. Each policy is equipped with specific topics, targets, and KPIs (key performance indicators), which are adapted to various areas of implementation. The goal is to achieve measurable impact through coordinated efforts involving UEFA's internal departments, events, member associations, and broader social partnerships.

UEFA has articulated a firm institutional commitment to the promotion and protection of human rights within the football ecosystem, with the overarching objective of safeguarding dignity, fostering respect, and ensuring equal opportunities for all stakeholders.

Key areas of focus include the protection of children and youth by ensuring safe participation environments, as well as advocating for anti-racism, equality and inclusion for all demographics in football. UEFA is prioritizing the protection and well-being of young football participants through targeted policies and training initiatives.

With the aim of achieving zero cases of abuse by 2030, UEFA is ensuring that all member associations will have child protection policies in place by 2025. The organization is also expanding its online safeguarding platform and, for major events, dedicated safeguarding protocols have been introduced to provide a secure environment for children and youth involved in football activities.

In addition to a dedicated child and youth protection policy, UEFA mainstreams safeguarding considerations across several other policy areas, reflecting a holistic and integrated approach. This cross-cutting emphasis ensures that the rights and well-being of minors are not treated in isolation, but are embedded within the broader framework of UEFA's human rights agenda.

A key component of this agenda is UEFA's firm commitment to eliminating racism and all form of discrimination from football. This commitment is operationalised through a combination of regulatory measures and educational initiatives, with the aim to engage all member associations through comprehensive programs.

### *1.1 The Outraged initiative, the Football for All Abilities policy and the Take Care Programme*

One flagship initiative is "*OUTRAGED*"[5] a campaign and an educational initiative aimed at combating discrimination in football, addressing issues like racism, sexism, online abuse, homophobia, and discrimination against refugees and people with disabilities. It includes a documentary featuring prominent football figures sharing their experiences and perspectives on eradicating discrimination and provides training materials and resources for various groups, including children, young people, coaches, and staff.

[5] Available at *https://www.uefa.com/news-media/news/0282-18590c53dc46-1cdf7342297c-1000—outraged/*.

Similarly, UEFA is dedicated to fostering equality and inclusion throughout the sport. It envisions a football community entirely free of discrimination, with a strategic objective of achieving zero incidents by 2030. To this end, equality and inclusion criteria are being embedded within UEFA's official regulations, while member associations are being supported through the provision of tailored awareness toolkits and capacity-building resources.

As part of this effort, UEFA has also developed dedicated Accessibility Guidelines to promote inclusive environments and ensure that football infrastructure, events, and communication are accessible to all, regardless of ability.[6]

In fact the *Football for All Abilities* program reflects UEFA's commitment to enhancing opportunities for children and adults with disabilities. The organization aims to triple the number of participating players with disabilities by 2030. By 2028, every member association is expected to offer suitable playing opportunities, and all UEFA events will comply with accessibility standards.

Moreover, UEFA's health and well-being initiatives are tailored to support children and older people. In particular, the *TAKE CARE* programme[7] is a health and well-being initiative designed to empower parents, caregivers, coaches and teachers to help children and young people to adopt healthy and responsible habits.

In today's fast-paced world, individuals are exposed to a range of physical and mental challenges that can adversely affect personal well-being on and off the pitch. UEFA believes in the power and responsibility of football to inform and raise awareness, and the Take Care programme is a key part of that through its focus on six main topics: physical activity, nutrition, mental health, digital addiction, substance awareness, road safety.

### *1.2 UEFA's Strategic Framework for Human Rights and Child Protection in Football*

Finally, UEFA's operations are increasingly aligned with global human rights standards. Human rights criteria are embedded into UEFA's official regulations, complemented by codes of conduct that guide business relationships to uphold these values. Furthermore, UEFA has committed to efficient response protocols in emergencies, with mechanisms designed to process all incoming requests within one month.

To help guide sport organisations into their strategic efforts UEFA developed and shared a 6-step approach:

– "*Commit your organisation into sustainability,*

– *Assign sustainability manager as a point of contact that can facilitate the dialogue and the implementation of the policies,*

– *Develop a strategy, activate it through practical actions,*

[6] Available at *https://www.uefa.com/news-media/news/0291-1bc821385a26-35d482cBc957-1000—updated-uefa-accessibility-guidelines-available-now/.*

[7] Available at *https://www.uefa.com/takecare/.*

– *Focus on the measurement of their impact and their analysis,*
– *Fill detailed reports, and*
– *Communicate activities and results*".

Moreover, the sustainability team should count on a dedicated *Child and youth protection officer*. In each 55 UEFA member associations and their clubs, these officers play an important role in supporting their organisations' commitment to preventing and responding to all forms of harm, guaranteeing clear responsibilities and a collaborative approach to policies, procedures and activities across the game.

As UEFA we provide tailored trainings, support in drafting policies and plans, webinars focused on the most relevant topics, workshop in person to exchange challenges and solutions. All initiatives contribute to the consolidation of an increasingly aware, responsible and extensive community.

A major achievement in the process of supporting the importance of this policy has been the integration of Child and Youth protection's topic into the *UEFA Grassroots Charter* and club licencing regulations.

As part of the Hat Trick VI Grassroots application, national associations will need to submit their child and youth protection policy, provide name of the child and youth protection officer, explain how they have integrated this policy into their programmes and national football structures.

In the UEFA Club Licensing Regulations this topic is embedded in article 30: "*The licence applicant must establish and implement a policy to protect, safeguard and ensure the welfare of youth players and ensure they are in a safe environment when participating in activities organised by the licence applicant*".

To fulfil the mission of inspiring and mobilising collective efforts to ensure football is secure and fun for all children, and to support everyone who shares this responsibility, UEFA is committed to fostering a shared language and common understanding among all stakeholders.

Recognising that effective child protection requires broad-based engagement, UEFA ensures that all related resources – ranging from the toolkit or the safeguarding platform, are and will be clear, updated, open and freely accessible. The underlying principle is that safeguarding can only be truly effective when all actors in the football ecosystem take active responsibility for the well-being and protection of children and all young people.

## *2. UEFA Child Safeguarding Policy*

In 2019 UEFA adopted its own *Child Safeguarding Policy*,[8] aimed at ensuring the safety and well-being of children involved in European football, addressing

[8] UEFA, *Keeping children safe in European football*, available at *https://www.uefa.com/MultimediaFiles/Download/uefaorg/General/02/63/58/39/2635839_DOWNLOAD.pdf*.

various forms of abuse and safeguarding measures. It emphasizes the collective responsibility of everyone in the football community to protect children's welfare.

### *2.1 Scope, Purpose and Definitions*

This policy is applicable to all individuals engaged in European football, including UEFA and its member associations. Its primary purpose is to offer clear guidelines and procedures for those working with children and vulnerable individuals within the sport. The policy not only aims to ensure their safety but also refers to other essential resources found in the *Safeguarding Toolkit*, promoting a consistent and informed approach across all levels of the football community.

To ensure effective implementation, the policy outlines critical definitions related to child safeguarding. These include various forms of abuse – physical, emotional, sexual, and neglect – and also address bullying, described as repeated behavior intended to intimidate or distress a child. Additionally, it defines the role of the child and youth protection officer, who is the designated individual responsible for ensuring the policy's implementation within their organization.

### *2.2 Steps for Child Safeguarding*

UEFA's safeguarding policy revolves around five key steps designed to enhance child safety and well-being in football. These steps begin with laying strong foundations for safeguarding and continue by fostering organizational preparedness and prevention strategies. The next phases involve raising awareness about safeguarding issues, encouraging collaboration with external parties, and ensuring prompt reporting of any concerns. The policy also emphasizes the importance of evaluating and measuring the success of safeguarding efforts to ensure ongoing effectiveness. The policy highlights that safeguarding is a shared obligation for everyone involved in UEFA. While all individuals have a duty to protect children, UEFA's Child Safeguarding team plays a supportive role by assisting national associations in developing and strengthening their own safeguarding strategies. Central to this approach is the commitment to always prioritize the best interests of children in every action taken.

### *2.3 Implementation of the Strategy: Measures and Procedures*

To prevent unsuitable individuals from working with children, the policy mandates strict safer recruitment procedures, including appropriate background checks. It also introduces clear codes of conduct that outline expected behavior, with defined consequences for any breaches. If misconduct occurs, it will be thoroughly investigated, and disciplinary measures will be implemented as needed to uphold child safety.

Complementing these recruitment standards, the policy underscores the importance of proper supervision, which is essential when working with children in football.

The policy recommends specific adult-to-child ratios depending on the age group - 1:10 for ages 13-18, 1:8 for ages 9-12, 1:6 for ages 5-8, and 1:3 for children aged 4 and under. Lone working should be avoided, with a minimum of two adults present during activities. Additionally, clear procedures must be in place for managing situations where children become lost or are not collected by their parents or guardians.

Recognizing that lasting safeguarding depends on awareness, UEFA prioritizes education as a key pillar of its strategy. Training modules are made available to all participants in UEFA activities to ensure a common understanding of safeguarding principles. Beyond training staff and volunteers, there is a focus on empowering children with safeguarding knowledge. Records of completed training sessions must be maintained to ensure transparency and accountability.

### *2.4 Assessment and Reporting*

Risk assessments must be systematically conducted for all activities involving children to identify and mitigate potential dangers. The policy also requires that clear procedures be established for reporting safeguarding concerns. These procedures must guarantee confidentiality and be effectively communicated to all relevant individuals to ensure timely and appropriate responses.

The effectiveness of safeguarding efforts is strengthened through active collaboration with child protection and law enforcement agencies. By establishing relationships with these organizations, UEFA ensures that referrals can be made efficiently, and that expert advice is accessible. Staff are encouraged to participate in training opportunities provided by external bodies, aligning safeguarding practices with national legislation and recognized standards. In its commitment to maintaining high safeguarding standards, UEFA will conduct annual assessments of its safeguarding framework. The policy itself will undergo a comprehensive review every three years to ensure its continued relevance and effectiveness. Additionally, UEFA may seek external evaluations to further enhance implementation and drive continuous improvement

## *3. The Safeguarding Platform*

UEFA-safeguarding.eu[9] is a digital platform, developed in partnership between UEFA and *Terre des hommes Foundation*, providing a central online information and learning resource aiming at enhancing knowledge, skills and practices in football to build capacity for creating safer football environments so that all children who play or experience football are kept safe from any form of harm or abuse.

[9] See at *https://www.uefa-safeguarding.eu.*

This platform is intended for professionals working directly or indirectly with children in football organizations (National Associations, Leagues, Clubs) as well as subject-matter experts, parents, teachers, and any person interested in safeguarding in football.

Its content, developed with input from UEFA, Terre des hommes, and several national UEFA's member associations draws on established safeguarding policies and guidelines to assist member associations and stakeholders in effectively protecting children within the football ecosystem.

The platform reflects UEFA's strong commitment to safeguarding children in football, aligned with the interest of national football associations and the needs expressed by professionals working with children in football contexts. These priorities emerged clearly through extensive consultations with all national associations representatives during several project events.

They asked to be supported in improving their safeguarding knowledge and competencies. In response, the platform addresses three core needs:

1. A dedicated virtual place, gathering the key strategic and operational documents, events and developments related to child safeguarding in sport and more specifically, in football.
2. Specialised capacity building activities tailored to the specific context of child safeguarding in football.
3. Opportunities for professional exchange and sharing of good practices in child safeguarding.

### *4. UEFA Online Safeguarding Courses*

To support UEFA member associations, clubs and all stakeholders working to safeguard children in football in Europe in training their staff, UEFA has developed, with *Terre des hommes*, a suite of online courses which align with the UEFA child safeguarding toolkit. The courses provide certificates upon completion and can be accessed from any location online, are free and available in several languages, namely: English, French, German, Russian, Italian, Dutch, Romanian, Latvian, Lithuanian, Portuguese, Albanian, Slovakian, Polish.

The awareness raising course on child safeguarding in football offers an induction to safeguarding and will be the starting point to reflect on how to keep children safe in football. The course outlines key concepts in safeguarding and highlights joint responsibility to make football a safe environment for children. It uses three immersive stories and scenarios to reflect about these topics. More specifically, it focuses on defining safeguarding in the context of football; roles and responsibilities in safeguarding (e.g. coach, doctor, driver, club manager, parent volunteering, referee and child safeguarding focal point); types of abuse, and situations when abuse could happen in football; how to recognise, respond and report concerns when being worried about child's safety or wellbeing.

The child safeguarding for coaches underlines their key role towards children. This specialised training is designed to strengthen knowledge and improve child safeguarding practices. It focuses on recognising signs of abuse, on specific risk issues for children involved in football activities, on how to respond to safeguarding concerns.

The child safeguarding for staff underlines the presence or all the other collaborators that work directly or indirectly with children in football, beside coaches. All of them have the responsibility to be informed about children safeguarding and respond accordingly, when needed. This course will help them in fulfilling this role.

The online course for child and youth protection officers provides in-depth training for those who require more specialised knowledge, such as the ones designated as main contacts for child safeguarding who will be managing child-related concerns. In particular, it explains procedures to refer a case to specialised child protection agencies and/or law enforcement organisations (e.g. social services and the police) and how to handle situations when children disclose that they have been abused.

The course on the involvement of children in child safeguarding in football refers to the children's right to freely express their views and participate in decisions that affect their lives pursuant to Articles 12 and 13 of the Convention in the Rights of the Child. Adults working with children in football therefore have a responsibility to encourage and support children's participation while keeping them safe.

## *5. UEFA Child and youth protection toolkit*

### *5.1 Purpose and Development*

The *UEFA Child and youth protection toolkit*[10] was developed to enhance child and youth protection efforts in football organizations. It reflects recent societal developments and is aligned with UEFA's broader sustainability goals. It is aimed at protecting children and young people in football; it is updated to align with UEFA's Football Sustainability Strategy 2030 and it provides practical tools and guidelines for stakeholders.

### *5.2 Key Principles and Types of Abuse*

The toolkit outlines essential principles designed to ensure the safety of every child participating in football, defining a child as anyone under the age of 18. Organizations bear the responsibility of creating a positive experience for all children

[10] Child safeguarding toolkit for UEFA member associations (FULL) | Child Safeguarding in Football- UEFA and Tdh available at *https://www.uefa-safeguarding.eu/child-safeguarding-toolkit-uefa-member-associations-full.*

involved, where safety and well-being are prioritized. This involves taking both preventive and responsive actions to address risks and concerns effectively.

Several forms of abuse are identified as significant threats to children's well-being. Physical abuse includes any actions that cause physical pain or injury. Grooming refers to manipulative behaviors intended to facilitate sexual abuse, while emotional abuse can deeply impair a child's psychological development. Neglect and bullying are also acknowledged as harmful, requiring timely recognition and intervention.

### *5.3 Implementation Steps for Organizations*

To promote robust child protection practices, organizations should adopt a structured approach. This begins with clearly stating their commitment to child protection and appointing a child and youth protection officer to ensure accountability. Developing a strategic plan, taking concrete actions, and consistently evaluating the effectiveness of policies are key components of sustained protection efforts.

Central to this framework is the role of well-informed stakeholders. Staff and volunteers should undergo continuous training to stay updated on best practices. Public awareness campaigns serve to engage the broader community, including parents. Establishing accessible and transparent reporting mechanisms further ensures timely responses to concerns.

Given the sensitivity of children's health records and other personal information, the toolkit stresses the importance of adhering to legal frameworks like the GDPR. Parental consent must be obtained before processing any child-related data. Organizations must also ensure data is securely collected and stored, and staff should receive training on data privacy protocols.

Finally, regular and comprehensive risk assessments are critical for identifying and mitigating potential threats within football environments. These assessments should be comprehensive and updated to reflect evolving circumstances. The toolkit provides templates to facilitate this process and emphasizes continuous monitoring and regular revisions to maintain effectiveness.

### *5.4 Importance of Safe Recruitment Practices*

Thorough recruitment processes are vital to protecting children. Organizations must comply with local laws while identifying candidates who possess the appropriate skills and knowledge for child-focused roles. Job postings should reflect a strong commitment to safeguarding, and hiring practices should promote diversity, equity, and inclusion. This includes detailed background checks, reference reviews, and careful assessment of attitudes toward child protection during interviews.

Individuals working with children should exhibit a calm and understanding temperament, coupled with the patience needed to navigate unpredictable situations. Equally crucial is empathy – the ability to deeply understand and respond to children's needs – ensuring a nurturing environment where kids feel safe and supported.

The process of hiring must follow clear steps to ensure the suitability of candidates. This includes drafting detailed candidate profiles, incorporating child protection topics into interviews, and validating qualifications and identity. Self-declarations, reference checks, and necessary police screenings are essential to this evaluation process.

After hiring, new staff should sign a code of conduct and undergo induction training on child protection protocols. A probationary period allows organizations to evaluate whether the staff member is a good fit for the role in practice, reinforcing both expectations and accountability.

### *5.5 Guide Sheets on Specific Relevant Topics*

Safeguarding children in football requires practical and context-specific guidance to minimize risks across all settings. From physical spaces to off-site events, organizations must implement clear measures to protect children's well-being. This includes establishing proper supervision, responsible planning, safe communication practices, and vigilant awareness of potential abuse.

To prevent potential misconduct, changing rooms must be carefully managed. Separate changing areas for adults and children are essential, and adults must avoid undressing in front of children. Staff should never be alone with a child in these spaces, and the use of mobile phones or recording devices should be strictly prohibited.

Supervision is critical for maintaining a safe environment during activities. Recommended adult-to-child ratios are 1:6 for children aged 4–8, 1:8 for those aged 9–12, and 1:10 for adolescents aged 13–18. At least two adults should oversee each activity, and any situation where an adult is alone with a child should be communicated to another staff member and handled transparently.

Trips and overnight events require detailed planning to ensure children's safety. This includes securing parental consent, collecting essential medical and emergency information, and appointing a safeguarding officer for the duration of the trip. Daily check-ins help maintain communication and resolve any issues promptly.

Digital interactions introduce unique risks to children's safety. Online communication should be limited to necessary exchanges with parents or guardians, and children should be educated on recognizing and reporting online abuse. Organizations must also enforce privacy settings to protect sensitive information.

Being able to identify the signs of abuse is essential. Behavioral changes in children can signal distress, and staff should be equipped to respond quickly. Following the "5Rs" – Recognize, Respond, Record, Report, and Refer – provides a clear framework for handling disclosures. Fostering open communication helps children feel safe in voicing concerns.

### 5.6 Monitoring and Evaluating Child Protection Efforts

Continuous improvement in child protection practices relies on regular monitoring and evaluation. Organizations should routinely assess the implementation of their policies, seek feedback from children and parents, and learn from any previous incidents to strengthen their safeguarding strategies moving forward.

## 6. Child and Youth Protection Event Guidelines

The *Child and Youth Protection Event Guidelines*[11] are designed to safeguard children participating in football events by clearly outlining the responsibilities of event organizers and child protection officers. They emphasize the importance of building a safe and inclusive environment while actively working to minimize risks for children and young people throughout all aspects of event planning and execution.

### 6.1 Scope and Definitions

The guidelines apply across a broad spectrum of stakeholders involved in football events, such as competition organizers, national associations, child and youth protection officers, volunteers, chaperones and support staff. They are enforced during competitions, tournaments, and finals, and are especially pertinent when addressing suspected or reported incidents of child abuse.

To ensure clarity and consistency, the guidelines define key terms relevant to safeguarding. For instance, "Abuse" encompasses any action that causes harm to a child, including physical, sexual, emotional abuse, or neglect. A "child" is defined in accordance with the UN Convention on the Rights of the Child as anyone under the age of 18. "Child and Youth Protection" (CYP) refers to the responsibility of creating and maintaining a safe football experience for all children involved.

### 6.2 Commitment to Child Safety and Specific Roles

As part of its broader *Football Sustainability Strategy 2030*, UEFA has articulated a strong institutional commitment to the protection and well-being of children involved in football. This commitment is operationalised through the systematic implementation of safeguarding measures aimed at fostering a safe, inclusive, and empowering environment for all child participants across football-related activities.

[11] UEFA Competition-specific Child and Youth Protection Guidelines: How to ensure a safe environment | Child Safeguarding in Football - UEFA and Tdh, available at *https://www.uefa-safeguarding.eu/uefa-competition-specific-child-and-youth-protection-guidelines-how-ensure-safe-environment*.

Responsibility for the development and enforcement of child protection frameworks lies primarily with national associations and clubs.

The latter are responsible for establishing and executing child protection plans. Each organization must appoint designated safeguarding officers, and team managers are held accountable for the behavior and conduct of both players and supporters throughout the event.

Event organizers bear the primary responsibility for planning and executing football events that comply with safeguarding standards. This includes the development of a safeguarding plan and the assignment of a designated Child and Youth Protection Officer (CYPO) to supervise its implementation.

CYPO hold a central role in child safety, acting as the first point of contact for safeguarding matters. They are responsible for verifying that the event's safeguarding measures are adequate and are actively upheld during the event. Their duties include promoting awareness and ensuring protocols are followed.

Chaperones are responsible adults present at the event to support and supervise participating children. They must be appropriately trained and vetted to perform their duties responsibly. In mixed-gender groups, at least one male and one female chaperone must be present to ensure gender-sensitive supervision.

### *6.3 Identifying Risks and Reporting Concerns*

To maintain high standards of child safety during football events, the guidelines highlight specific risks children may face in areas such as access control, accommodation, supervision, transportation, and medical care. Specific risks such as unauthorized access to children, poor supervision, and exposure to inappropriate behavior must be proactively identified and addressed to ensure a secure environment.

To reinforce this protective framework, organizers are required to meet minimum safeguarding standards. These include making CYPO contact information publicly accessible, requiring staff to sign a code of conduct, and ensuring all relevant personnel undergo safeguarding training and adhere to verified recruitment protocols.

Swift and transparent reporting of child protection concerns is essential. Any allegation of abuse must be immediately reported to the CYPO or event organizer to initiate appropriate responses, protect the child involved, and meet legal obligations.

### *6.4 Some Further Guide Sheets on Specific Relevant Topics*

Ensuring child protection in football requires also practical and everyday vigilance, from recruitment and privacy to emergency protocols and media engagement.

Recruitment procedures must be aligned with safeguarding objectives. This means that all staff and volunteers working directly with children must pass

background checks and receive appropriate training to ensure they are suitable for their roles. This minimizes risk and enhances overall child safety.

Protecting children's privacy is also essential, especially in sensitive areas such as changing rooms. Only authorized individuals should have access to these areas, and mobile device use should be prohibited to prevent breaches of privacy or misuse.

In the case of a missing child, a clear and structured protocol must be activated immediately. Designated staff teams should coordinate to secure the area, communicate the child's description, and oversee the search process until the situation is resolved.

Child safety must also extend to media and digital interactions. Children should never be pressured into engaging with media representatives, and consent along with supervision must be secured. Online communications involving children should always include parents or guardians as the primary point of contact.

Finally, organizers are responsible for ensuring children's basic needs are met, including access to nutritious food and sufficient hydration throughout the event. Special dietary requirements and allergies should be handled with care to promote every child's health and well-being.

## *7. Conclusion*

Everyone should play a part in the child safeguarding journey. It is not only those whose roles require direct interaction with children and young adults who need to be aware and take measures to protect them. Each and every person involved in football has a responsibility to be informed about, support and be active in safeguarding. This will also reassure parents that football is a positive environment and increase the trust invested in those working and caring for their children. Moreover, by recognising that children are the most vulnerable participants in football activities, parents, teachers and coaches in particular have a key role as positive influential figures.

UEFA's Child and Youth Protection Policy exemplifies an integrated, forward-looking model of safeguarding that is not merely responsive but strategic. It aligns child welfare with broader sustainability goals and embeds normative obligations into football's regulatory framework. Yet, the success of this policy will ultimately rely on its translation into consistent local action, its responsiveness to emerging challenges – as for example in the digital sphere – and its capacity to empower children as active stakeholders.

UEFA carries forward its journey to consolidate a culture of prevention, built on education, accountability, and inclusive participation, ensuring that football not only protects its youngest participants but enables them to flourish.

# WORLD RUGBY AND SAFEGUARDING

by *Stephan Smith*[*]

SUMMARY: 1. Introduction – 2. Overview of Safeguarding World Rugby – 3. World Rugby's Safeguarding Policies and Regulatory Framework – 4. Safeguarding in Sports Competitions and Events – 5 Education, Training and Awareness – 6. Risk Management and Prevention of Abuses – 7. Reporting mechanisms and accountability – 8. Conclusions

## *1. Introduction*

According to widely cited accounts, the origins of rugby date back to 1823, when, during a school football match in the town of Rugby, England, a student named William Webb Ellis allegedly defied the conventions of the game by picking up the ball and running with it. While the historical accuracy of this anecdote remains contested, it has become emblematic of the sport's foundational narrative. Over the past two centuries, rugby football has evolved into a globally prominent sport, with millions of individuals participating as players, spectators, and stakeholders.

World Rugby serves as the international governing body for Rugby Union and currently comprises 133 national member unions. These unions are affiliated through six regional associations: Asia Rugby, Rugby Africa, Rugby Europe, Oceania Rugby, Rugby Americas North, and Sudamérica Rugby. Of these members, 118 are classified as Full Member Unions and 15 as Associate Member Unions.

The organisation's strategic mission is to foster the global growth and relevance of rugby by enhancing accessibility and promoting engagement across diverse communities. Central to this mission is the commitment to uphold the sport's foundational ethos, articulated through a core set of values.

In 2009, World Rugby's member unions formally identified five core values – integrity, passion, solidarity, discipline, and respect – as defining features of the sport's identity. These values are codified in the World Rugby Playing Charter,

[*] Stephan Smith is the Senior Counsel (Federation) at World Rugby and a qualified Solicitor Advocate in England and Wales. Stephan also acts as an Independent Integrity Expert for FIFA, Judicial Chair for Safeguarding and Disciplinary cases for England Boxing and also holds the position of Pro Bono Legal Counsel at UEFA.
Views expressed within this chapter are those of the author and do not represent an official opinion from World Rugby.

a guiding document that aims to preserve rugby's distinctive cultural and ethical character on and off the field.[1]

Rugby Union is primarily played in two established formats: the traditional 15-a-side version and the shorter 7-a-side format. In addition, various modified and emerging forms, such as Touch Rugby and T1-Rugby, have been developed to expand participation and inclusion. Notably, the Rugby SVNS series, aligned with the Olympic movement, was featured as the opening event of the 2024 Summer Olympic Games in Paris, reflecting the sport's integration into the global sporting landscape.

## 2. *Overview of Safeguarding at World Rugby*

Player welfare is positioned as World Rugby's foremost priority and serves as a guiding principle across all levels of the organisation's operations. This commitment is evident through a variety of initiatives aimed at enhancing on-field safety and promoting holistic well-being. These include the review and revision of the Laws of the Game, such as establishing permissible tackle heights to mitigate injury risk, and investment in innovative technologies like the Smart Rugby Contact Management (SCRM) application[2] and instrumented mouthguards to monitor and reduce the likelihood of head trauma.[3] In parallel, World Rugby has developed initiatives addressing the mental health needs of athletes, recognising the multifaceted nature of player welfare.

Traditional safeguarding (defined here as the prevention of abuse and harm) remains a fundamental element of this broader welfare agenda. In line with its strategic priorities, World Rugby has set a key objective to optimise Olympic participation through the Rugby SVNS format. One of the indicators used to assess progress toward this objective includes the degree of collaboration with Olympic stakeholders, such as Continental Associations (CAs) and National Olympic effective engagement with these Olympic bodies. This work is further enhanced through close coordination with the International Olympic Committee (IOC), Committees (NOCs).

To support this goal, World Rugby actively collaborates with its Regional Associations and member unions by disseminating guidance and best practices on

---

[1] The *Laws of the Game* and can be viewed here in multi-language versions *https://www.world.rugby/laws* (last accessed on 17 February 2025).

[2] The SCRM app is used by World Rugby for the Head Injury Assessment ("HIA") process in approved competitions. It allows players to have baseline data logged into a system for comparison during an HIA assessment. Further information can be found here: *https://passport.world.rugby/player-welfare-medical/concussion-management-for-match-day-medical-staff-using-the-hia-protocol/hia-app-scrm/* (last accessed 27 May 2025).

[3] Instrumented mouthguards (iMG) are mouthguards embedded with sensors which are used to provide data regarding head acceleration events on the field of play. Further information regarding iMGs can be found here *https://www.world.rugby/the-game/facilities-equipment/equipment/imgs-specs* (last accessed 27 May 2025).

specifically its Unit for Safe Sport. Reflecting a conceptual shift toward inclusivity, World Rugby now employs the term 'Safe Sport', expanding beyond traditional safeguarding measures that primarily protect children and vulnerable adults, toward a universal framework intended to ensure safety for all individuals within the rugby community.

Any instance of abuse or harassment perpetrated by a member of the rugby community represents a direct violation of the sport's core values and breaches World Rugby's regulatory instruments, including its Code of Conduct, Integrity Code, and Safeguarding Policy (the "Policy").

To elevate safeguarding standards across the global rugby landscape, World Rugby provides a suite of resources, education programmes, and awareness-raising initiatives. It is currently undertaking a comprehensive needs assessment among its member unions to identify existing capabilities and gaps. The results of this exercise will inform a targeted and evidence-based strategy to raise safeguarding standards globally.

Aligned with the IOC's Safe Sport agenda, World Rugby has adopted inclusive and expansive definitions of harmful conduct. These encompass not only sexual abuse but also psychological and other forms of non-physical harm. Both organisations share the view that safeguarding is a collective responsibility, a principle explicitly articulated in the IOC's 2024 Consensus Statement.[4]

### *3. World Rugby's Safeguarding Policy and Regulatory Framework*

World Rugby's Safeguarding Policy sets out its primary approach to creating a safe environment within rugby, both as a standalone document and one which works in unison with other policies and regulations which may be adopted at the domestic level.

At a strategic level, World Rugby understands the fundamental need for 'joint-up' approach and collaboration with other key stakeholders, such as Regional Associations, Unions, International Rugby Players[5] and the wider rugby community. The Policy also highlights to all participants that, under some circumstances, it may be appropriate or necessary to report some concerns to third parties such as law enforcement, local authorities and child protection agencies. This recognises that, particularly on this sensitive and serious topic, preventative and reactive measures will need to be led by the appropriate body, with the appropriate expertise, at the appropriate time and providing a truly safe environment requires collaboration across multiple stakeholders.

---

[4] IOC Consensus Statement on Interpersonal Violence and Safeguarding in Sport, available at *https://bjsm.bmj.com/content/58/22/1322*.

[5] International Rugby Players is a player representative body which operates at an international level.

### *3.1 Definitions and Scope*

Under the Policy, harassment and abuse is expressed in five forms which may occur in combination or in isolation. These include psychological abuse, physical abuse, sexual harassment, sexual abuse, and neglect. These forms of abuse are defined as follows:

a. *Psychological abuse*: meaning any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other treatment which may diminish the sense of identity, dignity, and self-worth.

b. *Physical abuse*: meaning any deliberate and unwelcome act, such as for example punching, beating, kicking, biting, and burning, that causes physical trauma or injury. Such acts can also consist of forced or inappropriate physical activity (e.g., age or physique-inappropriate training loads; including when injured or in pain), forced alcohol consumption, or forced doping practices.

c. *Sexual harassment*: meaning any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.

d. *Sexual abuse*: meaning any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.

e. *Neglect*: meaning the failure of a coach or another person with a duty of care towards a player (or other covered individual covered under the Policy) to provide a minimum level of care to the relevant person, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.

The Policy is wide ranging in terms of the individuals who are subject to it throughout the game. It includes any person involved or participating in rugby, including coaches, volunteers, medical and other support persons, officers and staff, match officials and disciplinary personnel. Agents, and any member of a Regional Association, Union, Club or Rugby Body also fall within its scope.

From an administrative perspective, members of World Rugby's Council, Executive Committee and any committee or working group appointed by the Council or Executive Committee are covered by the Policy.

Whereas, within the context of events, any person working or volunteering at any event held by, or on behalf of World Rugby (including events in relation to which hosting rights were appointed by World Rugby) are also covered by the Policy.[6]

### *3.2 Breaches of the Policy and Mutual Recognition of Decision and Sharing of Information*

As stated above, any form of psychological, physical, sexual abuse, sexual harassment of neglect will constitute a breach of the Policy. Other offences include

[6] The full list of Covered Individuals can be found page 2 Safeguarding Policy which can be accessed here *https://www.world.rugby/organisation/governance/safeguarding* (last accessed 27 May 2025).

(but are not limited to) any action of complicity assisting, encouraging, aiding or abetting, to conspiracy to engage in or conceal a breach of the Policy.

A failure to cooperate with any World Rugby investigation or any obstruction or deliberate hampering of an investigation (including via tampering or destroying relevant information) will constitute a separate violation of the regulations. Importantly any victimisation or negative treatment of any person who makes a report will also constitute a separate offence.

Decisions under the Policy work under the 'principle of universality' throughout the sporting pyramid. Therefore, decisions must be recognised and implemented by all Regional Associations and Unions. Complimentary to this, decisions of the Unions and Regional Associations (subject to rights of appeal) are also recognised by World Rugby.

The Policy also contains reciprocal obligations upon World Rugby and other Rugby bodies to share information regarding allegations and/or sanctions imposed on any covered individual under their jurisdiction relating to any Safeguarding matter. This includes criminal offences which also contravene the Policy.

The Policy allows World Rugby to recognise criminal convictions and/or other decisions imposed by public authorities, other sports governing bodies and/or other properly-convened bodies (such as professional regulatory bodies, e.g. a body regulating the conduct of doctors) in respect of equivalent offence(s) as defined within the Policy and may impose sanctions accordingly as a result.

### *3.3 Investigative Procedure and Evidence Gathering*

Once a concern is reported, the Safeguarding Officer will appoint a "Designated Disciplinary Officer" who will then carry out an investigation pursuant to World Rugby Regulation 18, which defines certain forms of misconduct alongside World Rugby's Code of Conduct.[7]

World Rugby's definition of misconduct is non-exhaustive but includes acts of violence, intimidation acting in an abusive, insulting, intimidating or offensive manner towards another person. It also features a catch all typically used by sport's governing bodies of acts capable of constituting misconduct or which have the potential to bring the game, or World Rugby into disrepute.

World Rugby may also appoint an external expert to carry out an investigation on its behalf, usually where a specific skills set would be of benefit to the investigation, or help to safeguard the welfare of those involved in a case.

A suitably qualified group of independent experts may also be appointed to assist in progressing cases arising under this Policy and is referred to as a Case Management Group (CMG). The CMG may be consulted throughout the life cycle

[7] A copy of World Rugby Regulation 18 can be found here *https://www.world.rugby/organisation/governance/regulations/reg-18* and the Code of Conduct here *https://www.world.rugby/organisation/governance/regulations/reg-18#APPENDIX1CODEOFCONDUCT* (last accessed 19 May 2025 ).

of an investigation to help provide specialist knowledge and scrutiny to an investigation. This may be particularly important where a multi-disciplinary approach is required to to given the complexity of help progress an investigation, or to address the needs of those involved in the case (e.g. psychologists, medical doctors, lawyers, expert risk assessors, child therapists etc).

Once an investigation has been launched, the DDO will seek to obtain contemporaneous evidence as quickly and efficiently as possible (having taken advice from a CMG as is necessary). This will include preserving any contemporaneous notes or digital records (such as CCTV, phone and laptops etc). World Rugby also has access to specialist private investigations companies which can undertake forensic data downloads from communications devices and other digital equipment. The DDO may also consider open-source intelligence – such as publicly available information from websites, social media, and online databases – for the furtherance of a case.

World Rugby seeks to provide a trauma informed approach to the handling of complainants and witnesses. They will typically be interviewed at the earliest opportunity (if appropriate), in a form and manner which is in their best interests. The case management process will be fully explained to a complainant at the outset of case. They will also be offered forms of support (such as mental health or pastoral support) upon first contact and throughout the lifecycle of a case. World Rugby also recognises factors such as gender, language, location and culture may impact the needs of a complainant. This will be considered as part of every case, so that an interviewer, or case management with the appropriate background is used to safeguard the welfare of the complainant. Information obtained during the investigation will be kept confidential and only shared when necessary and justifiable.

### *3.4 Disciplinary Procedure, Measures and Sanctions*

Where a decision is taken to charge a person with misconduct, the case will be referred to an independent Judicial Committee to determine, in accordance with Regulations 18 and 20 (including in respect of provisional suspensions). The Judicial Committee will be appointed by the independent Judicial Chairperson and will usually consist of a 1 or 3 person panel, having the necessary skills and experience to determine the matter at hand. Judicial Committee Chairs are typically, senior lawyers with wing members typically drawing at least one representative from the game.

The Judicial Committee may, either on its own initiative or upon the application of one or all the parties concerned, stay the proceedings before it, pending the outcome of any related criminal, or civil proceedings. The findings of any criminal or civil proceedings may also be relied upon as evidence in World Rugby proceedings.

Both World Rugby and the corresponding party have a right of appeal to the proceedings under Regulation 20. An Appeal Committee will be Chaired by a senior legal practitioner of at least 10 years standing, or serving or retired judges independent of Unions/Associations.

Except where an appeal proceeds in whole as a *de novo* hearing, it is for the appellant to establish that the decision being challenged on appeal:

(a) was in error (either as to central factual findings or in law); or

(b) in the interests of justice should be overturned; or

(c) the sanction imposed was manifestly excessive or wrong in principle; and/or

(d) the sanction imposed was unduly lenient.

It is also worth noting that a Judicial Committee has the power to impose special measures regarding the form of a hearing, which may be relevant when seeking to safeguard the welfare of witnesses and take a trauma informed approach. Such measures may include, allowing witnesses to provide evidence in writing, or behind a screen, provide directions on the way a cross-examination is conducted, allow witness to see a hearing room in advance of the hearing, implement hearing breaks or other necessary measures to mitigate against re-traumatising a witness, whilst preserving the tenants of a fair hearing.

A Judicial Committee has a broad discretion when it comes making its determination and can impose a range of sanctions, including, interim suspensions, cautions as to further conduct, fines, competition expulsions suspensions from coaching to participation in the administration of the game. It also has the power to impose any sanction it 'thinks fit', which in the context of a safeguarding case, can allow for the imposition of training and education programmes, or other measures such as conditions on any future participation in the game, (e.g. subjection to risk assessments, or supervision) to safeguard other participants.

As noted above, under Regulation 18 all participants in the game, by means of their participation, recognise and agree to be bound by the principle of universality, which means that participants who are suspended at any level of the game shall have their suspension recognised and applied at all levels of the game, and in the territories of all member Unions and Associations.

### *3.5 Integrity Code*

World Rugby's Integrity Code extends its ability to respond to Safe Sport concerns and has been effective since May 2021. One of the objectives of the Integrity Code is to implement clear obligations on decision-makers and administrators to ensure that their conduct adheres to the highest ethical standards and the values of World Rugby. It also has the aim of ensuring public confidence in the governance and decisions taken by World Rugby.

The Integrity Code has a wide application and extends to cover Council Representatives, Executive Committee Members, Committee Members,

World Rugby Directors, "*and any other person who agrees in writing at the request of the Executive Committee to be bound by this Integrity Code*".[8]

Importantly in relation to the matter of safeguarding, those bound by the Integrity Code oblige "*not commit any form of harassment or abuse of any person, whether physical, professional, sexual, psychological…or otherwise*" thus integrating the standards relating to Safe Sport.[9] Any suspected breaches of the Integrity Code are investigated by an Independent Ethics Officer who is also responsible for vetting individuals nominated to position as World Rugby Officials (the generic term used to identify those covered under the scope of the Integrity Code. If charges are issued following an investigation by the Independent Integrity Officer, they will be referred to an Independent Judicial Committee, pursuant to World Rugby Regulation 20 for determination.

## *4. Safeguarding in Sports Competitions and Events*

World Rugby organises a range of high-profile competitions as part of its global sporting calendar. These include its premier tournaments, the Men's and Women's Rugby World Cups, as well as the SVNS World Series, the Under 20 Championship, the Pacific Nations Cup, WXV, and other international fixtures.

To ensure participant welfare at these events, World Rugby routinely deploys Safe Sport Officers of all genders as part of its operational workforce. For example, during the SVNS World Series, Safe Sport Officers are integrated into event operations to deliver in person education and awareness raising sessions for teams, staff, and other stakeholder groups. In addition to their preventive role, these officers are available to respond to any safeguarding concerns that may arise and to manage cases as needed.

In such circumstances, Safe Sport Officers are responsible for conducting immediate risk assessments and are authorised to implement appropriate mitigation measures to address any imminent threats. Their duties also include case management, evidence collection, and cooperation with law enforcement agencies when necessary. These activities are conducted with a strong emphasis on timeliness and confidentiality. Following the conclusion of a case or incident, a structured post event review is conducted to assess the response and incorporate lessons learned into future planning.[10]

Safe Sport Officers work closely with other safeguarding professionals and consultants who may be appointed as part of the broader event workforce.

[8] World Rugby Integrity Code 2021, paragraph 2, available here *https://resources.world.rugby/worldrugby/document/2022/01/12/99f24b4b-1fee-4df6-83a6-c800cda80873/World-Rugby-Integrity-Code-Final-effective-12-May-2021-.pdf* (last accessed 27 May 2025).

[9] World Rugby Integrity Code 2021, paragraph 3.1.5.

[10] For example, World Rugby deployed Safeguarding Officers at the Paris 2024 Olympic Games to collaborate with the IOC's Safe Sport Unit, which ran extensive wellbeing education and awareness activities.

To support this, World Rugby has developed specialised Safe Sport training modules that are delivered to all personnel, including staff from local organising committees.

Given the complexity and long-term planning involved in international events, which often span multiple jurisdictions, World Rugby has also established an internal Safe Sport strategy. This strategy serves as both a guiding and evaluative framework, ensuring that safeguarding considerations are embedded throughout the event planning process and that operational teams are fully prepared.

### *5. Education, Training and Awarness*

Education, training, and awareness-raising form a key pillar of World Rugby's approach to maintaining a safe environment for everyone involved in the sport. To educate participants effectively, World Rugby has partnered with International Safeguards for Children in Sport, the Open University, and other leading international federations to develop the 'Safeguarding in Sport' online course. This course has been adapted and hosted on World Rugby Passport, an educational platform for participants within the game.[11]

The original content for this course was developed by FIFA in the form of the FIFA Guardians educational tool and has since been revised to suit a broader sporting audience.

The first component of this resource is 'Safeguarding Essentials'. This course explains what safeguarding is, why it is important, and how individuals can help reduce safeguarding risks and respond appropriately to concerns. The course is divided into three 30-minute sessions, which learners can complete at their own pace. It is free to access and currently available in English, French, and Spanish, with additional language versions under development.

In collaboration with these stakeholders (using foundational material from FIFA Guardians), World Rugby has also helped develop two further courses aimed at Safeguarding Leads, which are available via the Open University's website.[12]

The second component, 'Safeguarding Practice', explores the role culture plays in creating a safe environment, how to recognise various forms of abuse, and why some groups are more vulnerable. Topics include grooming – how to identify and prevent it – risk assessment and management, and the critical role of policies and procedures in preventing and responding to abuse.

Additionally, the course covers how safeguarding concerns may come to light, how to determine the seriousness of a concern, appropriate responses,

[11] The course has been developed with support from the Australian Government (Team Up), the Commonwealth Games Federation, the International Ice Hockey Federation, the International Platform on Sport and Development (*sportanddev*), the International Skating Union, the International Ski and Snowboard Federation, the International Tennis Federation, World Athletics, World Rugby, World Netball, the International Golf Federation and The R&A.

[12] The course content can be viewed here *https://www.open.edu/openlearncreate/course/view.php?id=11403* (last accessed 19 May 2025).

and steps organisations can take to strengthen safeguarding measures. 'Safeguarding Practice' is specifically designed for those responsible for leading safeguarding within an organisation. This 12-hour course is divided into eight sessions, each taking approximately 60-100 minutes to complete, and includes engaging examples to illustrate key safeguarding concepts.

The third component, 'Effective Safeguarding', is also designed for individuals leading safeguarding practice within organisations. It refers to these individuals as 'Safeguarding Leads', regardless of whether safeguarding is part of their official job title. This 12-hour course is divided into seven sessions, each lasting around 70-110 minutes. The course explains and develops key safeguarding concepts with relevant examples. Learners have flexibility in organising their study and are required to complete various learning activities, such as interactive tasks, reading short texts, listening to audio, reviewing case studies, or undertaking work-related tasks.

World Rugby also regularly delivers face to face safe sport training to teams during competition windows, allowing for open or private discussions and to better understand the challenges facing players. To this end, World Rugby has also collaborated with the IOC in delivering confidential online surveys to help understand the prevalence of harm within the sport.

## *6. Risk Management and Prevention of Abuses*

### *6.1 Safeguards Against Online Abuse*

Risk management and the prevention of abuse are fundamental components of World Rugby's commitment to providing a safe environment for all participants. These measures ensure that athletes can focus on delivering their best performance under high-pressure conditions.

A notable example of this commitment is World Rugby's pioneering initiative to combat online abuse within the sport. This effort was first prominently implemented during the Men's Rugby World Cup 2023, when the online harassment of match officials attracted international attention.[13] Throughout the tournament, the social media accounts of all match officials were actively monitored. Proactive steps were taken to report abusive messages to social media platforms and law enforcement agencies, where appropriate.

Building on this, the Women's Rugby World Cup 2025 will extend the programme to include all players, coaches, and match officials under a groundbreaking partnership with Signify Group. This collaboration will provide an action-oriented response to online abuse, utilising Signify's Threat Matrix service,

[13] For example, the abuse suffered by Match Official Tom Foley following the Rugby World Cup Final *https://www.theguardian.com/sport/2023/dec/04/rugby-world-cup-final-tmo-tom-foley-takes-break-after-abuse-and-threats* (last accessed 1 June 2025).

which monitors social media platforms to detect and report abusive posts and comments.

The programme will also identify the sources of abusive content, enabling real-world consequences such as fines (where applicable), revocation of access to matches, and referrals for potential prosecution where threats meet criminal thresholds. Safeguarding insights generated will be shared with Unions to foster a comprehensive, 360-degree approach to tackling online hate. Additionally, Signify will produce evidence packs and engage with authorities in cases requiring escalation.

This initiative forms a key part of the wellness pillar within World Rugby's Impact Beyond 2025 Plan, designed to ensure the tournament leaves a lasting legacy globally. Its impact will extend beyond the event itself by providing valuable insights into the trends, triggers, and mitigation strategies associated with online hate and violence.

The England 2025 Women's Rugby World Cup is anticipated to be a generational moment, attracting unprecedented online attention and placing a spotlight on women's and girls' rugby. This initiative supports World Rugby's goal of fostering an environment where women in rugby can thrive without fear. It also recognises the detrimental effects toxic online behaviour can have on sports participants and underscores the organisation's commitment to providing necessary support and protection.

The programme will also cover all World Rugby match officials appointed to men's and women's World Rugby competitions through to the end of 2026.

Since the partnership began before the Men's Rugby World Cup France 2023, World Rugby and Signify have analysed 1.6 million messages on X (formerly Twitter) and Instagram. Out of these, they highlighted 61,136 messages as potentially abusive and reported 2,589 of them to the relevant social media platforms. They identified 2,010 individual accounts linked to these abusive messages, provided support to 18 targeted match officials and World Rugby stakeholders, and carried out 75 investigations. Eleven cases were referred to the police and other authorities, leading to seven prosecutions or law enforcement warnings.[14]

Using technology capable of analysing content in over 40 languages, the partnership has successfully identified offenders and collaborated with law enforcement to pursue legal action. Prosecutions and enforcement actions have been initiated in Australia, South Africa, France, New Zealand, and the United Kingdom, setting a firm precedent that abuse will not be tolerated.

This collaboration will allow World Rugby to continue analysing the factors that contribute to online abuse, fostering a data-driven approach that addresses

[14] Full tournament analysis can be found within the Signify Threat Matrix Online Abuse in Rugby – Rugby World Cup France 2023 Report, *https://resources.worldrugby-rims.pulselive.com/worldrugby/document/2024/01/30/df1861fe-8002-4c9f-a04d-806c7a07c5a4/PUBLIC-RWC-2023-Threat-Matrix-Tournament-Report.pdf* (last accessed 19 May 2025).

the root causes. This commitment ensures rugby remains a sport founded on respect, solidarity, and inclusivity.

### *6.2 Mental Wellbeing*

World Rugby has also prioritised the mental wellbeing of athletes during competitions, culminating in the creation of a landmark peer support programme for players, staff, and match officials during the Women's Rugby World Cup 2025 and beyond.

The Peer Support @ RWC25' programme aims to equip former international players with peer support skills, implementing a model shown to reduce stress, enhance coping mechanisms, and build resilience among participants.

The programme will involve 24 volunteers who will receive comprehensive training, both online and in person. These volunteers represent a diverse range of international rugby backgrounds. In addition to specific peer support training, they will receive instruction on critical areas relevant to the competition, such as Anti-Corruption and Safeguarding, ensuring they are prepared to address any unforeseen issues.

Volunteers will be available via telephone or in person to support individuals experiencing common challenges associated with elite competition that may affect mental wellbeing. These include homesickness or isolation, coping with difficult losses or injury, managing performance pressure, dealing with nerves, difficulties relaxing or sleeping, or simply needing someone to talk to confidentially.

Each Union participating in the tournament will be assigned at least one volunteer, supported by appropriate language capabilities and confidential communication channels enabling players to reach out. Additionally, a mental health workshop will be conducted during the event to facilitate interactive education and raise awareness on this critical topic.

Athletes will have 24/7 access to crisis navigation services throughout the tournament. Weekly Community of Practice sessions will also be held to provide ongoing support. Peer Supporters themselves will participate in weekly virtual meetings to connect, discuss challenges, and receive guidance in their roles.

## *7. Reporting Mechanisms and Accountability*

World Rugby has a dedicated contract email address for reporting Safe Sport concerns and reports can also be made via an information box on its website. Reports can also be made in-person to an Integrity or Safe Sport Officer at any World Rugby tournament. Alternatively reports can be raised via telephone or in writing.

In addition to this, World Rugby regularly brings awareness to support and reporting lines which can be accessed via the IOC's Safe Sport Unit. All reports and handled confidentially and discreetly and information regarding any

alleged victims or accused persons will not be made public, except when necessary, in the course of an investigation in order to protect them. In addition, members of the public and World Rugby employees can access a confidential whistleblowing line to report any serious concerns about wrongdoing, potential wrongdoing, or failures in World Rugby processes. This avenue provides employees making protected disclosures with legal protections from any victimisation resulting from raising their concerns.

## *8. Conclusions*

Safe Sport is a core element of World Rugby's foundational values: integrity, passion, solidarity, discipline, and respect. As part of its unwavering commitment to player welfare, Safe Sport has evolved into a central pillar of World Rugby's governance and operational frameworks.

World Rugby has effectively embedded safeguarding measures across its global activities by introducing innovative educational tools, developing clear policies and disciplinary pathways, and leveraging competitions as platforms for direct engagement with participants. The organisation's partnership with international bodies, including the IOC, exemplifies its dedication to adopting best practices and promoting a culture of safety.

World Rugby's strategy emphasizes not just regulatory compliance but a transformational approach-shaping attitudes, enhancing cultural awareness, and building capacity within the sport. Through meaningful collaboration with International Rugby Players and the wider rugby community, athletes now play a pivotal role in shaping policies that affect their wellbeing.

The commitment to Safe Sport is not static. It is continually refined through data, experience, and dialogue, ensuring that World Rugby remains at the forefront of protecting all participants. As rugby continues to grow and attract new generations of players and fans, World Rugby's safeguarding framework ensures that it does so in a safe, inclusive, and respectful environment.

# PART II

## *THE NATIONAL APPROACH TO SAFEGUARDING*

# SAFE SPORT IN AUSTRALIA

by *Alison Quigley*[*] and *Victoria Roberts*[**]

SUMMARY: 1. Introduction – 1.1 The Biermann Model – 1.2 The Biermann Model applied to Australian Sport – 2. International Instruments – 2.1 Human Rights Instruments – 2.1.1 Discrimination 2.1.2 Convention on the Rights of the Child – 2.2 Integrity-related instruments – 2.2.1 Wood Review – 2.2.2 Formation of Sport Integrity Australia (SIA) – 2.2.3 National Integrity Framework (NIF) – 2.2.4 National Sports Tribunal – 3. Domestic Criminal & Civil Law – 3.1. Reforms driven by the Royal Commission – 3.2 Civil litigation – 4. Australia's Policy Landscape – 4.1 Safeguarding Children and Young People Policy (SCYPP) – 4.2 Complaints, Disputes and Disciplinary Policy (CDDP) – 5. Safeguarding Strategies – 5.1 National Integrity Managers – 5.2 Governance: Game Plan – 5.3 National Action Plan: SISCIP – 5.4 Education: Play by the Rules – 5.5 Strategy: Play Well, Win Well – 6. Conclusion: From Patchwork to Protection

## *1. Introduction*

In Australia, as elsewhere, athletes who suffer abuse in sport can face serious physical and mental health implications including eating disorders, complex post-traumatic stress disorder (PTSD), and suicide ideation.[1] In the wake of reports about child sexual abuse (CSA) in institutions, the Federal government launched a ground-breaking[2] Royal Commission into Institutional Responses to Child Sexual Abuse (the RC). At its close in 2017, the RC made 409 recommendations for reform and publicly released seventeen volumes of research findings.[3]

---

[*] Alison Quigley is a PhD candidate in law at Queensland University of Technology, studying child-safe policies in Australian gymnastics. She is also co-founder of Athlete Rights Australia, working as an advocate for aggrieved complainants, assisting them in cases including the Age Discrimination Act case mentioned at FN 41 and Case One mentioned at FN 72-78.

[**] Dr Victoria Roberts is an Australian Olympian. She works as a Lecturer in Management at the University of Melbourne. She conducts research on the prevention and management of abuse in sport organisations.

[1] Royal Commission into Institutional Responses to Child Sexual Abuse, *Impacts* Vol 2, 9-12; Australian Human Rights Commission (AHRC), *Change the Routine*, 2021, 68-72.

[2] 'Ground breaking' in the sense that it spanned four years, involved the investment of $380 million, the input of more than 6000 survivors and included the testimony of 407 athletes or former athletes. Readers are invited to visit the website at *https://www.royalcommission.gov.au/child-abuse/final-report.*

[3] Ibid., note 1, *Private Sessions* Vol 5, 62. Also see J. D. Whelen, 'A Response to the Royal Commission into institutional responses to child sexual abuse in Australia,' *Educational Philosophy and Theory*, 52 (14), 1458.

Commissioners recognised both fragmentation and accountability play a significant role in creating barriers or facilitating the protection of children from harm.[4] Eight years on from the RC, it is timely to revisit questions about fragmentation and accountability in Australian sport.

This paper maps the degree of fragmentation and accountability across four safeguarding pillars: international treaties, domestic law, policy and strategy. The analysis covers responses to both child and adult abuses, whether CSA or otherwise, and distinct forms of systems abuse, where this means institutional failures to provide safe environs.

This paper is organised in six sections. The first one introduces Biermann's typology of fragmentation and robust accountability as critical protective factors in safeguarding and demonstrate their utility for analysing governmental bodies in Australian sport. Sections two to five assess the level of fragmentation and accountability for international treaties, domestic law, policy and strategy. Each section contains illustrative examples across various forms of abuse. The final section summarises key preliminary findings, proposes further research and suggests reforms.

### *1.1 The Biermann Model*

One useful way to approach complex sociological issues is with Biermann's analytical tool on governance architecture,[5] designed to identify and analyse how systems are fragmented.[6] The model works across two dimensions – degree and type of fragmentation. Starting with *degree,* the model identifies three components, namely: i) "institutional integration" (the degree to which institutions are nested or aligned); ii) "norm conflicts" (the degree to which stated norms or principles vary between institutions); and iii) "actor constellations" (measured by the number of institutions within the system being discussed).[7] Applied to common Australian sport structures the model provides a methodological way to describe, for example, the degree to which National Sporting Organisations (NSOs) are vertically integrated with State Sporting Organizations (SSOs) and clubs; what norms or principles are shared or rejected by each; and the number of institutions in this system.

In relation to *types*, the model identifies three. The first is "synergistic fragmentation" where the governance architecture is closely nested, the core norms of the institutions are integrated, and all relevant actors support the same institutions.

---

[4] Ibid., note 1, *Improving Institutional Responses and Reporting*, Vol 7, 281, 286 and throughout the entire volume in its discussion on developing, for example, more robust complaints processes and reportable conduct schemes.

[5] F. Biermann, P. Pattberg, H. van Asselt and F. Zelli, '*The Fragmentation of Global Governance Architectures: A Framework for Analysis*', *Global Environmental Politics,* 2009, 14-29.

[6] F. Zelli, H. van Asselt, '*The Institutional Fragmentation of Global Environmental Governance: Causes, Consequences and Responses*', *Global Environmental Politics* August, 2013, 1, 3.

[7] Ibid., note 5, 19.

This is regarded as synonymous with "harmonised".[8] The second type is "co-operative fragmentation". This describes institutions that are loosely integrated, where the norms are not conflicting, and some actors remain outside main institutions, but still maintain cooperation. A third type is "conflictive fragmentation". This describes scenarios where institutions are distinct, largely unrelated institutions, core norms conflict, and major actors support different institutions. Applied to Australian sport, synergistic fragmentation can be observed between, for example, the Coalition of Major Professional Players (COMPPs) which represents the "united voice" of Australia's seven major professional and participation sports.[9] Co-operative fragmentation may occur, for example, between two NSOs where norms are similar but still distinct, such as diving and gymnastics. Conflictive fragmentation can be seen in the tensions between Sport Integrity Australia (SIA), a body mandated to prevent athlete doping, and the foundation known as the Enhanced Games (EG), where doping is the proposed norm.[10]

Table 1. Typology of Fragmentation of Governance Architectures[11]

| | Synergistic | Cooperative | Conflictive |
|---|---|---|---|
| Institutional Integration | One core institution, with other institutions closely integrated | Core institutions with other institutions that are loosely integrated | Different, largely unrelated institutions |
| Norm Conflict | Core norms of institutions are integrated | Core norms are not conflicting | Core norms conflict |
| Actor Constellation | All relevant actors support the same institutions | Some actors remain outside main institutions, but maintain cooperation | Major actors support different institutions |

Having discussed fragmentation, accountability is considered through four specific criteria, according to Yeung & Ranchordás definition, namely : i) one party has a duty to explain to another (ie line of accountability is clear), ii) there is a remit for scrutiny, iii) a potential sanction or consequence, and iv) the possibility

[8] Noting 'harmonised' is differentiated from "standardised" where the goal is to simply to eradicate variations. For more, see I. Fuertes, *Towards Harmonization or Standardization in Governmental Accounting? The International Public Sector Accounting Standards Experience*, *Journal of Comparative Policy Analysis: Research and Practice.* Vol 10 (4),2008, 327-345, 327.

[9] For more about COMPPs see *https://www.compps.com.au/.*

[10] For more information see SIA's position search the EG term at *https://www.sportintegrity.gov.au* and for contrast, read the EG perspective at *https://www.thedailyaus.com.au/sport/what-are-the-enhanced-games-competition-set-for-2026-22-05-2025.*

[11] Ibid., note 5, 19.

of bodies' actions being subject to independent review.[12] In alignment with the RC, harmonisation and robust accountability systems are regarded as critical protective factors in a child's life.[13]

### *1.2 The Biermann's Model Applied to Australian Sport*

To sufficiently explain safeguarding in Australian sport, it is necessary to outline the basic infrastructure that supports its organisational operations. The Biermann model is applied to address three aspects: governmental bodies; legal entities; and legislative arrangements.

i) *governmental bodies:* not only does Australia have a discrete Commonwealth government, but six States[14] and two Federal Territories,[15] and functional territories outside of this.[16] Each mainland State and Territory features its own executive, legislature, and judicial system. Examining fragmentation degree, institutions are closely integrated in some regards where core norms are widely scoped (such as adherence to democratic processes) but undermined where core norms are narrower and feature many actor constellations. Examining fragmentation type, we anticipate synergistic or at least cooperative fragmentation where governments of the same political persuasion are in power, with conflictive fragmentation in the event of the opposite. Applying Yeung & Ranchordás accountability criteria, it is clear who must explain what to whom (government to citizenry), with remit occurring through processes including legislative review committees, Senates Estimates, and parliamentary debate. It is not always clear, however, the potential sanction or consequence for governments when they run into error, and similarly for how some sports-related government decisions or processes are subject to accountability processes.[17]

---

[12] K. Yeung and S. Ranchordás, *Regulatory Accountability, An Introduction to Law and Regulation: Text and Materials,* Cambridge University Press, 2024, 357-87, 357.

[13] It is also note the degree to which regulators entrusted with the accountability remit are efficacious is another question outside the scope of this paper. Here readers are directed to Professor B. Mathews, *Oversight and regulatory mechanism aimed at protecting children from sexual abuse: Understanding current evidence of efficacy*, Royal Commission into Institutional Responses, Commonwealth of Australia, accessed at *https://eprints.qut.edu.au/107332/* on 11 June 2025.

[14] New South Wales (NSW), Queensland (Qld), South Australia (SA), Tasmania (Tas), Victoria (Vic), and Western Australia (WA).

[15] The ACT and NT are examples of internal territories.

[16] Visit *https://en.wikipedia.org/wiki/States_and_territories_of_Australia*. For example, Christmas and Cocos Keeling Islands (external), Australian Antarctic Territory (claimed) and Jervis Bay (internal).

[17] Some government decisions are reviewable through, for example, Administrative Review Tribunal (Cth), but decision types are limited (see *https://www.art.gov.au/*) and do not include SIA's decision-making processes in relation to safeguarding. Additionally, some decisions are reviewable through the Commonwealth Ombudsman through the *Ombudsman Act 1976* (Cth),but noting this is not a regulatory body in the sense that it enforces consequences, and scope is limited by a host of discretionary provisions at s6. Although the Australian National Audit Office has audited SIA's investigations in relation to anti-doping matters, it has not done so for its safeguarding remit. See

ii) *legal entities:* Australian sport structures include sole trader arrangements, trusts, incorporated associations, proprietary companies, private companies limited by shares and public companies, limited by guarantee.[18] Applying Biermann's model, it unclear which institution, on its own, could be regarded as 'core', noting a combination of bodies cross into this space, including: a) the Australian Charities and Not-for-Profits Commission (ACNC); b) the Australian Securities and Investment Commission (ASIC) for companies, and c) state-based 'fair trading' offices. Bodies aiming to be Recognised Australian Sports (RAS) require 'recognition' status from the Australian Sports Commission (ASC) as a pre-requisite for government funding.[19] Criteria includes adopting a company-limited-by-guarantee structure, a shift to overcome fragmentation. But the model also requires us to look at shared core norms. ASIC's statutory aim is to 'maintain, facilitate and improve the performance of the financial system and entities in it'.[20] The core norms of this regulator relative to sport safeguarding are at best cooperative and at worst conflictive.[21] Additionally, ASIC's remit involves thousands of actor constellations, making integration and regulation extremely challenging.[22]

iii) *legislative arrangements:* sports organisations are subject to laws arising in criminal, administrative, employment, civil and child protection contexts. No overarching codification scheme exists for sport. Applying Biermann's fragmentation, it is unclear the number, and how well, the core norms of all these laws are integrated.[23] This stands in contrast to reviews commissioned, for example, on the harmonisation of laws in relation to the criminal justice system, such as the recent Australian Institute of Criminology report, which identifies which laws are reasonably harmonised and where gaps occur.[24]

As outlined above, the Biermann's model provides a consistent way to discuss fragmentation and accountability. This model is now applied to international instruments potentially relevant to Australian sport.

---

the Auditor-General Report No 27 2024-25 *Sport Integrity Australia's Management of the Anti-Doping Scheme*, 2025.

[18] A. Leeks, P. J. Smith, M. O'Connell and L. L Green, *Australia: Organisation of Sports Clubs and Sports Governing Bodies*, *The Sports Law Review,* 2019, Law Business Research Ltd, 18.

[19] ASC, *ASC Recognition Criteria*, 2024, accessible at the sportaus.gov.au website through a search of these terms. Criterion 4 – Legal Entity Status, and noting Criterion 8, the requirement for SIA to approve the safeguarding policies of the NSO.

[20] *Australian Securities and Investments Commission Act* 2001 (Cth) s2 (1).

[21] Cooperative in relation to some governance integrity measures including requirements for annual reports. Conflictive in the sense that priorities in these reports are financial and do not include measurements in relation to safeguarding implementation and efficacy.

[22] ASIC, '*How we select matters for formal investigation*' at Information Sheet 151 obtainable at their website, asic.gov.au, where ASIC notes it assesses thousands of reports about misconduct and harm is assessed on criteria such as market deterrence.

[23] To the best of our awareness, no recent government-commissioned study covers this field in Australia.

[24] C. Dowling, S. Lawyer, L. Doherty and H. Wolbers, *National Review of child Sexual Abuse and Sexual Assault Legislation in Australia*, Consultancy Report, Australian Institute of Criminology, 2024.

## 2. International Instruments

Scholars note no enumerated power in the Commonwealth Constitution to legislate for sport.[25] Authority to act must come from existing powers,[26] applying the 'external affairs' power,[27] conferral of power through the states,[28] or by referendum[29] – a challenging feat to accomplish in practice.[30]

One way the Federal government overcomes this challenge is to enliven the 'external affairs' power. Here the government signs a subject-relevant treaty or equivalent, ratifies the instrument, and incorporates provisions into domestic law. Examples abound in human rights law (HR).

### *2.1 Human Rights (HR) Instruments*

In 1948 Australia signed the UN Declaration on Human Rights (UNDHR).[31] On the back of the Cold War/East-West divide came the International Covenant on Economic, Social and Cultural Rights (ICESCR),[32] and the International Convention on Civil and Political Rights (ICCPR),[33] which Australia ratified 1975 and 1980 respectively. Australia then added the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)[34] ratified in 1983, and the UN Convention on the Rights of the Child (CRC),[35] ratified in 1990. By 2008 Australia had also ratified the Convention on the Rights of Persons with Disabilities (CRPD).[36] Collectively the UNHDR, ICESCR, ICCPR and Optional Protocols are referred to as the International Bill of Rights (IBR).[37] Applying Biermann's model, each instrument shows one core institution or coalition of actors articulating codified shared norms. The next question for this paper is how well these instruments and norms are integrated into Australian law to prevent abuse in sport.

---

[25] D.A. Greenhow, *Submission in Response to the Inquiry into the Australian Sports Anti-Doping Authority Amendment (Sport Integrity Australia) Bill 2019*, *Submission 6*, Senate Community Affairs Legislation Committee, 2019.
[26] Australian Constitution s51.
[27] Ibid., s51 (xxix).
[28] Ibid., s51 (xxxvii).
[29] Australian Constitution s128.
[30] See *https://www.referendum-voice.com.au/referendumhistory.html*. Only eight referendums from 44 have succeeded, owing in part to the fact this requires a majority of voters across the nation and a majority of voters in a majority of states – a double majority per s128 Australian Constitution.
[31] Department of Foreign Affairs and Trade (DFAT), *Australia's Commitment to Human Rights* at *https://www.dfat.gov.au/international-relations/themes/human-rights.*
[32] Ratified December 10, 1975, and entering into force March 1976. Articles potentially relevant to sport:1, 3, 11, 12.
[33] ICCPPR noting Articles potentially relevant to sport 1, 2,7, 24, 26.
[34] CEDAW noting Articles potentially relevant to sport 1, 2, 3.
[35] CRC noting Articles potentially relevant to sport 3, 12, 19, 23, 31, 32, 34, 36, 37, 39.
[36] CRPD noting Articles potentially relevant to sport 1, 2, 3, 4, 7, 13, 15, 16, 30.
[37] Australian Human Rights Commission (AHRC), *Human Rights Explained: The International Bill of Rights*.

### *2.1.1 Discrimination*

In Australia it is unlawful to discriminate against a person based on 'protected characteristics' such as race, age, disability, and religion.[38] A host of discrimination treaties are integrated into Federal and State law.[39] Federally, the body associated with managing these complaint types is the Australian Human Rights Commission (AHRC). At Division One, the legislation directs it to initially take a conciliatory approach, a prerequisite for Federal Court processes.[40] One example relevant to athletes is the *Age Discrimination Act 2005* (Cth). Athletes may use this legislation to protect themselves from harms in this context (see Table 2 below). Recently, an Australian child athlete raised this law in the context of a complaints process she alleged discriminated against children.[41]

Table 2: The number of age discrimination complaints generally and in sport across a three-year time span. Information courtesy of the Australian Human Rights Commission, 2025[42]

| | **2021** | **2022** | **2023** |
|---|---|---|---|
| Total number of age discrimination complaints | 233 | 161 | 178 |
| Total number of age discrimination complaints in GSF | 77 | 59 | 50 |
| Total number of age discrimination complaints in Sport | 1 | 6 | 4 |

States offer somewhat harmonised provisions,[43] tending towards synergistic core norms.[44]

---

[38] AHRC website 'direct and indirect discrimination' eg see *https://humanrights.gov.au/our-work/sex-discrimination/racial-discrimination#:~:text=Special%20measures,to%20the%20non%2DIndigenous%20community*.

[39] For example, the *Racial Discrimination Act 1975* (Cth), *Sex Discrimination Act 1984* (Cth), *Disability Discrimination Act 1992* (Cth) and the *Age Discrimination Act 2004* (Cth). Each state adopts these laws with some variances. For example, see AustLII Communities Victorian Discrimination Law, 2023 at *http://austlii.community/wiki/VicDiscrimLRes/VicDiscrimLaw.*

[40] Australian Human Rights Act 1986 (Cth) Part 11B Div 2, 46PO.

[41] J. Stewart, '*Sport Integrity Australia accused of age discrimination in its investigation of child gymnast's bullying allegations*' *ABC*, 19 June 2024, *https://www.abc.net.au/news/2024-06-19/sport-interity-australia-discrimination-child-bully-gymnastics/103901560.*

[42] Where GSF stands for Goods, Services and Facilities, *Age Discrimination Act 2004* (Cth) Division 3 s28.

[43] A full account is beyond the scope of this paper. Readers are invited to note correspondences, for example, between the *Age Discrimination Act 2004* (Cth) (ADA) and broadly stated protections afforded in Victoria's *Equal Opportunity Act 2010* (Vic) Division 4 Discrimination in the provision of goods and services and Division 7 discrimination in sport.

[44] Federal alignment with international norms may be set down in the Acts themselves: eg ADA s10, which identifies which treaties support its authority to act. Authority is then conferred down to State legislation. Examples of increasingly synergistic core norms include in relation to sexual harassment in the workplace. For more, see Law Council of Australia Sexual Harassment in the Workplace: Policy Agenda at *https://lawcouncil.au/policy-agenda/advancing-the-profession/equal-opportunities-in-the-law/sexual-harassment-in-the-workplace*. Also see Australia's more recent report on reforms related to positive duties for employers to protect their workers, and legislative

Applying accountability criteria, the lines of accountability are relatively clear,[45] the remit for scrutiny is set down in legislation,[46] the legislation details potential consequences,[47] and the approach entails independent review.[48]

In closing we note that despite Australia ratifying a host of HR treaties, it still has no Federal Bill of Rights which could further harmonise the field.[49]

### *2.1.2 Convention on the Rights of the Child (CRC)*

In this section our focus goes to the CRC, and specifically Article 3 ("best interests of the child") and Article 19 ("the right to be protected from violence, abuse, neglect and exploitation"). While Article 3 language is replicated in some legislation[50] it is absent in crucial national instruments for sport such as the *Australian Sports Commission Act 1989* (Cth), the *National Sports Tribunal Act 2019* (Cth) and the *Sport Integrity Australia Act 2020* (Cth) (SIA Act). Applying Bierman's model, actor constellations in national government governance architecture are few (primarily the ASC, SIA and NST). However, even with these few actors, some note confusion and overlap between roles, the dire need for reform and improved embedding of HR norms into these instruments.[51] At the State level, some governments incorporate Article 3 into domestic law, these being Queensland (Qld), Victoria (Vic), and the Australian Capital Territory (ACT).[52]

---

reforms: AHRC, 'Fact Sheet: Respect@Work – Changes to the *Sex Discrimination Act 1984* (Cth) and the *Australian Human Rights Commission Act 1986* (Cth) (December 2022)' at *https://humanrights.gov.au/our-work/complaint-information-service/fact-sheet-respectwork-changes-sex-discrimination-act-1984-ahrc-act-1986-december-2022*.

[45] For example, with respect to actions commencing in the AHRC, the website and legislation confers clear lines and processes leading towards conciliation and then the Federal Court (see *https://humanrights.gov.au/complaints/make-complaint*).

[46] Ibid.

[47] Readers are invited to visit the Federal Attorney-General's page on remedies which provide the authoritative basis for these actions (eg ICCRP, CEDAW) as well as the types of remedies available – apology, monetary compensation, reinstatement or promotion etc. *https://www.ag.gov.au/rights-and-protections/human-rights-and-anti-discrimination/human-rights-scrutiny/public-sector-guidance-sheets/right-effective-remedy#:~:text=If%20the%20complaint%20is%20not,a%20combination%20of%20these%20remedies*.

[48] The process stands outside of sports adjudication contexts.

[49] For more information on advocacy in this space, see the AHRC's Free + Equal reports and the draft Bill of Rights, available at *https://humanrights.gov.au/free-and-equal*.

[50] See, for example, the *Family Law Act 1975* (Cth) at Division 1.

[51] For more see the consultation papers on reforms to the ASC Act, *https://consultations.health.gov.au/office-for-sport-1/review-of-the-asc-act/#:~:text=Why%20your%20views%20matter,for%20amendments%20to%20the%20Act.&text=Please%20ensure%20you%20have%20read,continue%20with%20an%20online%20submission* and, for submission examples: *https://consultations.health.gov.au/office-for-sport-1/review-of-the-asc-act/consultation/published_select_respondent*.

[52] *Human Rights Act 2019* (Qld) s26 'child's best interests'; *Charter of Human Rights and Responsibilities Act 2006* (Vic) s17 'as in the child's best interests'; *Human Rights Act 2004* (ACT) s11 'every child has the right to protection needed by the child' rather than 'best interests'.

However, these same instruments refrain from replicating Article 19.[53] Additionally, these instruments confine their scope to public entities,[54] a problematic limit considering Australian sport is largely delivered through private club arrangements. Accountability is assigned to specific regulatory bodies as outlined in the Acts, with these meeting the four Yeung & Ranchordás criteria.[55]

### *2.2 Integrity related instruments*

In 2005 the United Nations Educational, Scientific and Cultural Organisation (UNESCO) drafted a Convention Against Doping in Sport designed to eliminate doping in sport and harmonise practices internationally to ensure a comprehensive and fair testing regime.[56]

Additionally, the World Anti-Doping Association (WADA) introduced a universal anti-doping Code to ensure athletes would adhere to consistent rules.[57] In 2006 the Australian government launched the Australian Sports Anti-Doping Authority (ASADA) to undertake, among other functions, the regulation of doping matters and enforcing the WADA Code.[58] We note no equivalent Code for safeguarding in sport.[59]

In the next decade, the Council of Europe shaped a Convention on the Manipulation of Sports Competition (the Macolin Convention).[60] This requires public authorities to co-operate with sports bodies, betting operators and competition organisers to prevent, detect and sanction those who manipulate sports competition outcomes.[61] Australia considered signing but needed to consider how this could be achieved (see 2.2.1).

---

[53] Ibid. There are, however, protections from cruel, inhuman or degrading treatment in all of the above (Qld s17; Vic s10; ACT s10).

[54] *Human Rights Act 2019* (Qld) Division 2 s9; *Charter of Human Rights and Responsibilities Act 2006* (Vic) Part 1 s4; Human Rights Act 2004 (ACT) Part 5A.

[55] The federal level being regulated by the AHRC, Fair Work Commission and state level regulated through Qld HR Commission at Part 4; in Victoria the Victorian Equal Opportunity and Human Rights Commission Part 4 and see *https://www.humanrights.vic.gov.au/complaints/make-a-complaint/*; ACT Human Rights Commission: see *https://www.hrc.act.gov.au/complaints*.

[56] Aus Parliament Business at 'Chapter 2 UNESCO Convention Against Doping in Sport' *https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Completed_Inquiries/jsct/9november2005/chapter2#:~:text=The%20United%20Nations%20Educational%2C%20Scientific,are%20subject%20to%20a%20comprehensive.*

[57] For more information see *https://www.wada-ama.org/en/what-we-do/world-anti-doping-code*, noting the agency publishes a legal opinion on the Code by the European Court of Human Rights former present Judge Jean-Paul Costa.

[58] See SIA's timeline at *https://www.sportintegrity.gov.au/what-we-do/anti-doping#:~:text=2006%20%E2%80%93%20The%20Australian%20Sports%20Anti,Doping%20Code%20comes%20into%20force.*

[59] In so far as the authors of this paper can ascertain.

[60] *https://www.coe.int/en/web/sport/macolin.*

[61] Ibid.

### *2.2.1 Wood Review*

In the wake of the Macolin Convention (MC), the Australian government initiated a national inquiry into current 'threats' to sport integrity.[62] Popularly known as the Wood Review, findings included that Australia should become a party to Macolin, introduce national match fixing offences, roll out a national Sports Wagering Scheme and legislate for a national sports tribunal.[63] The Wood Review also noted it was 'equally important' to address other integrity issues, namely harassment, bullying, discrimination, child protection, and health and safety issues.[64] 'Integrity' would now include participant welfare and protection.[65] Consistency would be achieved by the fact that only one agency would examine a broad spectrum of ethical issues.

In response to the Review, the government proposed a new body to investigate threats to integrity.[66] Australia then signed the MC.[67] When the Bill to introduce Sport Integrity Australia (SIA) underwent parliamentary scrutiny, a legal academic raised concerns including in relation to jurisdictional issues, noting the MC had not been ratified.[68]

### *2.2.2 Formation of Sport Integrity Australia (SIA)*

On July 1, 2020, the newly formed SIA was empowered to prevent, respond, and regulate threats to sports integrity noted as competition manipulation, the use of drugs or doping methods, failure to protect members of sporting organisations from bullying, intimidation, discrimination, or harassment and 'the abuse of children and other members in sport'.[69] Legislation also conferred powers to draft policies (s21 (1) (g)), and investigate complaints (s21 (1) (jac)).

Under this definition, SIA could now investigate instances where children alleged abuse in sport. Inherent in this work is the risk of re-traumatisation.[70]

---

[62] Department of Health, *Report of the Review of Australia's Sport Integrity Arrangements,* 2018. This is a 280-page long document surveying current capacities, and foreseeable challenges, taking into account doping threats, competition manipulation, dispute resolution, and template policies on match fixing and illicit drugs. See *https://www.sportintegrity.gov.au/sites/default/files/Report%20of%20the%20review%20of%20Australia%E2%80%99s%20Sports%20Integrity%20Arrangements.pdf.*

[63] Ibid., 13.

[64] Ibid., 37.

[65] Ibid., 38-39.

[66] Dept of Health, *Safeguarding the Integrity of Sport – the Government Responses to the Wood Review*, 2018 Recommendation 38-52, 19.

[67] Council of Europe, 'Australia signs the Convention on the Manipulation of Sports Competitions', *News: 2019,* February 1, 2019. Visit *https://www.coe.int/en/web/portal/-/australia-signs-the-convention-on-the-manipulation-of-sports-competitions.*

[68] A. Greenhow, see note 25. Dr Greenhow noted, at p8 of her report, that the scope to act was too narrow and did not include health and safety issues.

[69] *Sport Integrity Australia Act* 2020 (Cth) s4.

[70] D. M Pence, *Trauma-Informed Forensic Child Maltreatment Investigations*, *Child Welfare*, Vol 90, (6), 2011, 49, 50.

Mitigating harm requires a specialist skill involving knowledge of childhood development, trauma, and its effects on memory.[71] Results were problematic, as seen in the case of *Gymnastics Ethics Foundation v Gymnastics Australia* [GEF DC 2025.01.13].[72] With reference to "Case One"[73] a child's guardian complainant alleged abuse in a Gymnastics Australia (GA) context, and brought the matter to SIA for investigating under a temporary Supplementary Complaints Management Policy (SCMP), co-written by GA, the NST and SIA.[74] The SCMP policy involved GA undertaking to adopt SIA's findings without change.[75] Findings could include substantiated, unsubstantiated and "neither substantiated nor unsubstantiated".[76] After Case One was not substantiated, SIA and GA told the complainant the matter was closed, the policy providing no avenue for appeal.[77] Case One applied for declaratory relief to the International Federation (IF)'s Gymnastics Ethics Foundation (GEF) arguing SIA's interview processes and GA's subsequent endorsement of these practices breached the IF's international ethical codes.[78] The GEF's Disciplinary Committee (GEF DC) held that GA failed to appropriately delegate, instruct and supervise its investigative responsibilities, encompassing a failure to exercise a trauma-informed approach and failing to interview all available witnesses. As a result, GA failed to uphold the IF's international codes protecting children's rights.[79]

Applying Biermann's model, core institutions are the IF, GEF and the GEF DC, with core norms being the international codes. Core institutions at Australian Federal level were GA and SIA, operating under core norms that the GEF DC held were not aligned with the IF's. This fragmentation resulted in harm to a young athlete, avoidable if core norms had been aligned.

The four Yeung & Ranchordás criteria were met, including that the GEF DC had the remit and delivered declaratory relief, including publication of the consequence.

---

[71] Authorities including Dr Jennifer Fraser, per *The Bullied Brain*, Prometheus, 2022. In Australia, a variety of organisations provide knowledge and training to assist industry practice including Phoenix and the Blue Knot Foundation.

[72] *https://www.gymnasticsethicsfoundation.org/_files/ugd/80218c_6a6dd43eb38b4ddc89646 1eee9e77458.pdf.*

[73] Paragraph 17.

[74] Aus Government, *SIA and NST in support of the Gymnastics Australia Supplementary Complaints Management Process* at *https://www.nationalsportstribunal.gov.au/sites/default/files/files/2020-09/statement-of-support-for-the-gymnastics-australia-supplementary-complaints-management-process.pd*f.

[75] SCMP Cl 6.4.

[76] SCMP Cl 6.3 (a).

[77] SCMP Cl 7, where it notes only respondents have a right of appeal.

[78] The GEF noting SIA failed to interview key witnesses [paragraph 17]; and was in breach of FIG Article 3, FIG Code of Discipline; Article 6.4 of the FIG Policy and Procedure for Safeguarding and Protecting Participants in Gymnastics which obliges members not to engage in, allow or condone or ignore incidents of harassment and abuse and be supportive of other participants who report concerns; and Article 1(a) of the 2019 FIG Code of Ethics which provides that the 'respect of human rights and dignity is a fundamental requirement during all activities of the sport of gymnastics on a national and international level.', paragraph 48.

[79] Ibid., paragraph 87.

### *2.2.3 National Integrity Framework (NIF)*

In 2021, SIA rolled out its National Integrity Framework (NIF), comprising six policies including competition manipulation, complaints, child abuse and member protection.[80] NSOs agreed to be bound by the NIF,[81] with observers noting this was a condition of funding.[82] The first NIF policy suite ensured child and adult complainants could access independent investigation processes through SIA – an approach recommended by bodies such as the Australian Human Rights Commission (AHRC) and the RC.[83] At the NIF's launch, SIA clarified it could not accept cases related to whistleblower disclosures, selection disputes, personal grievances, Code of Conduct breaches, governance misconduct, employment disputes,[84] those involving competition-related rules, and historical matters occurring prior to the date the NSO adopted the NIF, unless in special circumstances.[85]

In early 2023, SIA advised NSOs under the NIF that due to 'jurisdictional issues' the system required immediate change.[86] NSOs would now need to adopt a revised complaints policy.[87] SIA would no longer take on investigations other than child safeguarding or discrimination in relation to a protected characteristic.[88] Given Australia had not ratified the MC, SIA also could not investigate manipulation of sporting competitions.[89] SIA also informs its constituency it has no mandate to issue sanctions or enforce penalties – only the NSOs can do this.[90]

These 'jurisdictional issues' mean participants aged 18 and over alleging abuse cannot access SIA's independent complaints process, meaning this cohort

[80] Sport Integrity Australia, *Understanding the National Integrity Framework,* 2022, 1 at 6: National Integrity Framework Policy, Child Safeguarding Policy, Competition Manipulation and Sports Wagering Policy, Member Protection Policy, Improper Use of Drugs and Medicines Policy & Complaints, Disputes and Disciplinary Policy.

[81] SIA provides a list of organisations that have signed on at *https://www.sportintegrity.gov.au/what-we-do/national-integrity-framework/sports-signed-national-integrity-framework*.

[82] J. Maiden, *The Current Status of the National Integrity Framework*, Mullins Lawyers, *https://www.mullinslawyers.com.au/resources/the-current-status-of-the-national-integrity-framework/*.

[83] Australian Human Rights Commission, *Change the Routine*, 2021, 82: noting recommendation nine: All matters regarding child abuse and neglect, misconduct, bullying, sexual harassment and assault be investigated externally of the sport; this will 'limit any potential, actual or perceived conflict of interest or loyalty to organisation rather than the individual'

[84] If decision-makers identify the matter as an employment dispute, it may go through a workplace commission process. This, however, is not driven by the complainant, who has no standing.

[85] Examples include the SCMP, note 73.

[86] Ibid, note 81.

[87] Ibid.

[88] Ibid.

[89] Ibid.

[90] See also the CDDP at Cl 8 Resolution Process noting the NSO 'must implement an appropriate resolution process' (eg GA CDDP v4 8.2 (a). Also note in the doping context, Caxton Community Legal Centre, 'Anti-doping bodies and framework' Queensland Law Handbook at *https://queenslandlawhandbook.org.au/the-queensland-law-handbook/health-and-wellbeing/sport/drugs-in-sport/#:~:text=Procedural%20issues,policy%20of%20the%20particular%20sport* noting 'Sport Integrity Australia is a testing authority and does not act as a disciplinary body'.

will need to use a system the AHRC had already identified as fraught with issues including conflicts of interests, procedural anomalies, and compromised expertise.[91] Advocates, supported by a two-thousand-plus strong signature base, argue these jurisdictional issues risk further harm to all Australian athletes.[92]

Advocates raise concerns on two bases. The first relates to arbitrariness. Whether a person is aged 17 or 18 should not be a deciding factor in safeguarding against abuse in sport, which requires a whole-of-system response. The second relates to capacity. Research, they note, indicates children are often too afraid to speak out, with parents equally so.[93] To mitigate, the system needs to allow watchful adults to raise complaints on their behalf. Excluding adults, they argue, undermines child safety, a point discussed further in Section 4.

When applying Biermann's model to the NIF, the core institution is SIA, with nested institutions being the NSOs. The institution of advocacy – if it can be described as such – stands outside this arrangement and challenges the core norm in relation to the government's position on jurisdiction. To understand how accountability works in this case we refer back to Section 1 of this paper, noting parliament is accountable to the citizenry. Parliament, in this case, is represented by the Federal Sports Minister,[94] who has authority to call the matter up for review,[95] a point revisited in Section 6.

### *2.2.4 National Sports Tribunal*

Pursuant to the Wood Review, the Australian government initiated, through the *National Sports Tribunal Act 2019* (Cth), a body to provide an 'effective, efficient, independent, transparent and specialist tribunal for the fair hearing and resolution of sporting disputes' (s3 (1)). This body features three divisions, namely anti-doping, general and appeals (s11). The General Division handles matters including disciplinary, selection and eligibility, bullying, harassment and discrimination, and other disputes as approved by the CEO (s26). A complainant has no inherent right to appeal to this body other than through constituent documents[96] or prior agreement.

---

[91] Ibid, note 83, also 80 on procedural fairness in relation to the NCE investigation.

[92] See *https://www.change.org/p/expand-sport-integrity-australia-s-responsibilities-to-safeguard-all-athletes-from-abuse?utm_source=National-media&utm_campaign=ProtectAllAthletes&utm_content=Sports&utm_term=500-1000&utm_medium=National-petition.*

[93] "Cultures of silence" are among the barriers reported in RC Vol 14 at 131-136; also noted in multiple critiques of Australian sport systems including *Change the Routine.*

[94] A. Wells recently addressed a Sport Integrity Forum, where she noted the importance of protecting young people in sport and resourcing sports bodies with strategies to prevent harm and abuse occurring: *https://www.mullinslawyers.com.au/resources/the-current-status-of-the-national-integrity-framework/.*

[95] Through, for example, tabling reports, inquiries, questions on notice, reference to parliamentary committees and making Ministerial statements. Additionally, Ministerial activism can include reaching out to other nations with similar issues and initiating bi-lateral or multilateral treaties, as noted in Part 6.

[96] National Sports Tribunal *Bench Book - 2020.* 1, 10.

The NST sits within the Department of Health, Disability and Ageing. Guidelines on how to run child-focussed complaints processes emanate from the National Office for Child Safety (NOCS), within the Federal Attorney-General's Department (AGD).[97] For core norms to be integrated, these two bodies need to work synergistically, including at the legislative level. To date, and much like SIA, the NST legislation does not have a specialist division for children and does not mandate trauma-informed (TI) processes. At an administrative level the NST CEO notes appointed Members are required to indicate if they have experience in this regard so they may be allocated hearings where appropriate.[98]

Applying the Biermann model, the core institution, the NST, includes actor constellations who bring their conflicting norms to the table. In relation to fragmentation type, the NST makes an administrative bid to align with the AGD child-focussed complaints processes, suggesting core norms are synergistic rather than conflictive, but not yet noted in legislation.

With respect to accountability, the NST pays regard to the *process* of accountability, rather than being a regulator, *per se.* The legislation confers limited inherent powers on the NST to enhance its capacity for scrutiny, the second of Yeung & Ranchordás's criteria. This arguably increases the system's protective capacity.

## *3. Australia's criminal & civil landscape*

Where informal processes contain barriers to justice, athletes may consider criminal and civil justice processes. This paper now considers these processes through the lens of fragmentation and accountability.

### *3.1 Domestic criminal laws*

Under Australia's Constitutional arrangements, criminal matters are largely in the jurisdictional province of the States. Recent reports note many laws prohibiting CSA and Child Sexual Abuse Material (CSAM) are now relatively harmonised.[99] A more pressing issue for sport is fragmentation related to forms of abuse police regard as falling below the criminal threshold. Here, this paper notes police officers may regard incidents of abuse (psychological, physical or neglect) as insufficiently serious, or out of scope, given the remit is traditionally shaped to address harm to children in domestic contexts.[100] To date, some evidence exists to indicate this remit is broadening. The NSW *Crimes Act 1900* gives police capacity to prosecute

[97] See, for example, National Office for Child Safety (NOCS) *Complaint Handling Guide: Upholding the Rights of children and young people*, 2nd edition, 2020.

[98] With acknowledgements from the NST CEO in response to this specific inquiry. Email dated 11/6/25 with CEO NST stating trauma-informed experience is taken into account when appointing a member to hear matters.

[99] Ibid, note 24. At p (iii): contact sexual offences, imaged-based sexual abuse and CSAM offences. See also consent (xx) and conduct (xxii).

for harassment, stalking or intimidation in school contexts (60E (1), s61), but noting no equivalent provision for intervention in sport contexts.

Applying Biermann's model, police core norms may not align with sport child protection policies, indicating conflictive fragmentation.

Applying Yeung & Ranchordás accountability criteria, at the level of criminal justice systems, it is clear who has duty to explain to police, who has the remit for scrutiny and who will, if core norms are sufficiently integrated, bring the case to court to facilitate consequences. For other abuse types, accountability reverts back to the NSO's policies on dispute and disciplinary processes.

### *3.1.1 Reforms driven forward by the RC*

In the wake of the RC, the following State and Territory based measures have either been introduced or strengthened:

i) *Working With Children Check schemes* (WWCCs). These long-standing statutory schemes aim to ensure staff hire suitable people to work with children, the system flagging applicants with problematic child-related histories.[101] The Schemes envisage sport contexts,[102] but contain exemptions,[103] among them the class of people who are parents or close relatives volunteering at their child's school or activities. In NSW exemptions extend to referees and linesmen.[104]

ii) *Mandatory Reporting Schemes.* These schemes create a legal obligation for parties, under certain circumstances, to report CSA (and, in some jurisdictions, other forms of abuse) to government authorities.[105] The Scheme applies to individuals whose work gives them unique access to children and the expertise to identify abuse more readily than the general community.[106] Laws vary from State

[100] N. Barker-Ruchti et al, '*What parents and youth athletes can do to protect against abuse in sport*', *The Conversation*, June 3, 2025. The article notes that in school it would be unacceptable for a teacher to scream at a child who performed poorly on a test but in sports contexts, screaming can be a normative strategy used to correct a child's behaviour.

[101] Noted as disqualifying offences, eg *Child Protection (Working with Children)Act* 2012 (NSW) Schedule 2.

[102] Ibid., paragraph 6(2) (d) 'clubs or other bodies providing services to children'.

[103] For a more comprehensive breakdown, visit the National Office for Child Safety 'About Working with Children Checks' at *https://www.childsafety.gov.au/what-we-do/working-children-check-reform#:~:text=Working%20with%20children%20 check%20reforms%20are%20progressing, for%20sharing%20child%20safety%20and%20wellbeing%20information.&text =A%20single%20screening%20 unit%20has%20been%20set,issue%20the%20resulting %20cards%2C%20registrations %20or%20permits*.

[104] Child Protection (Working with Children) Regulation 2013. In a bid to better harmonise the scheme, the Federal government works through Measure 3 of the National Strategy to Prevent and Respond to Child Sexual Abuse (2021-2030) to discuss ways to harmonise the Scheme more effectively. See the National Office for Child Safety notes at *https://www.childsafety.gov.au/ resources/national-strategy-prevent-and-respond-child-sexual-abuse-2021-2030.*

[105] The Australian Institute of Family Studies offers resources sheets, ie see *https://aifs.gov.au/ resources/resource-sheets/mandatory-reporting-child-abuse-and-neglect.*

[106] Fact sheet at *https://www.act.gov.au/__data/assets/pdf_file/0010/1397665/Mandatory-Reporting-Changes.pdf.*

to State as to who must report, the level of assurance required, and abuse types. Reporting does not guarantee intervention.[107] Sport personnel are generally not mandatory reporters with the exception of NT and SA.[108]

iii) *Failure to Report, Protect or Prevent.* These schemes shift the onus of reporting child abuse to the population at large, with variations across all states except the NT.[109] With regard to abuse types, the NSW mandate arises in a range of child-related offences (*Crimes Act 1900* (NSW) s43B.) Additionally, Tasmania's laws cover the responsibility to prevent abuse or neglect more generally (*Children, Young Persons and their Families Act* 1997 (Tas) s13).

iv) *Failure to Manage Risk.* Here, all Victorian organisations, including sport-related ones, must address the way they handle CSA complaints and manage risks (s49O (7) (a) (xii)) of the *Crimes Act 1958* (Vic). Elements are that: a) a person with authority to protect a child within a relevant organisation knows there is a substantial risk a child will become the victim of a sexual offence; b) has the power to remove this risk; and c) negligently fails to do so. This law does not address other abuse forms.

v) *Reportable Conduct Schemes*. These schemes aim to provide independent oversight of how organisations exercise, care, supervision, or authority over children, including complaints handling.[110] Whilst these schemes are arguably *extremely* relevant to sport, the RC recommended they should not extend to this context, citing the steep regulatory burden it would place on this sector and noting how sport structures are too diverse to regulate.[111]

vi) *Child Safe Organisations legislation*. This type of State and Territory legislation aims to ensure organisations introduce cultural and structural changes by applying a universal set of principles called the Child Safe Standards (or Principles at the Federal level). Most states have introduced legislation to this effect[112] with outliers being WA and the NT.[113] The ten Principles/Standards are:

1. Child safety is embedded in institutional leadership, governance, and culture
2. Children participate in decisions affecting them and are taken seriously

[107] Ibid., 90.

[108] In the NT, *all* people are designated mandatory reporters, per the *Care and Protection of Children Act 2007* (NT) s15, 16, 26, and 26 (2) and in relation to a range of abuse types. In South Australia, the *Children and Young People (Safety) Act 2017* s17 the test is whether a child is at risk of suffering harm; s30 (3) (h) re sports for children.

[109] Cth: Criminal Code Act 1995 s273B.4; ACT Crimes Act 1900 s36B; s66A; NSW Crimes Act 1900 s43B; Qld: Criminal Code 1899 s229BB; SA: Criminal Law Consolidation Act 1935 s65; Tas Criminal Code Act 1924 s125E; Vic Crimes Act 1958 s49O; WA Children and Community Services Act 2004 s101.

[110] For more, see Volume Seven of the RC at *https://www.childabuseroyalcommission.gov.au/improving-institutional-responding-and-reporting.*

[111] Ibid, 293-94.

[112] *Human Rights Commission Act 2005* (ACT) Part 5A; *Children's Guardian Act 2019* (NSW) Div 2; *Qld Child Safe Organisations Act 2024* (Qld) Ch 2; *Children and Young People (Safety) Act 2017* (SA) Ch 8 (partial); *Child and Youth Safe Organisations Act 2023* (Tas) Part 3; *Child and Wellbeing Safety Act 2005* (Vic) Div 1.

[113] *Education Act 2015* s4 guiding principles only.

3. Families and communities are informed and involved
4. Equity is upheld and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of CSA are child focused
7. Staff are equipped with the knowledge, skills, and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the child safe standards is continuously reviewed and improved
10. Policies and procedures document how the institution is child safe.

Victoria's model includes another Standard related to creating a culturally safe environment for Aboriginal children and young people, elsewhere noted as a 'universal' principle.[114]

Nominated State regulators oversee the Standards' implementation, can monitor compliance, and issue notices where organisations depart from core norms. While individuals cannot secure standing to act, they may report misconduct so that the regulator can investigate and apply penalties in the breach.[115]

The Federal level has no equivalent regulator.[116] Rather, nominated bodies report on their compliance with the Principles to the National Office for Child Safety (NOCS) within the AGD.[117] NOCS's remit is to assess compliance against specified Commonwealth bodies[118] where norms are conveyed through the Commonwealth Child Safe Framework (CCSF). Compliance includes demonstrating how strategies to identify and manage risk are being applied to their contexts.[119]

The Standards and Principles are a clear pitch towards institutional nesting, common core norms, and engaging a few key regulators to manage thousands of actor constellations. The fragmentation type aims for synergistic, but the sheer number of actor constellations introduces challenges.

State-level accountability is clear. The regulator provides a duty to explain, and legislation outlines consequences. At the Federal level, accountability is problematic, there being an absence of any *Child Safe Organisations Act* nominating a regulator.

---

[114] Eg. s11 (2) *Child Safe Organisations Act 2024* (Qld).

[115] Eg. s21 *Child Safe Organisations Act 2024* (Qld).

[116] The Commonwealth approach is to measure selected federal bodies against the Cth Child Safe Framework, discussed later, noting annual compliance reports are mandatory for non-corporate Cth entities such as SIA and not for statutory entities such as the NST.

[117] For more information visit NOCS at *https://www.childsafety.gov.au/what-we-do/lead-commonwealth-child-safe-framework.*

[118] Non-corporate Commonwealth entities under the *Public Governance, Performance and Accountability Act 2013* (Cth), noting s11 (b) applies to SIA as a non-corporate Commonwealth entity.

[119] Per the Commonwealth Child Safe Framework – visit *https://www.childsafety.gov.au/what-we-do/lead-commonwealth-child-safe-framework.*

### *3.2 Civil litigation*

Unlike the Standards and Principles, civil litigation is not generally and consistently associated with systemic reform. Common torts such as negligence operate 'after the fact' and pursuant to the individual being harmed. Processes may not remove an offender from play. With this said, judicial precedents can serve to harmonise core norms and trigger reforms across a large number of actor constellations.

In this process, accountability is evident. Courts hold the remit for scrutiny, consequences, and offer athletes a forum for independent review. Published precedents bolster this form of accountability. The degree to which a process is transparent to the public is not identified as criteria in the Yeung & Ranchordás (2024) model, a limitation of this model.

## *4. Australia's Policy landscape*

SIA's National Integrity Framework (NIF) aims for consistency.[120] Almost all Australian NSOs have adopted these policies, or aligned with them, but recognising some bodies still stand outside its remit, such as recreational sports bodies invested in teaching swimming or gymnastics, where many young children practice their sport.

SIA's latest child protection policies are the Safeguarding Children and Young People Policy (SCYPP) and the Complaints, Disputes and Discipline Policy (CDDP), both stand-alone but working synergistically. These are SIA's second iterations, after consultations with NSOs on issues arising in the first version. Unlike templated policies in place before the NIF, these policies do not have an initial part outlining the NSOs governance principles, values, and mission statements. This has implications for governance fragmentation, discussed in Section 5.

### *4.1 Safeguarding Children and Young People Policy (SCYPP)*

In the first of this six-part policy, a summarised 'Policy Intent' outlines the NSO's commitment to promoting the welfare of children by providing a safe and inclusive environment (Cl 1). Child abuse definitions are extensive, encompassing physical, emotional, sexual, neglect and exposure to domestic violence, as well as grooming (Cl 2). Harmful Behaviour Towards a Child/Young Person includes excessive or unnecessary emphasis on appearance, weight requirements or muscularity such that it leads restrictive eating or weight-related unsafe practices (Cl 2). Harmful practices encompass online threats or humiliating conduct, discussions of a sexual nature and taking inappropriate footage of a child/young person (Cl 2).

[120] Victorian State Government, National Integrity Framework, *https://sport.vic.gov.au/resources/national-integrity-framework.*

Part 4, Prohibited Conduct (PC), identifies the actions that will give rise to the potential for a complaint, extending forms of child abuse further to recognise participants will breach the SCYPP when they victimise others, supply drugs and alcohol to a child, request a child keep a secret, supply medicines without parental or guardian consent (unless in case of emergency) or demonstrate a failure to comply with the Child Safe Practices discussed further below. A second dimension to PC relates to people in positions of authority (Cl 4.2) who commit PC if they continue to employ a person charged or convicted of a child-relevant crime, a point carried through to Organisational Prohibited Conduct (cl 4.3) which includes screening failures.

At Reporting and Complaints (Cl 5), only those 'directly affected' by abuse are deemed Complainants. This class may submit their allegations to SIA or the NSO (5 (a)) in line with the CDDP (Cl 5 (a)). SIA can assess if a matter is in scope and determine whether it will investigate or transfer the matter back to the NSO (CDDP Cl 5). Guidance is through the Case Categorisation process described at 4.2.

Codes of Behaviour (Annexure B) cover breaches of professional boundaries, the disciplining of children, failing to supervise, social media misconduct, obligations in relation to photographs of children, protocols regarding physical contact with children, and how to manage overnight stays, sleeping, change room environs and the transport of children.

### *4.2 Complaints, Disputes and Discipline Policy (CDDP)*

Separate from the SCYPP is the CDDP. In Policy Intent (Cl 1), the NSO/SIA notes allegations will be managed through an 'effective, consistent, and timely process, which is fair and transparent'. It is not clear how these principles are defined or measured.

At Definitions, the CDDP introduces the Case Categorisation Model (Cl 3). This Model, published on SIA's website, helps organisations evaluate and prioritise allegations of PC as well guiding them on appropriate sanctions.[121]

A person or organisation will breach the CDDP if they fail to report conduct reasonably likely to be prohibited to the NSO or SIA as soon as reasonably practical after they become aware of it and without reasonable cause (Cl 5.1). Additionally, a person or organisation must not deliberately or wilfully withhold information in relation to any conduct reasonably likely to be PC. Individual or organisations will provide further information or documentation as requested by SIA or the NSO during the complaints process unless they have reasonable cause to withhold information.

---

[121] SIA, *Guidance for Complaint management and sanctioning*, January 2024, at *https://www.sportintegrity.gov.au/sites/default/files/SIA276-0124%20NIF-GUIDANCE-FOR-COMPLAINTS-MANAGEMENT-and-SANCTIONING_ACCESSIBLE.pdf.*

PC also includes failing to comply with a breach notice, knowingly providing inaccurate information or misleading information in the course of a complaints process, or breaching confidentiality provisions. NSOs may initiate disciplinary action if the organisation becomes aware of PC listed above (Cl 5.1 (a)-(c)). Policy does not identify any pathway if the NSOs themselves are the bodies that commit this form of PC.

SIA may regard the complaint as out of scope for multiple reasons (Cl 7), including that it is vexatious (Cl 7.1 (d)), better managed by the NSO (7.1 (b)), regarded as an employment dispute (6.7 (b), or otherwise out SIA's jurisdiction (Cl 6.7).

With respect to investigative rigour, SIA points towards the Australian Government Investigation Standards (AGIS) standards.[122] These encourage SIA to identify issues that undermine public confidence in the agency's systems.[123] The Standards require assessments in relation to experts, and specialist services.[124] Critically, TI training is not discussed.[125]

Cutting across all the provisions above is the fact that complainants lack the right to fact-check respondent inputs and thereby assess whether information they give to investigators is inaccurate or misleading, such that it would breach the above-mentioned CDDP provisions. This means basic erroneous inputs may carry forward into SIA outcomes. When NSOs adopt these faulty conclusions, this can result in cascading ineffective risk management, and children's sustained exposure to harm.

Barriers to complainants' capacity to fact check respondent inputs may arise as a result of SIA decision-makers' overly cautious interpretation of 'protected information'.[126] Recognising this issue, lawmakers introduce provisions such as s68 of the Act, exceptions in the *Privacy Act 1988* (Cth) and provisions in the *Freedom of Information Act 1982* (Cth). These instruments all recognise the need to achieve a balance between privacy and SIA being able to achieve the tasks it is entrusted to carry out.[127] A system that inculcates errors will thwart SIA's purposes, which include addressing threats to integrity, such as child abuse. Legitimacy is further undermined when SIA fails to interview key witnesses for the complainants, as noted in the GEF DC finding, an institutional approach which furthers harm to children.

---

[122] Australian Federal Police, *Australian Government Investigation Standards*, October 2022.
[123] Ibid., 10.
[124] Ibid., 15.
[125] Ibid., and applying the search terms 'trauma' and 'child' – noting children are also not mentioned.
[126] See SIA s67. Defined at s4 of the SIA Act as data obtained under the Act relating to the 'affairs of a person' and which is reasonably capable of identifying that person.
[127] See s16A (1) of the Privacy Act which authorises an agency to disclosure information where it is necessary for the authority to take appropriate action, including to prevent a threat to safety. Under the Freedom of Information Act 1982 (Cth), s50 the agency may also amend the record where information is incorrect, out of date or misleading.

A finding of 'substantiated' will result in a breach notice to the respondent (Cl 8.5) who may elect to accept or appeal (Cl 8.5 (b). If the matter is eligible to proceed to the NST (noted at 2.2.3), it may hear the case (Cl 8.6 (b)) but noting the critical antecedent – consent of all parties.[128] A complainant cannot access the NST unless the NSO consents, either by constituent documents[129] or agreement. 'Constituent documents', a phrase not defined in the Act, includes policies.[130]

Critically for complainants – such as children – the CDDP does not provide any automatic standing for them to appeal outcomes where allegations are not substantiated (Cl 8). If 'unsubstantiated,' the complainant's case is closed (Cl 8.10), unless an NSO agrees there are 'compelling reasons' to re-open it, such as relevant new information.[131] Policy allows the decision to rest with the NSO who may, as the complaint progresses through the system, be implicated as endorsing facts or omissions. Should the NSO refuse a complainants' request to appeal, this can expose young participants to further risks, exacerbate existing power imbalances[132] and trigger retraumatisation.[133]

Where an NSO is required to impose a sanction, it is unclear from the policy how the NSO knows a sanction is carried out. Additionally, it is not clear how a complainant can challenge a lack of enforcement.

Applying Biermann's tool to these policies, these policies represent a significant attempt to introduce synergistic norms to an environment involving IFs, NSOs and SIA, and a high number of actor constellations. While the CRC indicates the need to pay regard to the 'best interests of the child' (Article 3), as noted above the lack of appeal rights inculcates problematic core norms that work against these objects. Additionally, the lack of appeal rights compromises the capacity of both NSO and SIA to improve investigation processes, manage risk within the NSO and prevent harm to athletes.

Accountability is clear. Sanctions cannot be issued by SIA, with the NSO entrusted to do this work. The NSO has the remit for scrutiny and consequences. The degree to which processes meet the 'independent review' criteria will vary considerably from club to club, sport to sport.

An added complication is that the same agency educating the NSOs on best practice is also tasked to investigate them. Pre-existing relationships are already

---

[128] Readers may explore "Accessing the NST" *https://www.nationalsportstribunal.gov.au/dispute-resolution-services/accessing-nst* and other features of this website, which provide clarity in relation to processes, and diagrammatic assistance.

[129] Ibid. A constituent document may grant this right but currently the CDDP does not.

[130] National Sports Tribunal Bench Book 2020, paragraphs 43-48.

[131] Cl 8.10 (b). this term requires clear definition. The link between this and breaches of natural justice is unclear.

[132] Noting the nature of bullying, perpetrator tactics, domestic violence scenarios and Person in Position of Authority, SCYPP Cl 2.

[133] E. Bowen And N. Murshid, '*Trauma-Informed Social Policy: A conceptual framework for Policy analysis and advocacy*' *American Journal of Public Health*, Vol 106 (2), 223 -226 in relation to empowerment and choice.

in place between these bodies, a position that can disadvantage individuals without the same relational access to SIA.

## 5. *Safeguarding Strategies*

Noting all the policy initiatives listed above, it is clear that civic bodies, governments, and survivors alike have invested considerable effort and time in the mission to keep children safe in sport.[134] Nevertheless the system features fragmentation and accountability gaps. We now discuss government-led strategies that aim to address these issues.

### *5.1 National Integrity Managers (NIMs)*

Written into policies are the roles of federally-funded National Integrity Managers (NIM),[135] embedded into NSOs to ensure a safe, fair, and clean environment. NIMs are empowered to conduct investigations.[136] Nevertheless their chief role is stated to be educating and training members on policies so all understand their rights and responsibilities.[137] In a recent survey NIMs said it is rare they are freed up enough to undertake this educational role, and generally serve as a complaints manager.[138] Some report suffering burn out and fatigue associated with a high staff turnover.[139] NIMs regard it as essential more money be invested in developing these roles.[140] Some NIMs report they receive considerable support[141] and are now championing complaints officers at different levels (eg clubs/ state bodies).[142] This approach, if adopted on a larger scale, would help achieve vertical integration[143] through shared norms that may lead to more synergistic outcomes.[144]

---

[134] Examples of prominent civic bodies include Bravehearts, the Carly Ryan Foundation, the Daniel Morcombe Foundation, and the Australian Childhood Foundation.

[135] For more information visit the SIA website eg *https://www.sportintegrity.gov.au/news/integrity-blog/2023-11/national-integrity-manager-network-share-experiences*. Previously, under ASC-templated child protection policies, the system provided for Member Protection Information Officers (MPIOs) who played a critical role in supporting complainants and respondents through complaints processes and some level of oversight. These roles were (inexplicably) removed from NIF policy and now only operate informally.

[136] Ibid.

[137] Ibid.

[138] SIA, *Integrity Matters,* Issue 17, 23-25.

[139] Ibid.

[140] Ibid.

[141] Ibid.

[142] SIA, 'Austriathlon Embedding Integrity at Every Stroke, Pedal and Step' *Integrity Blog,* May 2025, available at *https://www.sportintegrity.gov.au/news/integrity-blog/2025-05/austriathlon-embedding-integrity-every-stroke-pedal-and-step*.

[143] Vertical integration is defined as control mechanisms at each level in the system promulgating down, and informative feedback transferring back up the hierarchy, per K. Dodd, P. M Salmon, C. Solomon and S. McLean, '*Applying a Systems thinking lens to child sexual abuse in sport: an analysis of investigative report findings and recommendations*' *Child Abuse & Neglect*, 165 (2025)1,3.

[144] Ibid.

### *5.2 Game Plan*

SIA does not investigate matters related to governance (CDDP 6.7 (b)), raising serious concerns about who does. Relatedly, a government program called Game Plan expands on the footprint left by the ASC's Mandatory Sports Governance Principles[145] but updated to a digital platform designed to provide sport bodies with insights into their current governance capacity and resources to build on their strengths.[146] A nine-page document prompts users to note how sufficiently they align with the ten/eleven Child Safe Standards.[147] This addresses core norm integration. However, with respect to accountability, it is not always clear how the ASC independently verifies the data or how clubs overcome blind spots.[148] Additionally, consequences for failing to commit to this program are not always entirely clear, systematic, or easily transparent to the public. From time to time, the media note how the ASC visits consequences on non-compliant NSOs.[149]

### *5.3 National Action Plan: SISCIP*

Under a national action plan,[150] SIA's pilot Safeguarding in Sport Continuous Improvement Program (SISCIP)[151] is designed to embed safeguarding practices at all levels of sport.[152] Each NSO receives an action plan informed by a nationally consistent approach.[153] From 24 sports signing up, 16 started the program in 2023-24, and the remainder on-board in 2025.[154] SIA also undertakes to measure its effectiveness.[155] In terms of accountability, it is unclear to the public what consequences arise where NSOs do not sign up or where there are reversals

---

[145] These principles relate to governance more generally, noting that Game Plan is more focussed on safeguarding governance.

[146] See *https://learninghelp.ausport.gov.au/hc/en-au/articles/4407217043353-What-is-Game-Plan#:~:text=Game%20Plan%20is%20a%20digital,build%20and%20support%20ongoing%20development.*

[147] The authors of this article wish to thank SIA and NOCS for providing the full set of Game Plan safeguarding related questions. Sample questions include whether the organisation listens to, and actions, feedback provided by children and young people, with fields that prompt users to supply responses and comments.

[148] For an interesting account of institutional self-assessments and blind spots, see Australian Prudential Regulation Authority, *Information Paper: Self-assessments of governance, accountability and culture*, May 2019, 1, 12.

[149] One recent example is with Ice Skating Australia. *https://www.codesports.com.au/subscribe/news/1/?sourceCode=CSWEB_WRE170_a_GGL&dest=https%3A%2F%2Fwww.codesports.com.au%2Fwinter-olympics-paralympics%2Fice-skating-australia-stripped-of-official-status-following-shocking-abuse-allegations%2Fnews-story%2F002b4593b0bc274dab24cee7767c067c&memtype=anonymous&mode=premium&v21=LOW-Segment-1-SCORE.*

[150] NOCS *National Strategy to Prevent and Response to Child Sexual Abuse* 2021-30.

[151] Sport Integrity Australia, *SIA Corporate Plan 2023-27* 1, 11, 15, 31.

[152] Ibid. 3.

[153] Ibid.

[154] SIA, *Annual Report 2023-24* 1n 38.

[155] Ibid.

in gains. This point is critical given previous observations about a lack of sports governance regulation in this field.

### *5.4 Education: Play by the Rules*

Many clubs lack capacity to run their own educational courses on policy and complaints handling. Historically, *Play by the Rules* (PBTR) has developed a keen reputation for providing advice and support to clubs.[156] Contemporary inputs come from organisations including SIA, ASC and the AHRC.[157] This inculcates core norms at community level, where so many children train. In relation to accountability, SIA indicates it will measure the degree to which these programs are downloaded and used.[158] To date it is unclear what consequences flow on from organisations that fail to commit to undertake courses, or how SIA will measure their implementation and efficacy.

### *5.5 Strategy: Play Well, Win Well*

Anticipating the 2032 Olympic Games cycle, the ASC introduced 'Play Well' with a renewed emphasis on promoting safe, welcoming, inclusive, and fun sporting experiences.[159] The ASC twins this with 'Win Well,' heralded as a collective commitment to balancing ambitious performance goals with a culture of care.[160] The ASC notes the need to be transparent and to measure impact[161] not only in relation to medals but through 'wellbeing measures' featuring phased-in 'horizons' based on developments in integrity landscapes. This suggests core norms set down in integrity policies are integrated with Win Well, but questions still remain in relation to harmonisation with other strategies, who is accountable for which aspects, and consequences when athletes are harmed as a result of failed strategies.

## *6. Conclusion: From Patchwork to Protection*

At the outset of this paper, it was noted how harmonisation and accountability are two factors that play a critical role in protecting children from harm. Through illustrative examples, it is possible to identify where these factors are strong or weak, and where protections and risks to athletes proliferate. Some areas are relatively strong on harmonisation, such as discrimination, sexual harassment, and CSA-related laws, when compared with non-CSA related instruments. These areas also appear to have more evident accountability processes. A second tranche of examples show non-CSA related matters involve weaker accountability processes

[156] RC Vol 14, noting Recommendation 14.3 for the government to further support PBTR.
[157] See *https://www.sportintegrity.gov.au/education/integrity-education-webinar-series.*
[158] Ibid, note 153.
[159] See *https://www.ausport.gov.au/playwell/strategy.*
[160] See *https://www.winwell2032.au/.*
[161] Ibid., note 153, 7.

including investigation efficacy, where oversight is weak, and where the Reportable Conduct Scheme does not apply. A third concern is with the protection of adult cohorts, where fragmentation is problematic and where the literature already acknowledges accountability processes are fraught with issues. A fourth concern is with the lack of legislated guarantees for trauma-informed processes. Without TI processes in place, systems will continue to be inconsistent and potentially unsafe, with harms including victimisation for reporting and re-traumatisation triggered by the complaints process.

A strong approach to standardisation is evident in Australia's national policies (SCYPP and CDDP) where more than 100 NSOs have signed up to the NIF or are aligned.[162] With this said, it is unclear how these policies are then harmonised to meet the individual risk factors for each sport. Policies contain some features that are not aligned with human rights norms including complainants who experience poor investigation processes and lack of procedural fairness, with no right of appeal. In this case, complainants options are to seek justice through international external bodies, if these exist, or rely on civil litigation (or both). SIA's decision to adopt this approach can make the process of securing justice for complainants expensive, trauma-inducing and time consuming, as well as amplifying harm.

Strategies, while synergistic, appear to lack accountability. To date it is unclear how the government is addressing implementation, monitoring and compliance against strategy assertions, what consequences exist for strategy failures, and what independent review mechanisms exist.

These preliminary findings indicate the need for further research, preferably through a tool such as the Biermann model, to ensure future measures are sufficiently harmonised and accountability gaps addressed. Chief among these gaps is the lack of any Constitutional head of power to regulate safeguarding in sport for all athletes. This jurisdictional issue could be addressed by means of the Federal Sports Minister acknowledging the issue and seeking out partners for a bilateral/multilateral treaty with other Federated nations where similar issues prevail. Given our 2032 Olympic positioning, the call is with the Federal Sports Minister to address these issues as a matter of urgency.

[162] SIA updates its lists of NSOs signed up to the NIF on its website at *https://www.sportintegrity.gov.au/what-we-do/national-integrity-framework/sports-signed-national-integrity-framework.*

# SAFE SPORT IN BELGIUM

by *Frea De Keyzer*[*]

SUMMARY: Introduction – 1. The State Legal Framework – 1.1 The Belgian State Structure and Its Impact On Sports Policy – 1.2 General Legislation – 1.2.1 Criminal Law – 1.2.2 Anti-Discrimination Law – 1.2.3 Labour Law – 1.3 Sport Specific Legislation – 1.3.1 Football Act – 1.3.2 The Flemish Safe Sport Climate Decree – 1.3.3 Decree on the sports movement organized in the French Community and the Sports Ethics Decree – 1.3.4 Policy Support – 2. The Sports Regulatory and Policy Framework – 2.1 In General – 2.2 RBFA's good practice: Specific measures combatting discrimination and racism – Conclusions

## *INTRODUCTION*

"Safeguarding" is commonly interpreted as the protection and promotion of physical and mental health and overall wellbeing. Within the context of sport, safeguarding research has primarily focused on relational problems and maltreatment including neglect, bullying, hazing, discrimination and exclusion, emotional, physical, and sexual violence and abuse. Each of these issues can have serious and lasting effects on the individuals involved. A 2021 quantitative study found that in Belgium, nearly three out of four young athletes experienced at least one instance of transgressive behaviour before the age of 18 (CASES report).[1] There is therefore a clear need for a robust policy framework to effectively address these issues. While these

[*] Frea De Keyzer is a post-doctoral researcher at the Institute for Labour Law of KU Leuven (Belgium). She finalised her PhD on Football and Integrity in December 2024. She has assisted the RBFA to develop their new Federal Regulations and since then she's a member of the Disciplinary Council and National Chamber against Racism and Discrimination.

[1] M. HARTILL, B. RULOFS, M. LANG, T. VERTOMMEN, M. ALLROGGEN, E. CIRERA, R. DIKETMUELLER, J. KAMPEN, A. KOHL, M. MARTIN, I. NANU, M. NEETEN, D. SAGE, and E. STATIVA, "*CASES: Child abuse in sport: European Statistics – Project Report*", Ormskirk, UK, Edge Hill University, 2021; T. VERTOMMEN, S. DEMARBAIX, J. KAMPEN and G. VAN HAL, "*CASES: NATIONAL REPORT. The prevalence and characteristics of interpersonal violence against children inside and outside sport in Belgium*", 2021, available at *https://medialibrary.uantwerpen.be/files/9364/19729551-2fba-42c8-856f-645e06632fc1.pdf?_gl=1*f71aqs*_gcl_au*MTgxODYyOTUzNS4xNzUyNTk4MDY1*_ga*NDk4MjY0MDU2LjE3Mjc2OTE4NTM.*_ga_WVC36ZPB1Y*czE3NTI1OTgwNjQkbzIkZzEkdDE 3NTI1OTgwOTAkajM0JGwwJGg0NDYxNjU0MTQ.*

challenges are substantial, Belgium has already developed a range of initiatives at various policy levels that can play a meaningful role in safeguarding within sport. These include federal and regional legislative instruments, as well as institutional frameworks, preventive tools, and sector-specific policies developed by governments, sports federations, and civil society actors. Together, these initiatives lay the groundwork for a more integrated safeguarding approach.

## *1. The State Legal Framework*

### *1.1 The Belgian State Structure and Its Impact on Sports Policy*

Belgium is a federal State with a complex governmental structure consisting of various levels: the federal government, the Flemish, French-speaking, and German-speaking Communities, as well as the Flemish, Walloon, and Brussels-Capital Regions. This structure also results in a highly diverse and, at times, fragmented sports policy in Belgium. Sport is largely regarded as a cultural matter, meaning that the Communities hold primary jurisdiction (Article 4, 9° of the Special Act of 8 August 1980 on Institutional Reform). However, certain aspects of sports that fall under the jurisdiction of the Federal Government (such as labour conditions or the public order and security) or the Regions (such as sports infrastructure).

To obtain a comprehensive understanding of the instruments applicable to safeguarding in sport, it must be recognised that safeguarding issues are not confined to the sports context but often reflect broader problems within society as a whole. This overlap implies that both general legal and policy frameworks and sport-specific measures deserve further explanation and analysis.

### *1.2 General Legislation*

#### *1.2.1 Criminal Law*

Although the Criminal Code is not primarily intended to protect the integrity of sport, but rather to safeguard public order, it can nonetheless provide added value in sports safety – in particular through Title VIII, which concerns crimes and offences against persons.

#### *1.2.2 Anti-Discrimination Law*

In the context of safeguarding – specifically in combating various forms of discrimination and intimidation – reference can be made to anti-discrimination legislation. Under current Belgian law, three key Anti-Discrimination Laws can be identified:

– The Act of 10 May 2007 on combatting certain forms of discrimination (hereinafter the "Anti-Discrimination Act")

– The Act of 30 July 1981 on the sanctioning of certain acts motivated by racism or xenophobia, as amended by the Act of 10 May 2007 (hereinafter the "Anti-Racism Act").

– The Act of 10 May 2007 on combatting discrimination between men and women (hereinafter the "Gender Equality Act").

The regional governments have also drawn inspiration from this approach within the scope of their regional competences. Following the example of the federal legislation, Flanders adopted the Decree of 10 July 2008 establishing a framework for the Flemish equal opportunities and equal treatment policy (hereinafter the "Equal Opportunities Decree"). This is particularly relevant given that sport is a Community competence in Belgium.[2]

The three Belgian anti-discrimination laws aim to combat discrimination based on a limited and exhaustively listed set of protected criteria – that is, a closed system. The Anti-Discrimination Act includes, as protected criteria: age, sexual orientation, marital status, birth, wealth, religion or belief, political opinion, trade union membership, language, state of health, disability, physical or genetic characteristic, or social origin or status (Article 4, 4° of the Anti-Discrimination Act). The Anti-Racism Act is specifically designed to combat discrimination based on nationality, so-called race, skin colour, descent, or national or ethnic origin (Article 4, 4° of the Anti-Racism Act). The Gender Equality Act seeks to prohibit discrimination based on sex, pregnancy, medically assisted reproduction, childbirth, breastfeeding, motherhood, family responsibilities, gender identity, gender expression, sex characteristics, and medical or social transition (Article 4 of the Gender Equality Act).

What is also immediately striking is that the three Belgian anti-discrimination laws share a similar material scope of application, which goes beyond that of the three European anti-discrimination directives.[3] For instance, Article 5 of the Anti-Racism Act provides that the Act applies to all persons and public authorities, in both the public and private sectors, with regard to:

– access to and the provision of goods and services that are available to the public;
– social protection, including social security and healthcare;
– social advantages;
– supplementary social security schemes;
– employment relations;

[2] Article 127 Constitution. Other regional legislation: Walloon Decree of 6 November 2008 on combating certain forms of discrimination, including discrimination between women and men in matters of economy, employment and vocational training, Belgian Official Journal, 19 December 2008; Brussels Ordinance of 5 October 2017 aimed at combating certain forms of discrimination and promoting equal treatment, Belgian Official Journal, 19 October 2017.

[3] Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation; Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin; Council Directive 2004/113/EG of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services.

– references in official documents or police reports;
– membership of or involvement in an employers' or workers' organisation, or any organisation whose members carry out a particular profession, including the benefits provided by such organisations;
– access to and participation in, as well as any other exercise of, an economic, social, cultural or political activity accessible to the public.

Under the Equal Opportunities Decree, the scope of application is limited to the following domains:
– conditions for access to employment, to self-employment or to occupation, including selection criteria and recruitment conditions, regardless of the sector of activity and at all levels of the professional hierarchy, including promotion;
– access to all types and levels of vocational guidance, vocational training, further vocational training and retraining, including practical work experience;
– labour market mediation and re-employment;
– healthcare;
– education;
– the offer of, access to, provision of and enjoyment of goods and services that are publicly available – whether or not for payment – including housing;
– social advantages;
– access to and participation in any economic, social, cultural or political activity offered outside the private sphere.

The above overviews make it clear that this legislation has traditionally been drafted with a (justified) strong focus on the labour market.[4] Evidently, employment relationships also arise in the world of sport, particularly with professional athletes. In that regard, anti-discrimination legislation can certainly play a role within the sports sector. Moreover, certain aspects of sport may, according to case law, be considered "services".[5] And sport could potentially also fall within the definition of an economic, social, cultural, or political activity, which serves as a catch-all provision within the scope of the legislation.

The anti-discrimination laws distinguish between four types of discrimination. Not only must direct and indirect discrimination be addressed, but also harassment and instructions to discriminate are explicitly prohibited. In addition, the refusal to make reasonable accommodations for a person with a disability is also considered a form of discrimination.[6] The Equal Opportunities Decree further distinguishes between harassment and sexual harassment, following the definitions provided in EU Directives 2004/113/EC and 2002/73/EC.[7] Harassment is defined

[4] F. Hendrickx, *Arbeidsrecht - Deel 2*, Brugge, die Keure / la Charte, 2020, 471.
[5] Court of Justice of the European Union, Judgment of 11 April 2000, Joined Cases C-51/96 and C-191/97, *Deliège v Ligue francophone de judo et disciplines associées ASBL and Others*, ECLI:EU:C:2000:199.; Liège 4 November 2014, *JLMB* 2014, 1838.
[6] Since the legislative amendment of 28 June 2023, two additional forms of discrimination have been recognised, both falling under the category of multiple discrimination, namely cumulative discrimination and intersectional discrimination.
[7] Council Directive 2004/113/EG of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services; Directive 2002/73/EC

as any unwanted conduct related to one or more protected characteristics that has the purpose or effect of violating the dignity of a person and creating an intimidating, hostile, degrading, humiliating or offensive environment. According to the Belgian Constitutional Court, harassment should be interpreted in the sense of "stalking". It encompasses any unlawful conduct, particularly acts of humiliation or threats, repeatedly and insidiously committed by one person against another with the intention of destabilising them.[8] If harassment is equated with stalking, it requires that the behaviour be intentional, directed from one individual to another, and repetitive.[9] This is not always evident in a sporting context. Sexual harassment, on the other hand, refers to any unwanted verbal, non-verbal, or physical conduct of a sexual nature. In such cases, it is sufficient to establish that the conduct has the purpose or effect of violating the dignity of the person; there is no separate requirement to demonstrate that the conduct created an intimidating, hostile, degrading, humiliating or offensive environment.

In addition to civil law enforcement mechanisms, the anti-discrimination laws also provide for several criminal law provisions, some of which even extend beyond the material scope of the respective laws. All three anti-discrimination laws criminalise incitement to discrimination, hatred, or violence – commonly referred to as the offence of incitement. In addition, the Anti-Racism Act, unlike the other two anti-discrimination laws, also contains a prohibition on dissemination of racist ideas (Article 21)[10] and the offence of participation in a discriminatory group or association (Article 22).[11] Through these provisions, the Belgian legislature anticipated the EU Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law.[12] The application of these offences is subject to the special conditions laid down in Article 444 of the Belgian Criminal Code. Accordingly, incitement to discrimination, hatred, or violence, or the dissemination of ideas based on racial superiority or hatred, is punishable only if it occurs: (1) at a public gathering or in a public place; (2) in the presence of several persons, in a non-public place that is nonetheless accessible to a number of individuals entitled to gather or be present there; (3) in any place, in the presence of the insulted person and witnesses; (4) by means of writings, whether printed or

---

of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

[8] Belgian Constitutional Court 11 March 2009, no. 40/2009; Belgian Constitutional Court 12 February 2009, no. 17/2009.

[9] P. Vanden Heede, "*God voelt zich steeds beter thuis in onze parlementen*", *Juristenkrant* 2009,10-11.

[10] Publicly disseminating ideas based on racial superiority or racial hatred, under the circumstances described in Article 444 of the Belgian Criminal Code.

[11] Belonging to, or assisting, a group or association that clearly and repeatedly advocates discrimination or segregation on the basis of one or more protected criteria, under the circumstances referred to in Article 444 of the Belgian Criminal Code.

[12] Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.

not, or by images or symbols that are posted, distributed, sold, offered for sale, or publicly displayed; or (5) by means of writings not made public but sent or communicated to several persons.

In Belgium, both the parliamentary preparatory works of the Anti-Racism Act and the case law of the Constitutional Court confirm that, for the offence of incitement, a specific intent (*dolus specialis*) is required – namely, the deliberate intention to incite discrimination, hatred, or violence.[13] Although this requirement of specific intent can pose evidentiary challenges, these provisions have already been successfully applied in the context of sport on several occasions.[14] The same applies to the dissemination offence, which targets the intentional promotion of hatred towards a group of persons and the justification of discriminatory or segregationist policies aimed at that group.[15] The association offence, for its part, requires only general intent (*dolus generalis*), meaning that an individual knowingly and willingly belongs to, or assists, a group that clearly and repeatedly advocates discrimination or segregation.

To support the objectives of the anti-discrimination laws, a Centre for Equal Opportunities and Combatting Racism was already established as early as 1993. This body, which is also recognised in the Anti-Discrimination Act, is now better known as UNIA. As an independent interfederal public institution it is responsible for combating discrimination and promoting equality. It provides tailored support and training to organisations, issues policy recommendations, serves as a centre of knowledge and expertise, and also offers individual assistance to victims (and witnesses) of discrimination.

### *1.2.3 Labour Law*

For professional athletes, it is also important to consider the Act of 4 August 1996 on the Well-being of Workers in the Performance of Their Work (the Well-being Act), which constitutes the fundamental legal framework for safety and health at work in Belgium. This law obliges employers to take the necessary measures to ensure the well-being of their employees. A separate chapter within this Act is dedicated to the prevention of psychosocial risks at work, including stress, violence, bullying, and sexual harassment at work.

This law defines three distinct forms of inappropriate or transgressive behaviour (article 32ter, first alinea, 3° Well-being Act):

---

[13] Bill amending the Law of 30 July 1981 aimed at repressing certain acts inspired by racism and xenophobia, Parliamentary Documents, Belgian House of Representatives, 2006–2007, No. 51-2720/1, 61; Belgian Constitutional Court 12 February 2009, no. 17/2009; Belgian Constitutional Court 6 October 2004, no 2004/157; P. BORGHS, «Racistische» haatboodschappen – Overzicht van recente Nederlandstalige rechtspraak, *AM* 2016, 95.

[14] Corr. Bruges 30 December 2003, *www.unia.be*; Corr. Hasselt 2 March 2007, *www.unia.be*; Corr. Mechelen 21 December 2016, *www.unia.be*; Corr. Mechelen 12 February 2020, *www.unia.be*; Corr. Antwerp 4 November 2020, *www.unia.be*.

[15] Belgian Constitutional Court 12 February 2019, no. 17/2009, B.74.4.

– Violence at work: any incident in which a worker (…) is psychologically or physically threatened or attacked in the performance of their work;

– Bullying at work: an unlawful set of multiple similar or different behaviours, occurring inside or outside the company or institution, over a certain period of time, with the aim or effect of harming the personality, dignity, or physical or psychological integrity of a worker (…) in the course of their work, endangering their employment, or creating a threatening, hostile, insulting, humiliating, or offensive environment; typically expressed through words, threats, actions, gestures, or unilateral writings;

– Sexual harassment: any form of verbal, non-verbal or physical conduct with a sexual connotation that has the purpose or effect of violating a person's dignity, in particular when it creates a threatening, hostile, insulting, humiliating or offensive environment.

A sports federation or club acting as an employer is required, pursuant to Article 32/2 of the Well-being Act, to conduct a risk analysis, which includes consideration of how to establish a safe sporting environment.

Moreover, Article 32-*bis* of the Well-being Act not only provides that employers and employees must refrain from any behaviour contrary to the objectives of the Act but also extends protection to acts committed by persons other than employees. The provision states that "*employers and employees, as well as persons treated as such within the meaning of Article 2, §1, and persons other than those referred to in Article 2, §1, who come into contact with employees in the performance of their work, shall refrain from any act of violence, bullying or undesirable sexual behaviour at work (...)*". This indicates a form of third-party effect, whereby employers are also required to protect employees against inappropriate conduct by third parties, such as clients. This reasoning can equally be extended to employment relationships in professional sport, such as football, where clubs may be obligated to protect players against inappropriate behaviour from supporters/spectators.

Furthermore, under Article 32-*quater* of the Well-being Act, employers must implement a (specific) prevention policy containing measures aimed at combating violence, bullying, and undesirable sexual behaviour in the workplace. This includes, among other things, the possibility to file reports and to access a confidential advisor or prevention advisor, following established procedures.

Finally, the Social Criminal Code provides that employers are legally obliged to take appropriate measures to put an end to acts of violence, bullying, or undesirable sexual behaviour at work, once they become aware of them. Failure to do so may result in a criminal fine (Article 122, 4° of the Social Criminal Code).[16]

[16] Article 101 Soc. Criminal Code contains a criminal fine of 100-1000 euro or an administrative fine of 50-500 Euros.

### *1.3 Sport Specific Legislation*

#### *1.3.1 Football Act*

In Belgium the federal government is responsible for public order and security. Following the Heysel Stadium disaster, the Belgian government opted to introduce specific legislation for football, the Act of 21 December 1998 on Safety at Football Matches (hereinafter the Football Act), aimed at addressing the widespread issue of spectator violence (hooliganism) and at remedying the previously inadequate regulation of safety in football stadiums. This approach is reflected in a substantive two-part structure: on the one hand, a set of obligations imposed on football clubs and the national football association (Articles 3 to 11 of the Football Act), and on the other hand, a number of prohibitive provisions (Articles 19 to 24-*quater* of the Football Act).

In principle, the Football Act goes beyond merely ensuring a safe environment for athletes; it seeks to protect every person involved in football activities. To begin with, every organiser of a football match is under a general obligation to take all necessary precautionary measures to prevent harm to persons and property. This includes all practical steps to prevent spectator misconduct (Article 3 of the Football Act). In addition, a wide range of specific obligations also apply. Relevant to the theme of this contribution is, among others, the obligation to raise awareness on issues such as pyrotechnics, discrimination, and racism (Article 10, paragraph 1, 7° of the Football Act).

While the prohibitive provisions of the Act appear at first glance to apply only to spectators, in line with the European Convention on Spectator Violence (which targets spectator behaviour specifically), the use of the term "any person" in the statutory language may imply that players, staff, and officials could also be sanctioned under the Football Act. The Act prohibits, among other things, the throwing or launching of objects, the use of pyrotechnic devices, and the incitement to violence, hatred, or anger, punishable by an administrative fine or an administrative stadium ban – though criminal prosecution is also possible (Article 35 of the Football Act). A striking feature of the Football Act is that it requires only general intent on the part of the offender (i.e., knowing and willing conduct), which means that the evidentiary threshold may be lower than in anti-discrimination law, where specific intent (malicious or deliberate intent) is required to establish incitement to discrimination or racism.

The Football Act establishes a form of (a more rapid) administrative enforcement through the *Football Safety Unit of the Federal Public Service* (FPS) Home Affairs. However, the Football Unit is not only responsible for monitoring compliance with the Football Act; it also coordinates the entire football-related security policy in collaboration with various partners at all levels of government, including the police, the Royal Belgian Football Association (RBFA), and supporters' associations, among others. As such, the Football Unit plays a key

role in ensuring a coherent and integrated policy. In addition, through its Prevention Cell, it supports preventive initiatives, such as awareness campaigns against racism, and serves as an expert body on football safety at the local, national, and international levels.

### *1.3.2 The Flemish Safe Sport Climate Decree*

#### *1.3.2.1 History*

In Flanders, efforts to create a safe sports environment have been ongoing for decades. In 1991, the Decree on Medically Responsible Sports was introduced, emphasizing the need for sports clubs to prevent and combat conditions adversely affecting the physical integrity and mental well-being of athletes. However, the focus primarily lay on medical examinations, age restrictions, training requirements, and high-risk sports.[17]

By 2008, it became clear that medically responsible sports needed to evolve into both medically and ethically responsible sports.[18] The label for ethically responsible sports integrated both sporting and societal values into the regulatory framework. Consequently, the scope expanded to include themes such as fair play, bribery, discrimination and racism, diversity, transgressive behaviour, and integrity. Thereby, the target audience also broadened significantly, so that not only athletes but anyone involved in sports should feel addressed. Policymakers grappled with shaping a policy and defining the government's role in ethical sports themes. This deliberation resulted in two possible approaches: on the one hand, themes that require a positive message and soft measures (e.g., inclusion, diversity, and fair play) and on the other hand, issues that need to be combatted with stringent measures (e.g., discrimination, abuse, and corruption). While government intervention is widely accepted and assumed for the latter "hard" themes, it is less so for "soft" themes.

This reflection culminated in the 2013 Decree on Healthy and Ethical Sports, emphasizing and prioritising positive narratives and adopting the "open method of coordination" – a blend of governmental oversight and self-regulation within the sports sector, with joint objectives.[19] The government assumes a predominantly facilitative and supportive role, ensuring quality, with corrective action as a last resort. The approach subsequently evolved into a framework centred on "learning networks", focusing on knowledge sharing.

[17] Flemish Decree of 27 March 1991 on Medically Responsible Participation in Sport, Belgian Official Journal, 11 June 1991; Flemish Decree of 13 July 2007 on Medically Responsible Participation in Sport, Belgian Official Journal, 13 September 2007.

[18] Flemish Decree of 21 November 2008 amending the Decree of 13 July 2007 on Medically Responsible Participation in Sport and the Decree of 24 July 1996 establishing the Status of the Non-professional Sportsperson, Belgian Official Journal, 18 December 2008.

[19] Flemish Decree of 20 December 2013 on Healthy and Ethical Sport, Belgian Official Journal, 31 January 2014.

Under the latter decree, healthy and ethical sports encompass (1) sports conducted under conditions conducive to the physical, psychological, and social well-being of individuals and (2) sports conducted in accordance with a set of positive values and norms, supported by measures related to guidance, governance, and policy, which everyone must observe to safeguard and promote individual integrity (physical, psychological, and sexual), fair play, and social integrity (solidarity, diversity, and inclusion).

#### *1.3.2.2 The 2024 Evaluation and the Decree on Safe Sports Climate*

The Flemish Government's 2024 evaluation of the Decree on Healthy and Ethical Sports identified its merits and added value but also highlighted inadequacies in addressing contemporary challenges in sports, arising partly from societal and international developments. These challenges include mental well-being, (sexual) transgressive behaviour, inclusion, health prevention, safety, protection of minors, sports integrity, fair play, good governance, and sports' societal role. This led to the adoption of the Flemish Decree on a Safe Sports Climate on 15 March 2024, which is set to replace the Decree on Healthy and Ethical Sports and will come into effect no later than 1 September 2025.[20]

a) Transition to "Safe Sports"

At the outset, it was necessary to eliminate the artificial division between "healthy sports" and "ethical sports". The explanatory memorandum of the 2013 decree had already indicated thematic overlaps. In practice, both pertain to engaging in sports in a responsible and conscientious manner, emphasizing physical and psychological integrity, as well as social responsibility and well-being. Therefore, the new decree introduced "safe sports", emphasizing a holistic approach centred on a single core concept, reflecting an ambition to create a comprehensive policy that fosters a safe sports environment while also addressing individual aspects where necessary.

Safe sports are defined as sports conducted under conditions that align with positive values and norms aimed at enhancing physical, psychological, and social integrity. This definition recognizes three pillars of integrity: physical, psychological, and social. It is essential to consider and develop the building blocks of integrity (factors that enhance and sustain well-being and integrity in sports) while also mitigating threats (practices that undermine well-being and integrity). This dual approach applies to both individual athletes and organizational contexts. In that sense, physical integrity involves aspects such as injury prevention and responsible training, while threats include overtraining and physical violence. Psychological integrity focuses on mental well-being, with measures like motivational

[20] Flemish Decree of 15 March 2024 on Promoting a Safe Sporting Environment, Belgian Official Journal, 18 April 2024.

coaching and equal play opportunities countering stress, performance pressure, bullying and manipulation. Social integrity emphasizes respect and inclusion, social engagement and creating equal opportunities and combating exclusion and discrimination. These pillars are often interconnected; for example, fair play is only possible when the various aspects of integrity are upheld, and misconduct such as sexual harassment impacts physical, psychological, and social integrity.

b) Responsibilities and Obligations

The new decree retains the principle that safe sports are best implemented through a broad and universally applicable "framework decree", that maximizes the responsibilities of sports organisations and individual athletes. The policy for safe sports thus targets individuals while also imposing responsibilities and obligations at the organisational level. The concept of safe sports extends to the integrity of the sports organisation as a whole.

The philosophy of the 2013 Decree has been maintained, specifically the respect for and encouragement of the autonomy and accountability of the entire sports community. However, creating a safe sports environment remains a shared responsibility of the government (through sports policy), sports organizations, and individual athletes, reflecting a collective duty of care. While the decree primarily outlines basic obligations for sports organizations, the government retains the authority to intervene, when necessary, such as in cases of reported issues or abuses.

Article 3 of the Decree specifically addresses minor athletes, prioritizing the interests and protection of children and youth. Sports federations working with minors must, from a child rights perspective, contribute to creating a safe sports environment tailored to the age, capacity, needs, and participation of minor athletes.

The decree further imposes a general obligation on sports organizations to initiate efforts to foster a safe sports environment, taking into account the nature and context of sports activities. This is called the duty of care. This duty of care encompasses maintaining and enhancing well-being, as well as the physical, psychological, and social integrity of individuals, while promoting the integrity of the sports federation and ethical conduct of its personnel (e.g., management, coaches).

To facilitate compliance, the government opted for providing frameworks for policy and practice – which may be developed or refined collaboratively with the sports sector – rather than prescribing detailed regulations.

In addition to the general obligation to create a safe sports environment, the decree also introduces several specific obligations, some of which are elaborated in the executive order of 21 June 2024.[21]

[21] Decision of the Flemish Government of 21 June 2024 implementing the Decree of 15 March 2024 on Promoting a Safe Sporting Environment, Belgian Official Journal, 16 August 2024.

In this, special attention is given to creating a policy for engaging in sports in a healthy manner, including aspects related to sport-specific risks (as will become evident from the specific obligations discussed later). This policy will consistently take into account the nature and context of sports practice. Various aspects must be considered, such as the risks inherent to the sport discipline itself, or factors like weather conditions, which can play a role in certain cases. For instance, shooting sports, individual rebound sports, motorized sports, or running sports, each involve distinct (health-related) risks, just as indoor sports, water sports, or outdoor sports present different risks. The intensity of the sport and the athlete's age are other potential factors. Thus, elite athlete prospects are approached differently than recreational athletes, training is tailored to age, and certain sports disciplines for youth leagues may require additional measures for head protection.

*1. Duty to inform:* A key obligation, which can also be assumed a general requirement under the Decree, is that sports organizations must provide information about precautionary measures and ongoing initiatives to promote safe sports. This information must be made accessible and understandable, tailored to the needs and levels of the athletes, and, where applicable, to minor athletes. This ensures that everyone has access to accurate information and insights to adopt the appropriate attitude and prepare for sports participation responsibly.

*2. Appointment of a Safety officer:* Another specific obligation established by the Flemish Government in the implementing decree is the requirement to appoint an employee responsible for the safe sports policy. This individual fulfils multiple roles within the sports organization, acting as the contact point for *Sport Vlaanderen*[22] and *Sportieq* (see below), seeking advice from medical and paramedical experts to develop the safe sports policy, and disseminating information and training opportunities regarding safe sports within the organization and its affiliated clubs. These roles apply to both grassroots sports and elite sports policies. This position should not be confused with the role of the Integrity Contact Person (API)[23] required under the 10 June 2016 decree on the recognition and subsidisation of organised sports sectors, as one of the conditions for implementing an integrity policy.[24] Ideally, these roles are distinct, but in practice, they may be performed by the same person. Furthermore, this role can be combined with obligations related to doping-free sports under the 25 May 2012 Anti-Doping Decree, especially

[22] *Sport Vlaanderen* is an internally autonomous agency with legal personality that has, since 2016, consolidated all policy-supporting and policy-implementing tasks related to Flemish sports policy into a single organization.

[23] An Integrity Contact Person (API) within a sports club or federation is an accessible point of contact where athletes, their parents, trainers, administrators or others involved can go with a question, suspicion or complaint about transgressive behavior, discrimination or racism. The API also ensures a clear follow-up of incidents.

[24] Flemish Decree of 10 June 2016 on the Recognition and Subsidisation of the Organised Sports Sector, Belgian Official Journal, 11 July 2016; Flemish Decree of 20 May 2022 amending the Decree of 10 June 2016 on the Recognition and Subsidisation of the Organised Sports Sector, Belgian Official Journal 29 June 2022.

concerning prevention, education, and collaboration with the national antidoping organization for the Flemish Community.

*3. Sports Medical Fitness Assessments*: Sports organizations have the option to recommend or require athletes to undergo a medical fitness assessment to ensure they are physically capable of participating in their chosen sport. However, the government does not mandate such assessments, as the decision to conduct a medical fitness check should be a deliberate one based on the nature and context of the sports activity. Sports organizations must justify and substantiate their recommendation or requirement for such an assessment. It must be a well-founded judgment based on factors such as the athlete's age, the intensity of the sport, recreational versus competitive participation, and any applicable regulatory or international requirements. These assessments are intended solely to determine if someone is physically capable of practicing a sport responsibly. Assessments are conducted by physicians, ensuring expertise and protecting the athlete through medical confidentiality. Athletes can consult sports doctors, specialized centres, or their general practitioners.

*4. Evidence-Based Injury Prevention Policy*: According to the decree, sports organizations must implement a scientifically based injury prevention policy. Injuries arise from a combination of intrinsic (person-related) and extrinsic (environment-related) risk factors. This policy addresses technical prevention strategies and responsible training practices. The challenge lies on the one hand, in making scientifically validated injury prevention programs accessible and, on the other hand, in ensuring their effective and correct implementation. An example is the "Get Fit 2 Sport" program developed by Ghent University, targeting young athletes with sport-specific focuses.

*5. Age Limits and Sport-Specific Rules:* Sports organizations must consider which sports activities or competition formats are suitable for specific age groups and implement age limits if necessary. While the government reserves the right to directly influence the determination of age limits (e.g., to protect minors), the explanatory memorandum to the decree suggests that sport-specific approaches are best managed through self-regulation within the sport itself (with some oversight from the government).

c) Supporting mechanisms

Sports organizations can receive support to create a safe sports environment. The decree of 20 December 2013 already aimed to promote expertise sharing and use. Under the philosophy of working under a single holistic concept of "safe sports", the new decree recognizes and subsidizes one organization, Sportieq, as the expertise centre for the sports sector. Sportieq supports sports organizations in developing their safe sports policies and informs and raises awareness among athletes.

Sportieq has, for instance, developed a toolkit on addressing inappropriate/transgressive behaviour for sports clubs, consisting of six steps: (1) fostering open

discussions (2) appointing a club-specific integrity contact person (API), (3) implementing codes of conduct, (4) establishing a protocol for handling incidents, (5) defining a recruitment policy for volunteers (for example requesting a criminal record excerpt), and (6) disseminating information.[25] Additionally, a flagging system was developed for clubs and their integrity contact persons to help assess the severity of situations, determine appropriate responses to certain behaviours, and identify when external partners (such as support services, disciplinary committees, or law enforcement) need to be involved.

To qualify for subsidies, sports federations have been required since 2021 to implement an integrity policy, including a disciplinary system specifically for transgressive behaviour. The Flemish Sports Tribunal (*Vlaams Sporttribunaal,* VST) was established as an overarching body for all sports and now receives structural anchoring in the Safe Sports Environment Decree. The VST will independently and efficiently handle cases of transgressive behaviour and doping in sports.

Lastly, the decree allows for the establishment of expert committees to advise on safe sports policies.

d) Last resort

While the decree's primary objective is to have the government act in a supportive, stimulating, and awareness-raising capacity, recognizing the shared responsibility between the government and sports organizations to create a safe sports environment, it also allows for enforcement (through administrative sanctions) if sports organizations fail to meet their obligations (Article 36).

### *1.3.3 Decree on the sports movement organized in the French Community and the Sports Ethics Decree*

In the French-speaking Community, regulatory initiatives have also been undertaken in the field of "safe sport".[26]

For instance, the Decree of 14 October 2021 stipulates that sports ethics concern "*l'ensemble des valeurs et normes positives que doivent observer le mouvement sportif organisé, les sportifs, les membres, les arbitres ainsi que les cadres sportifs et administratifs dans le cadre des activités physiques et sportives de nature compétitive ou non*". This approach is based on the one

[25] Available at *https://www.ethischsporten.be/tools_pagina/toolkit-gg-voor-sportclubs/.*

[26] French Community Decree of 20 March 2014 introducing various measures in support of ethics in sport, including the development of a Code of Sports Ethics and the recognition and subsidisation of a Sports Ethics Committee, Belgian Official Journal, 16 May 2014; French Community Decree of 3 May 2019 on the organised sports movement in the French Community, Belgian Official Journal, 7 October 2019; French Community Decree of 14 October 2021 on sports ethics and establishing an Observatory on Ethics in Physical and Sports Activities, as well as an Ethics Network, Belgian Official Journal, 10 November 2021.

hand, on good governance, gender equality, fair play, refereeing matters, ethics, and sustainable development, and, on the other hand, on the fight against all forms of abuse, intimidation, fraud, and deceit.

A central measure was the creation of a Sports Ethics Observatory, which functions as a permanent advisory and coordination body. Its mission is to engage in forward-looking reflection on ethical challenges in sport, formulate policy advice to the government, and facilitate ongoing dialogue between organised sport and relevant stakeholders, such as associations, public services, and institutions active in related fields. The Observatory is also tasked with evaluating and proposing updates to the Sports Ethics Code, which remains in effect pending its planned revision. To support this, the decree also established an Ethics Network. This platform connects sports federations, clubs, and the Observatory with the aim of sharing good practices, raising ethical concerns from the field, and ensuring that the principles of the Sports Ethics Code and its associated charters are properly implemented. The network serves both as a communication channel and a compliance support mechanism.

Another key element of the decree is the mandatory designation of "*Vivons Sport*" ethics representatives within all recognised sports federations and associations. These representatives are responsible for promoting the ethical values outlined in the decree, ensuring proper dissemination of the Observatory's recommendations and tools, and monitoring the integrity of their organisation's practices. Their duties also include verifying that any staff member working with minors provides a criminal background check in accordance with Article 596(2) of the Belgian Code of Criminal Procedure. In turn, federations must ensure that their affiliated clubs appoint a "*référent Vivons Sport*" (RSV), who act as the local point of contact for ethics within the club. These delegates are charged with raising awareness of the ethics code, reporting relevant issues to their federation's representative, and implementing or supporting initiatives developed at the federation or network level. The role of the RSV, introduced by the 2021 decree, builds on the earlier requirement from the 2014 decree for each federation to appoint a person responsible for ethics.

### *1.3.4 Policy support*

There are also policy-supporting bodies operating within each Community. Sport Vlaanderen is an agency of the Flemish Government responsible for the implementation of sports policy in Flanders. It oversees the recognition and funding of sports federations, supports infrastructure development, promotes grassroots participation, and coordinates elite sport programmes. The agency also plays a key role in advancing safe sport, in collaboration with organisations such as *Sportieq* (see below). Its counterpart within the French-speaking Community of Belgium is ADEPS (Administration Générale du Sport), which operates under the Ministry of the Fédération Wallonie-Bruxelles. ADEPS is responsible for executing the

Community's sports policy, including the support of athletes, training of coaches, management of sports infrastructure, and the promotion of physical activity and fair play.

## 2. *The Sports Regulatory and Policy Framework*

### 2.1 *In general*

Belgian sports federations have developed a growing range of safeguarding initiatives in response to both policy obligations and societal awareness.

A central element of safeguarding practice is the designation of a dedicated contact person within each federation, who acts as a confidential first-line contact for integrity concerns. In Flanders, this role is known as the API, while in the French-speaking Community, it is referred to as the RSV. Although the titles differ, both roles share similar responsibilities: they serve as accessible points of contact for athletes, coaches, and others, offering support, guidance, and referral to appropriate professionals (social services, the police or judicial authorities) in cases of (suspected) misconduct. Their presence has become a structural obligation tied to the official recognition and funding of sports federations.

In addition to these roles, many federations have adopted codes of conduct, ethical codes,[27] integrity charters, and internal disciplinary procedures that set out expectations for ethical behaviour across all levels of sport. These documents typically address respect, inclusion, and the unacceptability of violence, abuse, or discriminatory practices.

Federations are also increasingly active in education and awareness-raising, offering training sessions for coaches, board members, volunteers, and sometimes athletes themselves. These efforts often take place in collaboration with community-level support bodies such as Sportieq and ADEPS, which provide ready-made training tools, model policies, and expert guidance.

Furthermore, many federations have established clear reporting and follow-up mechanisms, including accessible online reporting tools and internal protocols to ensure appropriate handling of complaints. In more serious cases, federations may refer matters to an ethics or disciplinary commission, or, in Flanders, escalate them to the VST.

### 2.2 *RBFA's good practice: Specific measures combatting discrimination and racism*

In recent years, the Royal Belgian Football Association (RBFA) has focused specifically on combating racism and discrimination in football through its anti-discrimination and anti-racism action plan, known as the

[27] Gymfed, for example, has established ethical codes for coaches, athletes, parents, judges, and board members.

"Come Together Plan". This initiative has led to significant expansions in the Federation's regulations and strengthened disciplinary measures. Article B11.235 of the Federation's regulations states that "every club or affiliate must (...) refrain from any form of discrimination against affiliates or third parties (…)". Specific behaviours that can be sanctioned, even without any intent, with a minimum suspension of six months include:

- Verbal or non-verbal expressions that are offensive or insulting;
- incitement to discrimination, segregation, hatred, or violence; and
- displaying texts, symbols, chants, gestures, banners, or statements that express or incite racism, homophobia, xenophobia, or discrimination in general.

Moreover, in 2021 a National Chamber dedicated to combating Discrimination and Racism was established within the Disciplinary Council for Professional Football. This body holds exclusive jurisdiction over cases of discrimination and racism at all levels of Belgian football.

Additionally, a central and accessible reporting platform was created, available to anyone who experiences or witnesses such incidents. Reports can be made through the RBFA app or website (even anonymously). There is also a mandatory reporting obligation for all federation officials, aimed at uncovering more cases. Furthermore, an intervention duty was introduced for referees, requiring them to follow a step-by-step protocol when they become aware of discriminatory or racist incidents during a match. Measures they can take include temporarily halting or even stopping a match. Referees are also required to file a report if they receive complaints during or after a match.

Finally, this Action Plan has also led to the development of targeted training programmes on how to address racism and discrimination in football, aimed at all individuals involved in the club environment – including coaches, board members, integrity officers (APIs), players, and others.

### *Conclusions*

Belgium's approach to safeguarding in sport reflects its complex institutional structure, with responsibilities spread across the federal state and the Communities. While no unified national framework exists, a combination of federal legislation and regional policy instruments provides a meaningful starting point for protecting athletes from abuse, discrimination, and other forms of transgressive behaviour.

Grounded in anti-discrimination law, employment protection, and sector-specific regulations such as the Football Act, and supported by community-level initiatives including mandatory integrity contact points, education programmes, and codes of conduct, Belgium has laid important groundwork. These efforts are further reinforced by institutions such as UNIA, Sport Vlaanderen, Sportieq and ADEPS, which translate safeguarding principles into practical support for federations, clubs, and individuals.

However, as in many countries, the translation of policy into practice remains a challenge. The fragmented nature of Belgium's safeguarding landscape, combined with varying levels of implementation and enforcement, risks creating inconsistencies and protection gaps. To be effective, safeguarding requires not only regulatory ambition, but also a cultural shift within the sports ecosystem – a shift that recognises integrity, respect, and inclusion as core values of sport.

A key step forward will be the continuous training of all stakeholders – from athletes and coaches to administrators and board members – on how to recognise, prevent, and respond to misconduct. Without sustained education and capacity-building, even well-designed frameworks may falter in practice. Equally important is the establishment of clear monitoring and accountability mechanisms to ensure that safeguarding policies are not only adopted, but also rigorously applied.

Belgium's model illustrates both the potential and the complexity of embedding safeguarding into a multilevel governance structure. Its success will depend on stronger legal anchoring, harmonised standards, and a long-term commitment to education, monitoring, and cultural change. With these elements in place, Belgium can continue to strengthen its safeguarding architecture and move closer to a sporting environment where safety and well-being are not aspirations but guarantees.

# SAFE SPORT IN CANADA

by *Janie Soublière*[*] and *Marie Claude Asselin*[**]

SUMMARY: 1. Overview of the Evolution of Canadian "Safe Sport" Law – 2. Safe Sport vs Maltreatment – 3. The Office of the Sport Integrity Commissioner of Canada – 4. The CCES and "New" Canadian Safe Sport Program – 5. Applicable Law – 5.1 The CSSP Rules – 5.2 The UCCMS – 5.3 Purpose and Principles – 5.4 Prohibited Behaviours – 5.5 Reporting Process under the CSSP – 5.6 Investigation Process under the CSSP – 5.7 Decision Making Process under the CSSP – 5.8 Review Process under the CSSP – 6. Arbitral Procedure before the SDRCC – 6.1 Jurisdiction – 6.2 The Safeguarding Tribunal – 6.2.1 Provisional Measures – 6.2.2 Hearings – 6.2.3 Decisions – 6.2.4 Appeals – 6.2.5 Execution of the Decision – 7. The Future of Sport in Canada Commission – 8. Other Safe Sport Initiatives – 8.1 Research – 8.2 Education and Prevention – 8.3 Addressing Systemic Issues – 8.4 Public Registry of Sanctions – 9 Conclusion

## *1. Overview of the Evolution of Canadian "Safe Sport" Law*

Safe Sport continues to be at the forefront of sports-related initiatives. In the wake of various scandals and complaints both in Canada and abroad, the government of Canada and all stakeholders in Canadian sport have been committed to establishing a national independent safe sport mechanism.

Consequently, the Sport Dispute Resolution Centre of Canada ("SDRCC")[1] was mandated by the Government of Canada on 6 July 2021[2]

[*] Attorney at Law and CAS Arbitrator. Janie is the Principal of Soubliere Sport Law and has been working strictly in sport law for over 20 years. She has assisted numerous International Federations develop their safe sport programs and assisted the drafting of the 2025 version of the Canadian Sport Dispute Resolution Code. She is a trained trauma informed investigator who actively conducts investigations related to safe sport and is regularly named to CAS and SDRCC panels to arbitrate safe sport disputes.

[**] Marie-Claude served as the CEO of the SDRCC for over 18 years. An early advocate in the safe sport movement in Canada since 2018, she launched an investigation unit and a national helpline to address harassment and abuse in sport. She then established the Safeguarding Tribunal, a specialized arbitral division to hear appeals of safe sport complaints. Under her leadership, the SDRCC was granted the mandate from the Government of Canada in 2021 to implement the first national safe sport mechanism in Canada.

[1] Sport Dispute Resolution Centre of Canada, available at *https://www.crdsc-sdrcc.ca/eng/home.*

[2] Government of Canada, *Minister Guilbeault Announces New Independent Safe Sport Mechanism*, available at *https://www.canada.ca/en/canadian-heritage/news/2021/07/minister-guilbeault-announces-new-independent-safe-sport-mechanism.html.*

to establish an independent safe sport mechanism to implement the Universal Code of Conduct to Prevent and Address Maltreatment in Sport ("UCCMS")[3] at the national level.

The SDRCC was created by the Physical Activity and Sport Act (S.C. 2003, c.2) with the mandate to provide to the sport community: a) a national alternative dispute resolution service for sport disputes; and b) expertise and assistance regarding alternative dispute resolution.

The main objective of this new mechanism was to oversee the implementation of the UCCMS for federally funded sport organizations.

## 2. *Safe Sport vs Maltreatment*

It must be noted at the outset that rather than the use of the words "safe sport" Canada purposely uses the word "maltreatment." Maltreatment is defined as "*a volitional act and/or omission described in Sections 5.2 to 5.6 (of the UCCMS) that results in harm or has the potential for physical or psychological harm*".

As provided in the UCCMS,[4] maltreatment is unacceptable and fundamentally incompatible with the core values that lie at the heart of Canadian sport. The UCCMS' commitments include that: (i) all participants in sport can expect to play, practice, compete, work, volunteer, and interact in an environment free from maltreatment; (ii) all participants recognize that maltreatment can occur regardless of race, sex, gender identity, gender expression, sexual orientation, age, disability, religion, and other characteristics. Moreover, it is recognized that those from marginalized groups have increased vulnerability to experiences of maltreatment; (iii) all participants recognize that persons who have experienced maltreatment may experience a range of effects that may emerge at different times and that can profoundly affect their lives; (iv) persons who have experienced maltreatment may suffer from the impact of trauma, and efforts must be made to understand that impact and to avoid re-traumatization; and (v) addressing the causes and consequences of maltreatment is a collective responsibility and requires the deliberate efforts of all participants and other sport stakeholders.

Accordingly, the central regulatory element to discuss and which guided the contents of this chapter on how Canada deals with "maltreatment" in sport is the UCCMS.

## 3. *The Office of the Sport Integrity Commissioner of Canada*

This chapter on Safe Sport in Canada was drafted during a period of transition, making it relevant to address both the Office of Sport Integrity

[3] UCCMS, available at *https://cces.ca/sites/default/files/content/docs/2025-01/CCES-UCCMS-Final-E.pdf.*

[4] UCCMS Article 2.3.

Commissioner ("OSIC") and its successor responsible for administering the UCCMS, the Canadian Centre for Ethics in Sport ("CCES").

The OSIC was established to operate as an independent division of the SDRCC and to administer the UCCMS using trauma-informed processes that are compassionate, efficient and provide fairness, respect and equity to all parties involved.

The OSIC mechanism was considered a significant step forward in providing Canadian athletes, sport organizations and other sport stakeholders with trusted and fair processes for preventing and responding to cases of harassment, abuse, discrimination and harmful behaviour. It was meant to effectively operate as a safe and independent place for victims to report incidents and to provide support and guidance to victims, conduct independent investigations of reported incidents, identify appropriate penalties. Decisions on provisional measures, violations and sanctions were subject to fair and transparent hearings and appeals under the Dispute Resolution Secretariat of the SDRCC.

As a functionally independent division of the SDRCC, the OSIC contributed to the advancement of the UCCMS by: (i) overseeing a complaint intake process; (ii) conducting preliminary assessments and commissioning independent investigations, when warranted; (iii) maintaining a database of imposed sanctions; and (iv) monitoring compliance by sporting organizations and issuing reports as required.

The OSIC was an independent division of the SDRCC and served the Canadian sport system as of 2022. After about 18 months, reviews of the OSIC's operations were mixed. Although the OSIC's stated purpose was to be an independent handler of reports and complaints of abuse throughout Canada, its jurisdiction was limited mostly to the federally funded sports organisations, which were only required by the Sport Minister to become signatories in April 2023. As most provincial, territorial and community sport bodies were not yet signatories and thus not under OSIC's jurisdiction, this meant that many athletes/victims were falling through the proverbial cracks. In its period of operations from June 2022 to July 2025, the OSIC received over 700 complaints or reports, with only 255 of them deemed to be within its jurisdiction.[5] This means that in almost two thirds of the cases the person coming forward was not aware of or did not trust available alternatives, or had no alternatives at all. This was allegedly the primary shortcoming of the OSIC: it was funded purely by the Canadian government to provide services to its national sports organisations and other sport organisations (provincial, territorial or even regional) could use it, but would have to pay for it. The OSIC was therefore less accessible to provincial or smaller organisations given the significant costs of professional investigation and adjudication services. Therefore, it is not that these smaller organizations were opposed to an independent mechanism; rather, it was not designed for them and not practically accessible.

[5] Source: SDRCC, available at *https://www.crdsc-sdrcc.ca/eng/home.*

On 2 May 2024, the Honourable Carla Qualtrough, Minister of Sport and Physical Activity, provided an update on the OSIC and the Abuse-Free Sport Program and announced that the administration of the UCCMS would move from the SDRCC to the CCES.[6]

## *4. The CCES and "New" Canadian Safe Sport Program*

As of 1 April 2025, the CCES has taken on the role of administering the UCCMS and the Canadian Safe Sport Program[7] ("CSSP") is now in effect. The CSSP recognises the CCES as the organisational body mandated to independently administer and enforce the UCCMS for national level sport participants within federally funded national and multi-sport organisations. The CSSP sets the rules for how the CCES will fulfil its mandate.

National sport organizations funded by the federal government must adopt the CSSP to meet stakeholder expectations and needs. The program is still only offered to national-level sport organizations.

## *5. Applicable Law*

### *5.1 The CSSP Rules*

The Canadian Safe Sport Program Rules ("CSSP Rules") address the adoption of the CSSP by sport organizations, the process by which reports of prohibited behaviour in sport will be administered and enforced by the CCES, and the role of the SDRCC in reviewing decisions made by the CCES. According to CSSP Rule 1.2, *the UCCMS and CSSP Rules shall be read harmoniously to the extent possible. In the event of a conflict between the CSSP Rules and the UCCMS, the CSSP Rules will prevail, except in respect of UCCMS Section 5 (Prohibited Behaviours) and the definitions of Prohibited Behaviours in the UCCMS, which shall prevail over any conflict with the CSSP Rules*.

### *5.2 The UCCMS*

The UCCMS is the core document that sets harmonized rules to be adopted by sport organizations that receive funding from the Government of Canada and which the CSSP administers and enforces.[8]

### *5.3 Purpose and Principles*

The UCCMS sets out its purpose as follows in Section 1:

[6] Canadian Centre for Ethics in Sport, available at *https://cces.ca/*.
[7] Canadian Safe Sport Program, available at *https://cces.ca/canadian-safe-sport-program.*
[8] *CSSP Rule 2.1.*

"*1.1 The Canadian sport sector is committed to advancing a respectful sport culture that delivers quality, inclusive, accessible, welcoming and safe sport experiences.*
*1.2 Individuals should have the reasonable expectation when they participate in sport in Canada that it will be in an environment that is free from all forms of Maltreatment and that treats every individual with dignity and respect. Maltreatment in all forms is a serious issue that undermines health, well-being, performance and security of individuals, communities, and society*".

The UCCMS addresses:

- common principles and a commitment to advance a respectful sport culture;
- standard definitions of various forms of maltreatment, including grooming, neglect, and physical, sexual, and psychological abuse;
- a list of other prohibited behaviour such as retaliation, failure to report maltreatment, intentionally filing false allegations, misuse of power, failure to comply with imposed consequences, etc.; and
- a framework for determining appropriate sanctions against such prohibited behaviour.

Following a review process led by the SDRCC, which included consultations with stakeholders of the sport community and further revision by an expert working group, version 6.0 of the UCCMS was published by the SDRCC on 31 May 2022. Upon inheriting the responsibility of its administration, the CCES issued version 7.0 of the UCCMS, however no substantive changes were made to the previous version.

The UCCMS sets rules for appropriate behaviour and what people are not allowed to do in sport, in Canada. By establishing basic rights, defining behaviour that is not allowed, and providing a framework to respond appropriately to those who break the rules, the UCCMS intends to fulfil its purpose of advancing experiences in Canadian sport that are inclusive, accessible, welcoming and safe.

### *5.4 Prohibited Behaviours*

A violation of the UCCMS will occur when a "participant" as defined in the CSSP Rules engages in the behaviours prohibited under the UCCMS.

A participant is defined in the CSSP Rules[9] as "*an individual who is subject to the UCCMS and CSSP as defined in Rule 3 of the CSSP Rules*". CSSP Rule 3 provides that:

The CSSP shall apply to all participants in sport, defined as:

*a) The board members and employees of a Sport Organization;*
*b) Any Athlete that receives Athlete Assistance Program (AAP) support, or who is part of the Sport Organization's national team program, or who is otherwise included in the Sport Organization's National Athlete Pool (NAP);*

[9] CSSP Rules, available at *https://cces.ca/news/final-canadian-safe-sport-program-rules-are-available-now*.

*b) Any Athlete that receives Athlete Assistance Program (AAP) support, or who is part of the Sport Organization's national team program, or who is otherwise included in the Sport Organization's National Athlete Pool (NAP);*
*c) Any Athlete Support Personnel who falls under a Sport Organization's authority who is directly involved with or provides services to a Sport Organization's national team program;*
*d) Any other individual who competes, participates or is otherwise involved in sport under the authority of a Sport Organization that has adopted the CSSP and who the CCES has authorized the Sport Organization to designate as a Participant for the purpose of the CSSP;*
*e) And as designated by each Sport Organization, and as authorized by the CCES, any Canadian official, judge, umpire or referee accredited by a Sport Organization who is involved in any international and/or national-level competition held under the authority or governed by the rules of a national Sport Organization.*

Article 5.1 of the UCCMS provides an express list of prohibited behaviours and specifies that it is the assessment of the conduct itself that is important, not into which category or categories it falls. Article 5.1 also provides that conduct constituting prohibited behaviour may fall into more than one of the categories set out in the provision.

The behaviours prohibited under the UCCMS are:

- *Psychological Maltreatment*[10] including without limitation, verbal conduct, non-assaultive physical conduct, conduct that denies attention or support, and/or a person in authority's pattern of deliberate non-contact behaviours that have the potential to cause harm.
- *Physical Maltreatment*[11] including contact or non-contact infliction of physical harm, to be determined by the behaviour viewed objectively, not whether harm is intended or results from the behaviour.
- *Neglect*[12] including the omission of adequate care and attention and is evaluated with consideration given to the participant's needs and requirements. It is determined, viewed objectively, not whether harm is intended or results from the behaviour.
- *Sexual Maltreatment* including, but is not limited to, any non-consensual touching of a sexual nature and/or the Criminal Code offence of sexual assault; forcing or coercing a person into sexual acts; participating in or performing acts on a person that violate their sexual integrity; Criminal Code offences that do not involve actual physical contact or that can occur through electronic means such as indecent exposure, voyeurism, non-Consensual distribution of sexual/intimate images, luring and agreement or arrangement to commit a sexual offence. *Sexual Maltreatment*[13] can take place through

[10] UCCMS Article 5.2.
[11] UCCMS Article 5.3.
[12] UCCMS Article 5.4.
[13] UCCMS Article 5.5.

any form or means of communication (e.g. online, social media, verbal, written, visual, hazing, or through a third party).

- *Sexual harassment*, which is defined as any series of or serious comment(s) or conduct of a sexual nature that is unwelcome and that would be objectively perceived to be unwelcome, and which broadly includes jokes, remarks or gestures of a sexual or degrading nature, or distributing, displaying or promoting images or other material of a sexual or degrading nature, or any act targeting a person's sexuality, gender identity or expression. It can also include stalking or harassment in person or by electronic means where the stalking or harassment is of a sexual nature.
- *Sexual Maltreatment of a minor* is any sexual maltreatment against a minor.[14] Sexual maltreatment of a minor is not limited to acts that involve physical contact but can include acts that can occur in person or via electronic means such as, but not limited to, invitation to sexual touching, making sexually explicit material available to a minor, and acts that occur only online such as luring or agreement or arrangement to commit a sexual offence against a minor. It also includes any offence related to child pornography as that term is defined in the law in Canada. For the sake of clarity, it shall not constitute a violation in and of itself for a minor participant to create, possess, make available or distribute images of themselves.
- Creating, possessing, making available or distributing images that sexualize or contain nudity of another person in the absence of consent.[15]
- *Sexual acts or [sexual] communications* (electronic or otherwise) between any participant and another participant where there is a power imbalance, are prohibited.[16]
- *Grooming*:[17] conduct that may precede other behaviours defined as sexual maltreatment or is carried out in conjunction with other forms of sexual maltreatment. Repeated boundary transgressions by a participant toward a minor or vulnerable participant may also be deemed to be grooming, even in the absence of deliberate intention to facilitate a sexual relationship.
- *Boundary Transgressions*:[18] this innovative concept includes interactions or communications that breach objectively reasonable boundaries of an individual and are inconsistent with duties/responsibilities of the participant,[19]

[14] UCCMS Article 5.5.3.
[15] UCCMS Article 5.5.5.
[16] UCCMS Article 5.5.6.
[17] UCCMS Article 5.6.
[18] UCCMS Article 5.7.
[19] This is a very innovative concept that aims at curbing early an attempt to groom a minor for ultimate sexual abuse. Boundary transgressions are apparently innocuous single gestures that, when repeated and combined with other forms of boundary transgressions, may lead to grooming (an adult texting one-on-one with a minor, transporting a minor alone, physically isolating a minor by inviting them in their personal living quarters, etc.) The concept was developed with the help of the Canadian Centre for Child Protection and is an essential component of catching child abusers before it's too late.

especially when minors are in a situation of power imbalance. It may be the case that a particular act or communication does not meet the threshold of any of the types of maltreatment but is nonetheless viewed as inappropriate in the circumstances. The assessment of the behaviour should consider what objective appears to be guiding the interaction and whose needs are met.

- *Discrimination*[20] including overt or subtle forms of harm that uniquely define the adverse or inequitable experiences of marginalized persons.
- *Subjecting a Participant to the Risk of Maltreatment*:[21] Sport administrators or other sport decision-makers in positions of authority who place participants in situations that they know or ought to have known make the participant vulnerable to maltreatment are subjecting a participant to the risk of maltreatment.
- *Aiding and Abetting*[22] is any act or communication taken with the purpose of directly assisting, furthering, facilitating, promoting, or encouraging the commission of maltreatment or other prohibited behaviour by or against a participant.
- Failure to report possible maltreatment or other prohibited behaviour.[23]
- Intentionally reporting a false allegation:[24] knowingly reporting a false allegation, or influence another to report a knowingly false allegation, that a participant engaged in prohibited behaviour. An allegation is false if the events reported did not occur, and the person making the report knows at the time of reporting that the events did not occur.
- *Interference with or manipulation of process*:[25] directly or indirectly interfering with or manipulating an investigation or disciplinary review process by inter alia knowingly destroying, falsifying, distorting, concealing, or misrepresenting information, with the intent to interfere with or influence the resolution processor the implementation of an outcome; attempting to discourage or prevent a person's proper participation in or use of the processes; harassing or intimidating any person involved in the processes before, during, and/or following any proceedings; etc.
- *Retaliation*: taking an adverse action against any person for making a good faith report of possible prohibited behaviour or for participating in any UCCMS enforcement process. Retaliation includes threatening, intimidating, harassing, coercing, negatively interfering with sport participation, or any other conduct that would discourage a reasonable person from engaging or participating in an investigation or disciplinary review process related to behaviour prohibited by the UCCMS. Retaliation after the conclusion of

[20] UCCMS Article 5.8.
[21] UCCMS Article 5.9.
[22] UCCMS Article 5.10.
[23] UCCMS Article 5.11.
[24] UCCMS Article 5.12.
[25] UCCMS Article 5.13.

these processes is also prohibited, even where there is a finding that no prohibited behaviour occurred. Retaliation does not include good-faith actions lawfully pursued in response to a report of possible prohibited behaviour.

### *5.5 Reporting Process under the CSSP*

The CCES Report Safe Sport[26] confidential web portal receives and responds to reports of individuals who are part of sport organizations that have adopted the CSSP Rules and who may have behaved in a manner prohibited by the UCCMS. The CCES receives and responds to reports of individuals who may have engaged in prohibited behaviour under the UCCMS, including psychological maltreatment, physical maltreatment, neglect, sexual maltreatment, grooming, boundary transgressions, discrimination, subjecting a participant to the risk of maltreatment, aiding and abetting, failing to report possible maltreatment, intentionally reporting a false allegation, interference with or manipulation of a process and retaliation.

Anyone who wishes to file a report can ask questions anonymously by calling or texting a designated phone number through a third-party service provider which automatically anonymizes communication. Questions are received and responded to by the CSSP team, or by sending an email to a confidential email address.

After a report is submitted, the CCES will typically contact the reporting person within 2 weeks. And, if after its initial assessment of the complaint or report, the CCES determines that the CSSP Rules apply to the person and the conduct that was reported, the summary of the process thereafter is that the CCES:

- reviews the report;
- assesses if steps need to be taken to keep people safe while the report process is ongoing e.g.: decide if the imposition of provisional measures is necessary;[27]
- have a qualified investigator conduct a thorough investigation which should be completed within seventy-five (75) days of the appointment of the investigator;
- determine the appropriate process to deal with the report within the methods of resolution set out in the CSSP;[28]
- issue a decision about whether a violation of the UCCMS occurred;
- determine if sanctions are required; and, if so,
- notify the person who was sanctioned.

When a decision is issued, the respondent or the person who reported (or was impacted by the maltreatment) may seek a review of the decision and/or sanction before the Safeguarding Tribunal of the SDRCC and further appeal the sanction before the Appeal Tribunal of the SDRCC.

[26] Report Safe Sport, available at *https://cces.ca/report-safe-sport.*
[27] CSSP Rule 12.
[28] CSSP Rule 13.

### *5.6 Investigation Process under the CSSP*

Pursuant to CSSP Rule 14, the CCES may appoint an investigator to investigate the reported prohibited behaviour at any time after assuming jurisdiction. Investigations will be proportionate to the allegations. To the extent possible, investigators shall have experience or expertise in trauma-informed practice, procedural fairness, and the general subject area of the report (e.g., sexual, or psychological maltreatment or accessibility or discrimination against persons with disabilities). The investigator will interview the parties and witnesses and collect evidence. The investigator may request the production of relevant documents, such as texts, emails or other social media or recorded evidence. Failure by a party to produce relevant documents requested by the investigator (or pursuant to a procedural order under CSSP Rule 11), may result in an adverse inference being drawn. The investigator's role is to make findings of credibility and findings of fact, on a balance of probabilities.

In the investigation, the reporting person and/or impacted person and the respondent will have an opportunity to submit information and relevant evidence and identify witnesses who may have relevant information. Subject to any decisions made by the CCES anonymizing the identities of witnesses and a decision by the investigator or the CCES regarding the extent of disclosure necessary to meet the requirements of procedural fairness and/or to maintain the integrity of the CSSP process, the respondent and reporting person and/or impacted person will be provided with the substance of any relevant evidence and an opportunity to respond.

At the completion of the investigation, the investigator shall deliver an Investigation Report to the CCES. The investigation report will set out a summary of the relevant evidence, the findings of fact and credibility made by the investigator, and the reasons for those findings. The CCES may review the investigation report and request clarification or additional investigation. If additional investigation is requested, the parties shall be advised and provided with an opportunity to respond to any further investigation, as appropriate. The CCES will accept the findings of fact by the investigator and will make decisions under CSSP Rule 15 based on these findings of fact, except where the CCES directs that additional investigative step be undertaken (CSSP Rule 15.3(a)) or the CCES orders a new investigation (CSSP Rule 15.3(b)).

### *5.7 Decision Making Process under the CSSP*

Pursuant to CSSP Rule 15, within five business days of the CCES's receipt of the final investigation report, the CCES shall provide to the reporting person and/or impacted person and the respondent, a copy of the investigation report along with, as appropriate to the case and each party and as reasonably necessary to meet the requirements of procedural fairness, any attachments or exhibits to the report, which may be redacted of identifying and/or private information, on a confidential basis. And, within ten days of the investigation report being provided by the CCES

to the reporting person and/or impacted person and the respondent, the parties may make written submissions to the CCES on:

*a*. the findings of fact made by the investigator and whether the findings give rise to a violation of the UCCMS or CSSP Rules;
*b*. the appropriate sanction (if any) based on the findings made in the investigation report;
*c*. the rebuttal of any presumptive sanctions under the UCCMS;
*d*. the impact of prohibited behaviour as found by the investigator, on the reporting person or impacted person; and
*e*. any submission that the investigation was not procedurally fair in accordance with the criteria for procedural fairness set out in Rule 16.4.[29]

The CCES may decide to set aside the initial investigation and order a new one. If it deems it needs the investigator to collect additional information, the CCES will direct the investigator to do so. But if neither of the previous apply, the CCES will then issue a decision and notify it to the parties, based on the investigation report, in which the CCES makes a finding as to whether the respondent engaged in prohibited behaviour in violation of the UCCMS/CSSP Rules on a balance of probabilities and, if so, imposes a sanction as appropriate. Sanctions, if any, shall be imposed by the CCES in accordance with UCCMS Section 7.

### *5.8 Review Process under the CSSP*

A review of the CCES decision is available to the SDRCC Safeguarding Tribunal under the strict conditions set out in CSSP Rule 16.1.

The decision of the CCES may be subject to review, provided that a request for such a review is submitted within twenty-one days from the date of notification. It is important to note that to avoid retraumatizing witnesses, a review by the Safeguarding Tribunal is not a hearing *de novo* and is not a redetermination of the investigation. The findings of fact and credibility made in the investigation report shall be accepted by the Safeguarding Tribunal, except where the findings are successfully challenged by the reporting person and/or impacted person or the respondent.

A review of the findings of fact or credibility by the investigator or the decision by the CCES that the respondent did or did not violate the UCCMS/CSSP Rules, may only be made on the following grounds according to the Canadian Sport Dispute Resolution Code ("SDRCC Code") and its Safeguarding Tribunal rules:[30]

– An error of law that has a material impact on the findings and/or decisions made. For greater clarity, an error of law includes a misinterpretation of a section of the UCCMS/CSSP.

[29] CSSP Rule 15.
[30] SDRCC Code Subsection 8.4.4(c), available at *https://www.crdsc-sdrcc.ca/eng/dispute-resolution-code.*

- A substantial failure to observe the principles of procedural fairness in the investigative process, in reaching a determination on whether there was a violation of the UCCMS/CSSP Rules, or in reaching a conclusion on the appropriate sanction (if any). The extent of natural justice rights afforded to a party will be less than that afforded in criminal proceedings and may vary depending on the nature of the alleged violation and sanction that may apply.
- Fresh evidence where such evidence: *i*) could not, with the exercise of due diligence, have been discovered and presented during the investigation and prior to the decision being made; *ii*) is relevant to a material issue arising from the allegations; (*iii*) is credible in that it is reasonably capable of belief; and has high probative value, in the sense that, if believed, it could, on its own, or when considered with other evidence, have led to a different conclusion on the material issue; *iv*) has high probative value, in the sense that, if believed, it could, on its own, or when considered with other evidence, have led to a different conclusion on the material issue.

For greater clarity, fresh evidence in this section may not be admitted where the evidence was available with the exercise of due diligence and, absent compelling justification, was not produced during the investigation or following a procedural order

A review of a decision by the CCES before the Safeguarding Tribunal shall be in writing, unless ordered otherwise by the Safeguarding Tribunal. And, in the limited cases where the Safeguarding Tribunal may determine that there is a basis to hear evidence from witnesses, no party may directly question any other party or witness. The form of the hearing, and the protections for minors and vulnerable witnesses/parties in any such hearing, shall otherwise be governed by the SDRCC Code.

## *6. Arbitral Procedure before the SDRCC*

### *6.1 Jurisdiction*

The Physical Activity and Sport Act ("the Act") in Canada states that the SDRCC is not a federal board, commission or other tribunal within the meaning of the Federal Courts Act. It is neither a governmental agency nor an administrative tribunal. Although established by the Act, the SDRCC's jurisdiction is not set out in legislation. Its jurisdiction stems from arbitration clauses in various contracts, agreements or policies. For example, discipline and appeal procedures of a sport organization may include access to the SDRCC's dispute resolution mechanisms.[31] Other policies such as those of the Canadian Anti-Doping Program (the "CADP") and the Athlete Assistance Program also explicitly grant jurisdiction to the SDRCC.

[31] National sport organizations (NSO) are incentivized to include such clauses, because funding agreements between the Canadian government and national sport organizations provide that government assistance is conditional to the NSO providing access to an independent dispute resolution through the SDRCC.

A fundamental limit to the scope of the SDRCC's dispute resolution service is that it is only available, per the Act, for the purpose of resolving "sport disputes" which include "disputes among sport organizations and disputes between a sport organization and persons affiliated with it, including its members".[32]

The SDRCC Code further defines a "sports-related dispute" as: "Sports-Related Dispute «Différend sportif» means a dispute affecting participation of a person in a sport program or a Sport Organization arising from, but not limited to:

- the selection of members to a team;
- the Athlete Assistance Program of the Government of Canada;
- a decision of an SO [Sport Organization] board of directors, a committee or an individual delegated to make a decision on behalf of an SO or its board of directors, which affects any member of the SO;
- the application of the CADP;
- the application of CSSP Rules 12.7, 13, 16 and 17;
- the application of the Canadian Program to Prevent Competition Manipulation ("CPPCM")[33] or
- the application of the UCCMS under the authority of an SO".[34]

### *6.2 The Safeguarding Tribunal*

The UCCMS sets the harmonized rules enforceable both by the CCES, by way of the CSSP, and by the SDRCC through its Safeguarding Tribunal.[35] A unique feature of this specialized division of the SDRCC is that its rules provide for a wide range of procedural accommodations to protect minors as well as other vulnerable parties and witnesses. The SDRCC maintains a roster of specialized mediators and arbitrators, with training and experience in trauma-informed approaches, to intervene in matters of harassment, abuse, and discrimination.

Safe sport mediations are offered by mediators selected from a specialized list of the SDRCC when parties agree to mediation or are directed by the CCES to take part in mediation under the CSSP.[36]

A safeguarding dispute before the Safeguarding Tribunal arises from the application of CSSP Rules 12, 7, 13, 16 and 17 (e.g. challenge of a decision of the CCES),[37] or the application of the UCCMS under the authority of a Canadian sport organization when the CSSP does not apply (e.g. challenge of a decision of the sport organization about a participant not under CSSP jurisdiction).[38]

---

[32] Statutes of Canada, 2003, Chapter 2, subsection 10(2), available at *https://laws-lois.justice.gc.ca/eng/acts/P-13.4/index.html.*

[33] Available at *https://cces.ca/sites/default/files/content/docs/2024-04/cces-cppcm-draft1-en.pdf*, and *https://cces.ca/sites/default/files/content/docs/2024-04/cces-cppcm-explanatorydocument-en.pdf.*

[34] SDRCC Code "*Definitions*".

[35] SDRCC Code Article 8.

[36] CSSP Rule 13.4.1.

[37] SDRCC Code Subsection 8.2(a).

[38] SDRCC Code Subsection 8.2(b).

A person may file a request to the Safeguarding Tribunal within twenty-one days of the CCES' decision on a violation, sanction, or provisional measure. The Safeguarding Tribunal also accepts reviews, challenges and appeals arising out of the application of UCCMS pursuant to safe sport policies of sport organizations other than the CCES.

### *6.2.1 Provisional Measures*

The CCES may impose provisional measures on the respondent to mitigate harm during an ongoing investigation into a potential UCCMS violation. The Safeguarding Tribunal can hear challenges of such imposed provisional measures, but such a challenge may only be brought by the respondent to the allegations. The challenge process is governed by subsection 8.4.2 of the SDRCC Code. The parties submit their evidence and submissions in writing, but the Safeguarding Tribunal panel may order an oral hearing if deemed appropriate.

The Safeguarding Tribunal panel, when tasked with deciding on a challenge of a provisional measure, may lift or vary the provisional measure imposed. In doing so, the panel shall take into account the considerations set out in CSSP Rule 12.2, including, among others, the safety or well-being of any participant and the sport community, the seriousness of the allegations and the facts and circumstances of the case, and potential risks and prejudice from action and inaction, with safety being paramount.[39]

The panel issues a reasoned decision on the provisional measure within ten days after submissions close. According to subsection 8.4.2(f) of the SDRCC Code, the panel's decision on challenging a provisional measure is final, binding, and cannot be appealed.

Proceedings before the Safeguarding Tribunal are governed by section 8 of the SDRCC Code and proceedings are to be initiated in accordance with subsection 8.4.1 of the SDRCC Code.

### *6.2.2 Hearings*

As all hearings before the SDRCC, safeguarding hearings are generally conducted in writing pursuant to the Resolution of Disputes rules set out in section 3.10 of the SDRCC Code, unless the panel agrees otherwise. In the case of a challenge of violation or sanction, the panel will apply the standard of reasonableness towards the CCES's decision.[40] The panel may allow for procedural accommodations and logistical arrangements for testimonies of minors and vulnerable persons.[41]

---

[39] CSSP Rule 12.2.1.
[40] SDRCC Code Subsection 8.4.4(d).
[41] SDRCC Code Sections 8.6 and 8.7.

### *6.2.3 Decisions*

Pursuant to CSSP Rule 16.10, the Safeguarding Tribunal may:

- uphold the decision made by the CCES;
- vary the decision made by the CCES under CSSP Rule 15.3.c) and substitute its own decision on violation and/or sanction in accordance with UCCMS Section 7 and the facts before it;
- vary the decision made by CCES under CSSP Rule 15.3.b);
- set aside the investigation report and direct that the CCES undertake a new investigation;
- in exceptional cases, stay the report in accordance with the principles of procedural fairness;
- set aside the resolution of a report based on a Letter of Concern under CSSP Rule 13.1, a Remedial Resolution under CSSP Rule 13.2, or an Acceptance of Violation and Sanction under CSSP Rule 13.3, on the basis that it is unreasonable;
- where the CCES has resolved a report under CSSP Rules 13.2 or 13.3 without an investigation under CSSP Rule 14, the Safeguarding Tribunal may set aside the resolution and order the CCES to conduct an investigation; and/or
- issue directions for any further steps required for the efficient and timely resolution of a report, as may be required and appropriate in the circumstances.

Under the 2025 SDRCC Code, all Safeguarding Tribunal decisions are to be made public but are redacted so that the public may not identify: someone who was a minor or vulnerable person at the time of the alleged violation, an interested party or witness (unless they have requested to be publicly identified), or the respondent (only if the finding is that there was no violation of the UCCMS, unless they have expressly consented to be publicly identified).[42]

### *6.2.4 Appeals*

As stated previously, the Safeguarding Tribunal decision on a provisional measure or on a UCCMS violation is not appealable to the Appeal Tribunal.

According to section 9.1 of the SDRCC Code, only Safeguarding Tribunal decisions pertaining to a sanction may be appealed to the Appeal Tribunal. An appeal must be filed within 30 days of the Safeguarding Tribunal panel's decision on sanction.[43]

[42] SDRCC Code Subsection 8.14(c).
[43] SDRCC Code Subsection 9.6(a)(iii).

### 6.2.5 Execution of the Decision

All awards issued by the SDRCC are considered arbitral awards and the law that applies to all SDRCC arbitrations is the Arbitration Act of Ontario.[44] Therefore, its decisions are subject to judicial review in civil courts). As arbitral awards, they are also covered by the New York Convention[45] which generally applies to the recognition and enforcement of all arbitral awards and renders them enforceable. Each tribunal division of the SDRCC also provides for some additional recognition or execution of the decision.

CSSP Rule 22 on reciprocal recognition and enforcement provides for sanctions imposed, whether by the CCES or a Safeguarding Panel or Appeal Panel, to be automatically recognized and enforced, as necessary, by and between all CSSP adopting organizations, which shall take all necessary actions to give effect to the sanction, with no further review or appeal. The rule also stipulates that the CCES may recognize sanctions imposed on a participant by a professional regulatory body, or by a domestic or international sport organization(s) for conduct consistent with behaviour prohibited under the UCCMS.

For a breach or non-respect of sanctions issued by the Safeguarding Tribunal following a confirmed UCCMS violation (whether at the first instance or on appeal), the individuals not respecting sanctions may face further allegations of UCCMS breaches which may be considered as aggravating factors in the imposition of further discipline.

## 7. The Future of Sport in Canada Commission

Maltreatment in sport has been revealed globally, including in Canada. After numerous reports, complaints and allegations of maltreatment and abuse at all levels of Canadian sport became known, in December 2023, following several months of pressure to initiate a public inquiry into allegations of abuse in sports, the federal government announced that it would launch a three-person commission to investigate systemic abuse and human rights violations in Canadian sport.

Further to additional shocking revelations by victims, survivors and advocates that brought to light systemic maltreatment that occurs at all levels and contexts of sport in Canada,[46] elite athletes, advocates and two parliamentary committees all demanded an inquiry to address what they called a pattern of normalizing abuse, covering up misconduct and failing to hold perpetrators accountable. On 28 November 2024, the government of Canada formally announced the creation of the Future of Sport in Canada Commission, a three-person

[44] Arbitration Act, 1991, S.O. 1991, c. 17, available at *https://www.ontario.ca/laws/statute/91a17*.
[45] Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958.
[46] See for example: Canada Soccer Review, available at *https://www.mclarenglobalsportsolutions.com/pdf/CanadaSoccerReview_MGSSFinalReport_July28_2022.pdf* and Gymnastics Canada Review, available at *https://www.mclarenglobalsportsolutions.com/pdf/Gymnastics-Report-Jan-22-2023.pdf*.

commission appointed by the federal government to investigate systemic abuse and human rights violations in Canadian sport.

According to its own government webpage,[47] the Commission's aim is to review the Canadian sport system and make recommendations on concrete and effective actions with respect to:

- improving safe sport in Canada, including trauma-informed approaches to support sport participants in the disclosure of and healing from maltreatment; and
- improving the sport system in Canada, including but not limited to policy, funding structures, governance, reporting, accountability, conflicts of interest, systems alignment, culture and legal considerations.

The goal is for a preliminary and final report to be issued with recommendations on governance, funding and policy aimed at changing the culture in sport. In March 2025, the Government of Canada granted the Commission an extension to issue its final report by 31 March 2026.

## *8. Other Safe Sport Initiatives*

### *8.1 Research*

As part of its efforts to better understand the conditions that enable maltreatment to occur in sport and to learn about ways in which it can be prevented or better addressed, the SDRCC created the Abuse-Free Sport Research Grant Program. The program funded research to collect necessary empirical and scientific data to understand the context and conditions under which some sport actors are enabled to misuse their authority to abuse others and maintain in place systems that allow maltreatment to pervade. Safe sport research also helps find solutions to maltreatment in sport by evaluating the effects of safe sport initiatives and of efforts to create healthier sport environments.

From 2022 to 2025, the SDRCC awarded over CAD 1.2 million to support twenty-eight safe sport research projects. Seventeen of them have been completed and their final reports are available online[48] in both French and English. As of the publication of this article, eleven multiyear projects continue to be funded until, at the latest, March 2027.[49]

### *8.2 Education and Prevention*

Various stakeholders need to be educated on the UCCMS: athletes, coaches, administrators, team physicians, parents, only to name the most obvious.

---

[47] See *https://www.canada.ca/en/canadian-heritage/campaigns/future-sport.html.*
[48] Available at *https://www.crdsc-sdrcc.ca/eng/safe-sport-research.*
[49] Source: SDRCC.

Prior to the mandate to administer the UCCMS being given to the CCES, the Abuse-Free Sport program had established a safe sport education accreditation program which recognized UCCMS-compliant training and education initiatives developed by sport partners across the country. The online library of accredited safe sport education features programs aimed at athletes, parents, coaches, officials, activity leaders and bystanders.[50] Other multisport organizations in Canada also launched safe sport education programs for sport science professionals and for games staff and volunteers. The first education program in Canada specifically based on the UCCMS was the Safe Sport Training module developed by the Coaching Association of Canada,[51] looking to help anyone involved in sport identify and prevent situations of maltreatment. It is but an example of the many recognized accredited education programs that align with the UCCMS and equip coaches, administrators and others to make decisions that promote athletes' physical and mental wellbeing and empowers sporting organizations to foster a culture that contributes positively to athlete success.

Although the CSSP is in its infancy, the CCES' education and prevention initiatives already include online education programs and other various educational initiatives of all kinds, including training. E-learning is the first step in the CCES' safe sport education program and introduces information about applicable rules, explains prohibited behaviours, and describes how to report maltreatment. When a Canadian sport organization adopts the CSSP Rules, its members and participants are automatically bound to the CSSP and become subject to the CSSP Rules. Participants must complete a course about the CSSP Rules and maltreatment. They must also sign a consent form stating that they understand that they are subject to the rules.

With specific regard to coaches and staff, as of 1 April 2020, all Sport Canada-funded organizations are required to make training in abuse and harassment available to everyone under their immediate authority. This means that in Canada, all sport organization coaches, staff, or individual playing a role in national sport are required to undergo safe sport training and certification, which they must renew regularly. They are also subject to background checks, criminal checks, and other basic verifications to ensure that no one who is dealing with athletes, especially minors, poses a threat to them.

With specific regard to participants, as of 2025, everyone who is subject to the CSSP Rules must complete an education course called "Safe Sport 2025". By way of such course, all participants should be able to understand (i) their right to a safe sport environment under the UCCMS, (ii) which behaviours are prohibited by the UCCMS, (iii) how to recognize prohibited behaviours, iv) what to do if they witness prohibited behaviour, (v) how to report prohibited behaviour, (vi) what their reporting responsibilities are, and are not, (vii) procedures and processes under CSSP, and (viii) the consequences for people who violate the rules.

[50] Available at *https://www.crdsc-sdrcc.ca/eng/safe-sport-education.*

[51] Safe Sport Training - Coaching Association of Canada, available at *https://coach.ca/sport-safety/safe-sport-training.*

Individual regional and local sport organizations are also strongly encouraged to disseminate educational messages that are consistent with the UCCMS through their own delivery mechanisms. Currently, education and dissemination focus are on two predominant groups: participants (as defined in the UCCMS) and coaches. However, everyone in sport is also targeted by current educational initiatives. This includes decision-makers and caretakers, where they are the ones who can best protect athletes (who are in a position of power imbalance in relation to coaches). Parents also need to be educated to protect their own children and recognize inappropriate behaviours (like boundary transgressions) before they escalate.

### *8.3 Addressing Systemic Issues*

A landmark program of the OSIC was its sport environment assessments. These assessments were intended to address alleged systemic UCCMS-related issues to improve the sport environment for both current and future participants.[52] These assessments served a dual function by both addressing and preventing maltreatment, discrimination and other UCCMS prohibited behaviours to eventually remedy systemic issues within a specific sport environment. Assessments sought to understand the problem and its root causes, and then look at possible solutions, all of which were ultimately presented in a published report.

To render the relevant sport organization accountable for improving the situation, within approximately a year after the publication of a report, a monitoring phase would lead to a second report on the extent the recommendations of the sport environment assessment report were implemented. The OSIC completed five sport environment assessments, four in 2024 and one of larger magnitude in 2025. These reports are all available online on the SDRCC website.[53] Their monitoring phases were all at different stages at the time of printing.

### *8.4 Public Registry of Sanctions*

Sport programs in Canada are delivered at the national, provincial, territorial and community levels, in the education system from elementary schools to universities, as well as in private for-profit and professional settings. Such a segmentation of sport makes it possible for individuals who have been sanctioned for maltreatment to move laterally or otherwise to another jurisdiction or sport opportunity, thereby evading sanctions and possibly victimizing more sport participants.

The national public registry of safe sport sanctions, first created by the OSIC and now adopted by the CCES, is a cornerstone of the fight against maltreatment in sport. It publishes names of individuals who are subject to sanctions or provisional measures restricting their eligibility to participate in sport for the

[52] Available at *https://www.crdsc-sdrcc.ca/eng/sport-environment-assessments.*
[53] Ibid.

duration that such sanctions or provisional measures are in effect. In addition to acting as a deterrent for sport participants to breach the UCCMS, the registry becomes an extra resource for sport organization leaders to conduct due diligence before accepting new members, recruiting volunteers or hiring staff.

## *9. Conclusion*

Led by experts in their fields, using education and research to prevent maltreatment at all levels of sport, Canada is at the forefront of national safe sport legislation, programs, research and education to prevent, deter and rid sport of all forms of harassment, discrimination, and abuse. Canada is learning as it moves forward, like every other country, and is immensely proud of the concrete measures it has put in place regarding maltreatment in sport, because every Canadian athlete and participant deserves to train and compete in abuse-free sport.

# SAFE SPORT IN FRANCE

by *Charles Dudognon*[*]

SUMMARY: Introduction – 1. The State's Legal Framework – 1.1 The Constitutional and Legislative Framework – 1.2 Sports Legislation – 2. The Legislative and Regulatory Framework for Organised and Safe Sports Activities – 2.1 Sports Facilities – 2.2 Sports Coaches/Instructors – 2.2.1 Qualification Requirements – 2.2.2 The Honourability Requirement – 2.2.3 Mandatory Activity Registration – 3. Reporting Mechanisms – 4. Procedures – 4.1 Administrative Procedures – 4.2 Criminal Procedures – 5. The Role of the French Olympic Committee («CNSOF») – 5.1 The Guardian of Sports Ethics and Integrity – 5.2 CNOSF Actions – 6. The Role of National Sports Federations – 6.1 Obligations Linked to Ministerial Approval – 6.2 Prevention and Action Plans Against Violence – 6.3 Disciplinary Action by Sports Federations – 7. Sports Clubs – Conclusions

## *INTRODUCTION*

Protecting those involved in sport has long been a concern of public authorities and, more recently, private sports bodies. The growing visibility of victims' testimonies, particularly regarding sexual and gender-based violence, and the media coverage of certain cases in recent years, have led public authorities to take firmer action and adopt a more global approach. This has included launching a national strategy to prevent violence in sport that mobilizes numerous public and private stakeholders.

National regulations have evolved significantly in recent years to strengthen protection in sport, with most of these provisions found in the *Code du Sport* (French Sports Code).

[*] Charles Dudognon is a Professor of Law at the University of Limoges (France) and Director of the CDES research centre and publications department (OMIJ-CDES), CAS Mediator and member of the Arbitration Chamber of CNOSF.

## 1. The State's Legal Framework

### 1.1 The Constitutional and Legislative Framework

Unlike in some other legal systems, the French Constitution of 4 October 1958 does not explicitly recognise the right to participate in sport. Consequently, this right does not possess constitutional rank within the French legal order.

Nevertheless, the right to leisure is affirmed as a fundamental social principle in paragraph 11 of the Preamble to the Constitution of 27 October 1946, which holds constitutional value as part of the '*bloc de constitutionnalité*'. This provision establishes that the Nation '*guarantees to all, and in particular to children, mothers and elderly workers, the protection of health, material security, rest and leisure*'.

Furthermore, Article 140 of Law No 657 of 29 July 1998 on combating exclusion[1] establishes equal access to sport for all, throughout life, as a "*national objective*" that contributes to the effective exercise of citizenship. This objective calls for the development of artistic, cultural and sporting activities in poor areas, as well as access to these activities for marginalized groups. The State, local authorities, social welfare bodies, companies and associations all contribute to achieving this objective. For the most part, however, these provisions remain largely aspirational rather than legally binding.

### 1.2 Sports Legislation

Legislative provisions relating to sport were codified in 2006 in the *Code du sport*, which brought together and systematised the principal statutory texts governing the organisation, regulation, and promotion of sporting activities in France.[2]

The first provision of the *Code du Sport* states that physical activity and sport "*form an integral part of education and culture*", adding that this activity "*constitutes a necessary dimension of public policies aimed in particular at equality of opportunity, the preservation and restoration of health and the moral and physical well-being of individuals and, more generally, personal fulfilment and collective progress*". Moreover, Article L. 100-1 states that "*the law promotes equal access to physical activities and sport, without discrimination based on sex, gender identity, sexual orientation, age, disability, actual or assumed membership of a nation or ethnic group, religion, language, social status, political or philosophical opinions or any other status*". The importance of sport in society is thus clearly underlined by the French legislator.

[1] L. n° 98-657 of 29 July 1998 relating to the fight against exclusion. Article 140 was amended by Law no. 2017-86 of 27 January 2017 on equality and citizenship.

[2] Ordinance no. 2006-596 of 23 May 2006 relating to the legislative part of the Sports Code.

It should also be noted that the principle of free access to sporting activities was established as a general principle of law by the *Conseil d'Etat* (France Administrative Supreme Court) in the *Broadie* ruling of 16 March 1984.[3]

Furthermore, the *Code du Sport* contains numerous provisions on the protection of participants, and in particular sportsmen and sportswomen. Article L. 100-2 stipulates (i) that "*the State, local authorities, associations, sports federations, companies and their social institutions contribute to the promotion and development of physical and sporting activities*", and (ii) *that these institutions are responsible for "ensuring equal access to sporting activities throughout the country", as well as "preventing and combating all forms of violence and discrimination in the context of physical and sporting activities*". It is worth noting that this specific provision was only integrated into the *Code du sport* in 2022, reflecting a relatively recent development in the codification of sports law in France.[4]

Several provisions of the *Code du Sport* are specifically dedicated to the protection of athletes' health and well-being. Pursuant to Article L. 230-1, the Minister for Sport, in conjunction with other relevant ministers, is responsible for implementing the relevant measures and medical surveillance with the support of sports federations. There are also specific provisions relating to the medical monitoring of athletes: the medical certificate (Articles L. 231-2 et seq.), medical monitoring of top-level athletes by sports federations (Articles L. 231-6 et seq.), etc.

In addition, the *code du Sport* requires associations, companies and sports federations to take out civil liability insurance to cover not only their own civil liability, but also that of employees or volunteers and athletes (Article L. 321-1).

Finally, the legal framework for the protection of individuals involved in the field of sport is underpinned by a wide array of legislative and regulatory instruments, some of which are not specific to sport but are nonetheless applicable within its context. Notably, the Ministry of Sport and the Olympic and Paralympic Games has published a comprehensive reference text entitled *Legal Guide for the Prevention and Combating of Misconduct, Violence and Discrimination in Sport* (5th ed., March 2023) "which consolidates the relevant legal provisions and good practices in this area".[5]

---

[3] CE 16 March 1984, *Broadie*, no. 50878.

[4] Law no. 2022-296 of 2 March 2022.

[5] The original version of this guide reads as *Guide juridique sur la prévention et la lutte contre les incivilités, les violences et les discriminations dans le sport, Ministère des sports et des jeux olympiques,* 5th éd., mars 2023. Available at *https://www.sports.gouv.fr/5eme-edition-du-guide-juridique-relatif-la-prevention-et-la-lutte-contre-les-incivilites-violences.*

## 2. The Legislative and Regulatory Framework for Organised and Safe Sporting Activities

### 2.1 Sports facilities

Although sports facilities are no longer subject to prior notification to the sports administration – a requirement abolished in 2014 – they remain subject to a range of obligations, some of which relate directly or indirectly to the safety of participants. These obligations include:

- compliance with health and safety regulations (Article 322-2);
- duty to hold an insurance policy covering the civil liability of the sports facility, coaches, employees as well as regular and occasional users (Article L. 321-7);
- the «obligation d'honorabilité» (honourability requirement) for the sport facility operator (see below);
- the organisation of first aid, i.e. a first aid kit, means of communication to alert the emergency services, display of a table showing the organisation of first aid (Article R. 322-4);
- the duty to notify public authorities of any serious accident or any situation presenting serious risks and possible consequences for the health and physical or moral safety of the participants (Article R. 322-6).

In addition, since November 2025, pursuant to Decree No 2025-435 of 16 May 2025, sports facilities must display, in a place visible to all, information about reporting mechanisms and support services to "*people who consider themselves to be victims or witnesses of (i) situations that could be classified as physical or moral violence or (ii) situations of mistreatment resulting in particular from discriminatory comments, hazing, situations of control, or even possible complicity and failure to report such incidents*" (Article R. 322-5).

### 2.2 Coaches/Instructors

A number of obligations have been imposed on the persons responsible for supervising physical and sporting activities. In recent years, these obligations have been strengthened in order to better ensure the health and physical and moral safety of participants, particularly young sportspeople. This is evidenced in particular by the Law No 2024-201 of 8 March 2024 aimed at strengthening the protection of minors and the standards of « honorabilité» in the field of sport.[6]

[6] Law n° 2024-201 of 8 March 2024.

### *2.2.1 Qualification Requirements*

Remunerated sports instructors (understood in the broadest sense, i.e. those who teach, lead, supervise or train) must hold a diploma, professional qualification or certificate of professional competence (Article L. 212-1 of the *Code du Sport*). Non-compliance with this requirement constitutes a criminal offence and is subject to legal sanctions (Article L. 212-8).

The purpose of this qualification requirement is to ensure that coaches are competent in matters relating to the safety of participants and other persons involved in the sporting activity.

If the activity is carried out in hazardous environments requiring compliance with particular safety measures (such as climbing, canyoning, parachuting, scuba diving, caving and free flight), only the person holding a specific diploma included on a list are authorised to practise.

Moreover, since the aforementioned Law No 2022-296 of 2 March 2022, training programs for sport instructors must include education on preventing violence and discrimination, especially sexual violence (Article L. 211-7 of the Code du Sport).

### *2.2.2 The Honourability Requirement*

Coaches, whether professional or volunteer, must meet the standards of «honorabilité» This requirement is paramount to ensure the safety of participants and, in particular, to combat violence, including sexual violence, in sport.

Accordingly, a person who has been convicted of all criminal acts and offences as set forth in Article L.212-9 of the French Sports Code, including, but not limited to, intentional or unintentional harm to individuals, endangerment of others, and infringements upon human dignity may not work as a coach.

It should be noted that this requirement extends to:

- sports facilities operators, whether professionals or volunteers (Article L. 322-1 of the Code du Sport);
- judges and referees (Article L. 212-9 of the *Code du Sport*, amended by Law No 2021-1109 of 24 August 2021);[7]
- lifeguards at swimming facilities with paid access (Article L. 212-9 of the *Code du Sport* amended by Law No 2021-1109 of 24 August 2021);
- coaches working with minors in sports facilities (Article L. 212-9 of the *Code du Sport* amended by Law No 2021-1109 of 24 August 2021).

Since Law No 2024-201 of 8 March 2024, an annual check is mandatory. In the case of professional sports coaches, systematic consultations of criminal records and the national register of sex offenders (FIJAISV). Members of the public can verify that the checks have been carried out via a dedicated website.[8]

[7] Law n° 2021-1109 of 24 August 2021 reinforcing respect for the principles of the Republic.
[8] See *https://recherche-educateur.sports.gouv.fr/accueil*.

For the other persons concerned (sports facility operators, judges, referees, etc.), monitoring is carried out by an automated information system ('SI Honorabilité') created by the Ministry of Sport,[9] which is fed by the automated transmission of certain data[10] by sports federations, enabling the State services to ensure compliance with this obligation. The information is submitted annually by the sports federations, which must inform their members of this «honorabilité» check and of the consequences of any conviction that is incompatible with the duties performed.

To facilitate the implementation of these obligations, the Ministry of Sport has published a guide entitled "The Monitoring of «honorabilité» of coaches, volunteer sports facilities operators, and referees/judges licensed by sports federations".[11]

### *2.2.3 Mandatory Activity Registration*

Remunerated sports instructors are required to submit a declaration to the competent local authority on the basis of which they are issued with a professional card (Articles R. 212-85 and R. 212-86). The information and documents (copy of the diploma or qualification, a valid ID, a declaration of no criminal convictions etc.) required for this professional activity declaration are set out in Article A.212-176 et seq. of the Code du Sport.

The declaration serves three main purposes, namely:

1. Public protection and safeguarding:

It ensures that the instructor does not pose a risk to public safety, especially to children or vulnerable persons. The authorities check the applicant's criminal record against the Bulletin n° 2 and relevant ineligibility lists (e.g. for offences of violence or sexual abuse).

2. Qualification verification:

The instructor must hold a recognized diploma, certificate, or qualification authorising them to exercise the sport activity in question (e.g. BPJEPS, DEJEPS, STAPS, etc.).

3. Regulatory monitoring and renewal:

The declaration is valid for five years and must be renewed to continue practicing legally. Once accepted, the instructor receives a "*carte professionnelle d'éducateur sportif*", a mandatory professional ID card that must be presented upon request during coaching or instruction.

Failure to comply with this obligation constitutes a criminal offence and is subject to legal sanctions.

---

[9] Order of 31 March 2021 creating an automated personal data processing system called "SI Honorabilité".

[10] Decree no. 2021-379 of 31 March 2021 relating to the collection of data from persons subject to the obligations of articles L. 212-9 and L. 322-1 of the Code du Sport.

[11] Available at *https://www.sports.gouv.fr/sites/default/files/2023-01/guide-honorabilit-des-b-n-voles-3844.pdf?utm_source=chatgpt.com*.

### *3. Reporting Mechanisms*

Reporting obligations have been strengthened in recent years. First, pursuant to Article 40 of the French Code of Criminal Procedure, '*any constituted authority, public official or civil servant who, in the exercise of their duties, becomes aware of a crime or offence is required to report it without delay to the public prosecutor and to transmit all relevant information, reports and records*'.

In addition, Law No./ 2024-201 of 8 March 2024, aimed at reinforcing the protection of minors and the *honorability* requirement in the field of sport, introduced two new reporting obligations. These apply respectively to sports federations and operators of sports facilities, thereby broadening the scope of institutional accountability for safeguarding and integrity within the sporting environment.

Firstly, pursuant to Article L. 131-8-1 of the *Code du sport*, sports federations are required to inform the Minister responsible for Sport without delay when they become aware of conduct by certain individuals – such as sports coaches, instructors, or sports facility operators – whose continued activity constitutes a danger to the health and physical or moral safety of participants.

Secondly, under Article L. 322-4 of the *Code du sport*, operators of sports facilities must report to the competent local authorities any such conduct by a sports instructor that poses a comparable risk to participants. In recent years, the number of reporting platforms has grown significantly. These platforms are established not only by sports federations but also by civil society organisations dedicated to combating violence – whether in general terms, specifically within the sporting context, or with regard to particular forms of abuse (such as sexual violence, hazing, or harassment). Some platforms are designed to offer targeted support to specific categories of victims, including children and women.

In terms of reporting, a central role is played by the "*National unit for handling reports of violence in sport*" of the Ministry responsible for Sport.[12] This unit, created in December 2019, collects reports from victims and/or witnesses of acts of violence in sport.[13] It "*ensures that it responds as quickly as possible to remove persons implicated in serious acts of violence committed by persons in the sporting environment, and coordinates the administrative procedures, directly carried out by the Ministry's departmental services*".[14] Since the unit was set up, according to figures provided by the Ministry on its website, 1,284 reports have been processed (or are in progress), resulting in 624 administrative measures.[15] Most of the facts reported involve sexual violence (90%) and concern female victims (81%).

[12] *https://www.sports.gouv.fr/cellule-signal-sports-63*.
[13] To write to *Signal Sports*: signal-sports@sports.gouv.fr.
[14] See *https://www.sports.gouv.fr/signaler-une-violence-501*.
[15] Ibid.

## 4. Procedures

### 4.1 Administrative Procedures

Since 1992, an administrative policing framework has been established to regulate teaching, supervisory, and training activities in sport, with the aim of safeguarding the safety and well-being of participants.[16]

The prefectural authority may impose a ban on the practice of activities by persons whose "*continued activity would constitute a danger to the health and physical or moral safety of participants*". This involves a ban on working as a coach (professional or volunteer) and, since the Law No. 2022-296 of 2 March 2022,[17] as a judge or referee, as a supervisor of swimming areas with paid access or as a person working with minors in sports facilities (Article L. 212-13 of the *Code du Sport*). This administrative measure is formalised through a reasoned prefectural order, following consultation with a designated commission. However, in cases of urgency, the prefect may issue a temporary ban – limited to six months – without prior consultation of the commission.

The aforementioned prefectural authority may also order any individual who fails to comply with certain provisions of the *Code du sport* to cease their activity within a specified time frame. Furthermore, any person who teaches, leads, or supervises a physical or sporting activity in violation of an administrative ban may be subject to criminal sanctions (Article L. 212-14 of the *Code du sport*).

Since the Law No. 2024-201 of 8 March 2024,[18] the Prefect can also impose a temporary or permanent ban on operating a sports facility, particularly on a person "*whose continued operation constitutes a danger to the health and physical and moral safety of participants*" or who fails to comply with the reporting obligation set out in Article L. 322-4-1 of the Code du Sport (Article L. 311-3 of the *Code du Sport*).

### 4.2 Criminal Procedures

Under French law, acts of violence and discrimination are liable to prosecution under a broad spectrum of criminal offences, depending on their nature and severity.[19]

Discrimination is covered by Articles 225-1 et seq. of the Criminal Code. Sports organisations can, for example, be penalised for discrimination in access to sporting activities by refusing to provide a service (Article 225-2 of the Criminal Code).

[16] Law no. 92-652 of 13 July 1992 amending Law no. 84-610 of 16 July 1984 relating to the organisation and promotion of physical and sporting activities: art. 15-2 of the amended 1984 law.
[17] Law no. 2022-296 of 2 March 2022 aimed at democratising sport.
[18] Law no. 2024-201 of 8 March 2024 cited above.
[19] See the «Guide juridique sur la prévention et la lutte contre les incivilités, les violences et les discriminations dans le sport, Ministère des sports et des jeux olympiques», cited above.

Criminal offences relating to sexual violence are set out in Articles 222-22 et seq. of the Criminal Code. Sexual assault is defined as "*any sexual assault committed with violence, coercion, threats or surprise or, in the cases provided for by law, committed on a minor by an adult*". Rape is defined in Article 222-23 of the Criminal Code. Criminal penalties are increased in certain cases (an act committed (i) on a minor under the age of 15, a person whose particular vulnerability is apparent or known to the perpetrator, (ii) by a person with de jure or de facto authority over the victim, (iii) by a person who abuses the authority conferred by his or her position, etc.).

Other offences include hazing (Article 225-16-1 of the Criminal Code), moral harassment (Article 222-33-2 of the Criminal Code), sexual harassment (Article 222-33 of the Criminal Code), etc.

## *5. The Role of the French Olympic Committee*

The French National Olympic and Sports Committee (CNOSF) performs a range of functions aimed at safeguarding sport and protecting athletes, both in its capacity as the National Olympic Committee recognised by the International Olympic Committee (IOC) and as the representative of the French Sports Movement.

### *5.1 The Guardian of Ethics and Integry*

Entrusted with the promotion of Olympic values as set out in the Olympic Charter, the CNOSF is required to take action against all forms of discrimination and violence in sport.

In addition, the CNOSF is mandated – either on behalf of, or in cooperation with, the sports federations – to carry out any activities of common interest, notably those aimed at facilitating access to sport for all.[20]

Under Article L. 141-3 of the *Code du Sport*, the CNOSF "*ensures compliance with the ethics and deontology of sport defined in a Charter drawn up by it*". The latest version of this Charter was adopted by the CNOSF General Assembly on 23 May 2022, on the recommendation of the CNOSF Ethics Committee.[21]

Article 3 of the Charter states that "*the rejection of all forms of discrimination, whatever their nature, is at the heart of the values of sport*". These values exclude in particular any distinction of origin, race or religion within the meaning of Article 1 of the French Constitution, but also any distinction based on sex, gender, sexual orientation or physical appearance (Title I: Republican principles and values of sport). Under Article 3 (Title II: the ethics of those involved in sport), "*the preservation of health is a priority*", and, according to the same

[20] CNOSF Statutes, Article 2.

[21] *https://cnosf.franceolympique.com/une-nouvelle-charte-dethique-et-de-deontologie-du-sport-francais.*

article, sportsmen and sportswomen must respect the body and its integrity, be moderate in the expression of opinions, be non-discriminatory etc.

Moreover, under the ethics and deontology of sports organisations (Title III), Article 18 of the Charter stipulates that sports organisations "*shall prohibit violence and all forms of discrimination, paying particular attention to persons and groups in vulnerable situations. They shall ensure the moral, physical and psychological integrity of all persons, in particular young people, and protect them against all forms of physical or moral violence. They shall promote information and awareness-raising initiatives to this end*".

The Charter also invites all the partners (sponsors, media partners etc.) to ensure that their actions are in line with the objectives of free access for all to sporting activities, without any discrimination, of preserving the moral, physical and psychological integrity of athletes (in particular minors), and of preventing and combating insults, violence and aggression of any kind (Title IV: Ethics of the partners in sport).

In addition, sports federations known as «delegated federations»[22] must, on the one hand, adopt a code of ethics and professional conduct in accordance with the principles defined by the CNOSF Charter and, on the other hand, set up an independent ethics committee to ensure that the charter is applied (Article 131-15-1 of the *Code du Sport*).

### *5.2 CNOSF Actions*

The CNOSF is developing a range of programmes aimed at promoting inclusiveness, fostering healthy sporting practices, protecting athletes, and combating violence in sport. It provides support the sports movement (its affiliated federations) on a variety of key issues that represent the challenges currently facing the sporting world. Among these, the fight against sexual violence holds a particularly prominined position. In 2022, the CNOSF established a dedicated Commission tasked with addressing sexual violence and discrimination in sport.

Such a Commission pursues three core objectives: (i) to assess the current state of effort to combat sexual violence and discrimination; (ii) to raise awareness and encourage action within the sports movement (federations and decentralised bodies of the CNOSF (departmental Olympic and sports committees (CDOS), regional Olympic and sports committees (CROS) and territorial Olympic and sports committees (CTOS)) in the fight against sexual violence and discrimination; (iii) to provide awareness-raising and training activities for the sports delegations under the responsibility of the CNOSF, with a focus on prevention.[23]

[22] A «fédération sportive délégataire» is a sports federation officially empowered by the Ministry of sports (under the Code du Sport) to organise competitions, set technical regulations, and oversee the practice of a specific sport at the national level. This delegation grants the federation a form of public authority to regulate and promote the sport, including the power to issue and impose disciplinary measures.

[23] See at *https://cnosf.franceolympique.com/le-cnosf-engage-contre-les-violences-sexuelles-dans-le-sport*.

The CNOSF plays a key role in the prevention of sexual violence and discrimination in sport, both at the national and international levels. In 2023, it demonstrated its leadership in this area by organising the first *International Conference on Combating Sexual Violence in Sport*, bringing together a wide range of stakeholders – including institutional actors, sports organisations, experts, and civil society representatives – to share experiences, strengthen cooperation, and promote best practices in safeguarding.

In addition to this high-level event, the CNOSF has adopted a comprehensive strategic framework entitled *'Fight Against Sexual Violence: Roadmap 2023–2025'*, which sets out seven priority areas of intervention.[24] These include:

1. Raising awareness among all stakeholders involved in sport, including athletes, coaches, managers, and volunteers;
2. Providing training to sports professionals and volunteers on recognising, preventing, and responding to sexual violence;
3. Supporting and empowering victims, through the promotion of reporting mechanisms and access to appropriate services;
4. Ensuring better coordination within the French sports movement, including among federations and CNOSF's decentralised bodies (departmental Olympic and sports committees (CDOS), regional Olympic and sports committees (CROS) and territorial Olympic and sports committees (CTOS);
5. Establishing partnerships with public authorities and civil society organisations to reinforce a multi-actor approach;
6. Promoting the integrity of those involved in sport, particularly through strengthened *honorabilité* checks and ethical oversight;
7. Evaluating the implementation of preventive measures, with a view to continuous improvement.

This roadmap underscores the CNOSF's commitment to placing safeguarding at the heart of the values and governance of sport. It also reflects a broader cultural shift towards zero tolerance of abuse, in line with international standards and the Olympic Charter's fundamental principles of respect, dignity, and non-discrimination.

In April 2023, the CNOSF commissioned a survey on sexual violence and discrimination within sports federations, conducted by the research institute MOUVENS.[25] This inventory aimed to assess the extent to which these issues are recognised and addressed across the French sports movement. The findings of the survey revealed a number of persistent obstacles faced by federations in effectively combating sexual violence. In particular, it identified significant challenges

[24] This roadmap is available at *https://cnosf.franceolympique.com/api/media/sites/default/files/2024-03/Feuille%20de%20route%20lutte%20contre%20les%20violences%20sexuelles%202023-2025.pdf*.

[25] This survey is available at *https://cnosf.franceolympique.com/api/media/sites/default/files/2024-10/Etat%20des%20lieux%20-%20CNOSF%20-%20Synthèse-VF.pdf?utm_source=chatgpt.com.*

in providing appropriate support to victims and in ensuring the timely and rigorous disciplinary handling of reported incidents.

The survey also underscored disparities in the level of preparedness and resources available among federations, highlighting the need for greater harmonisation of procedures, enhanced training of disciplinary bodies, and stronger institutional support. These findings have informed the CNOSF's ongoing efforts to develop targeted tools, foster inter-federation cooperation, and strengthen the culture of safeguarding within sport.

## 6. *The Role of National Sports Federations*

Sports federations obviously have a major role to play in ensuring the safety of sportsmen and sportswomen. As the governing body of one or more sports disciplines, a sports federation must obviously guarantee, through its regulations, access to sport for all by prohibiting any discrimination[26] and ensuring the safety of its members, which is a priority objective in the mission of sports federations to organise sports competitions.

The initiatives of sports federations are relayed by their decentralised bodies (departmental and regional committees), which are also involved in formulating and implementing prevention strategies within their respective territories.

### *6.1 Obligations Linked to Ministerial Approval*

Sports federations are also subject to specific obligations arising from their relationship with the State, particularly in the context of ministerial approval under Article L. 131-8 and ministerial delegation under Article L. 131-14 of the *Code du sport*.

Ministerial approval confers legal recognition upon a federation, while ministerial delegation grants it the authority to organise official competitions and to issue licences, under the control of the public authorities. These statuses entail compliance with a number of public service obligations, including those relating to ethics, integrity, and the protection of participants.

In order to benefit from ministerial approval, sports federations must fulfil a certain number of conditions, including signing the republican commitment contract created by Law No. 2021-1109 of 24 August 2021 reinforcing respect for the principles of the Republic.[27] Under this commitment contract, approved federations undertake in particular "*to ensure the protection of the physical and moral integrity of individuals, in particular minors, from sexist and sexual violence*". The commitments set out in the contract of republican commitment

[26] See, for example, Article 1 of the FFF's statutes which typically defines the federation's legal form and mission and confirms that it is governed under the 1901 association law and adheres to the ethical rules established by the French National Olympic and Sports Committee.

[27] Law no. 2000-321 of 12 April 2000 (Article 10-1) amended by Law no. 2021-1109 of 24 August 2021.

include: equality and non-discrimination (commitment no. 4), fraternity and the prevention of violence (commitment no. 5) and respect for human dignity (commitment no. 6).[28]

Furthermore, in order to be approved, sports federations must "*demonstrate that they are able to participate in the implementation of public service missions relating to the development and democratisation of physical and sporting activities and to offer their members the administrative structures and technical support required for the practice of the discipline and the protection of the physical and moral integrity of individuals, in particular minors*" (Article R. 131-3 5° of the *Code du Sport*).

In accordance with Article L. 131-7 of the *Code du Sport*, and in order to promote access to all forms of sporting activity, sports federations and youth and popular education associations approved by the Minister for Youth may introduce rules for practices that are appropriate and do not endanger the safety of participants.

### *6.2 Prevention and Action Plans Against Violence*

As part of the national strategy to prevent violence in sport (see the several national framework agreements ("*conventions*") for the prevention of violence in sport),[29] each sports federation must appoint a gender-based and sexual violence (GBV) designated person who is the contact person for the "*Signal-Sports*" unit in order to process and deal with reports of violence.

Against this backdrop, a number of sports federations – including the sailing, cycling, and equestrian federations – have developed dedicated plans for the prevention of violence. These plans encompass actions designed to raise awareness, promote the reporting of abuse, and provide support and assistance to victims.

Sports federations are often assisted in developing their plans to prevent and combat violence by specialised associations, such as the association '*Colosse aux pieds d'argile*' which assists more than 40 sports federations. Due to the challenges encountered, sports federations often enter into partenerships with associations that support them in combating violences, through the training of designated officers, awareness-raising for children and adults, and assistance to members of disciplinary committees, among other actions.

Sports federations are actively involved in prevention by organising awareness-raising campaigns, developing educational tools – such as guides and best practice manuals – and establishing dedicated reporting platforms.[30] These initiatives form part of the broader national strategy for the prevention of violence in sport, coordinated by the Ministry of Sport.

[28] See the appendix to decree no. 2021-1947 of 31 December 2021.

[29] The sixth edition was published in June 2025.

[30] For example the "*j'alerte.fff.fr*" programme by the French Football Federation, "*Alerte derives*" by the French Judo Federation, "stopviolence@ffvoile.fr" by the French Sailing Federation, etc.

Beyond their preventive function, federations also play a key role in the disciplinary response to acts of violence that fall within their jurisdiction. They are responsible for initiating proceedings, applying sanctions in accordance with their internal regulations, and ensuring due process in line with the principles of fairness, impartiality, and protection of victims.

### *6.3 Disciplinary Actions by Sports Federations*

The sports federations exercise disciplinary powers against the perpetrators of acts of violence in accordance with the provisions of the *Code du Sport*. To date, there are no specific provisions for gender-based and sexual violence. Disciplinary proceedings are therefore conducted in accordance with the federation's disciplinary regulations, which must comply with the standard disciplinary regulations for approved sports federations[31] which provide for a variety of sanctions (Article 22): for example, a temporary or permanent ban on taking part in competitions, a ban on holding a position or even striking off. In practice, proven acts of sexist and sexual violence are subject to severe penalties.

Each federation has its own set of disciplinary regulations, which set out in particular the persons subject to disciplinary authority, the punishable acts, the disciplinary bodies and their powers, the procedures for issuing instructions and the penalties applicable. Sanctions are imposed taking into account the seriousness of the offence, the conduct of the offender and the principle of proportionality.

Under the heading of reprehensible conduct, the French Football Federation (FFF) (like a large number of federations) expressly provides for "*any behaviour constituting sexist or sexual violence, in any form, as well as, in general, any behaviour characterising discrimination against others on the grounds of their gender, undermining their dignity and likely to harm their physical and/or psychological state*" (Article 2.1 e) of the FFF's disciplinary regulations). Such cases are subject to mandatory investigation (Article 3.3.2.1). Like a number of other federations, the FFF's disciplinary regulations provide for a reference disciplinary scale depending on the conduct alleged and sanctioned.

It is not uncommon for the persons prosecuted to be subject to a precautionary measure (for example, suspension from office or a ban on taking part in events organised or authorised by the federation) pending the disciplinary decision.

However, it must be acknowledged that sports federations are generally faced with a number of difficulties in managing disciplinary proceedings (time management, hearing victims' views, often complex investigations, evidence of violence, links with criminal proceedings for the same acts, etc.). It would therefore be especially advisable that the public authorities adapt the standard disciplinary regulations to procedures relating to violence, particularly gender-based and sexual violence.

[31] Code du Sport, Annex I-6 .

Consideration has been given (report by the National Committee for Strengthening Ethics and Democratic Life in Sport, 2023) to creating an independent administrative authority responsible for managing the prevention and handling of sexist and sexual violence. The idea was to centralise the prevention and, above all, the fight against such violence so as to transfer the disciplinary powers of sports federations to a single authority. Along the same lines, the French National Consultative Commission for Human Rights (CNCDH) recommended, in an opinion dated 25 January 2024, the creation of an independent body for the sports movement that would encompass the three dimensions of integrity identified by the Council of Europe (integrity of individuals, competitions and organisations). It is recommended that the Centre for Sport Integrity (CIS) be developed from an existing independent public authority (the French Anti-Doping Agency).[32] These proposals have not, to date, been acted upon.

### *7. Sports Clubs*

Sports clubs play a crucial role in ensuring the safety and well-being of participants. However, the extent of their engagement in this area often varies significantly depending on the size of the club, its financial resources, and the degree of awareness and proactivity shown by its leadership. Their preventive role is particularly important and may include actions such as displaying information notices, adopting internal charters, organising awareness-raising sessions, and appointing designated safeguarding officers.

Sports associations are also subject to certain legal obligations where they seek or obtain official approval (*agrément*) from public authorities. Pursuant to Article L. 121-4 of the *Code du sport*, such approval is contingent, among other conditions, upon the adoption of statutes guaranteeing democratic governance and the signing of a republican commitment contract. This contract includes a formal undertaking to 'protect the physical and moral integrity of individuals, particularly minors, from sexist and sexual violence'.

In addition, some local authorities – such as the City of Paris – have introduced specific safeguarding requirements for associations receiving public funding. As of this year, for instance, the City of Paris requires subsidised associations to appoint a designated contact person, whether an employee or volunteer, who must receive training on the prevention of gender-based and sexual violence. This constitutes a good practice that could be more widely adopted by other local authorities to reinforce safeguarding standards at the grassroots level.

[32] Opinion on sexual and gender-based violence in sport: prevention, protection, support (A-2024-1).

## *Conclusions*

Over the last few years, both public and private authorities have become aware of the extent of violence in sport. Legislation is constantly being strengthened and now provides a framework for combating violence more effectively. In recent years, both public and private actors have become aware of the extent of violence in sport. Legislation is constantly being strengthened and now provides a framework for combating violence more effectively. The approach initiated in particular by the Ministry of Sport is more global and involves many stakeholders. In addition to the repressive mechanisms (administrative, criminal and disciplinary) that are increasingly used, the emphasis is now on prevention. However, the resources allocated (financial and human) still need to be increased, and training and support, particularly for sports federations, need to be stepped up to make the fight more effective.

# SAFE SPORT IN GERMANY

by *Prof Dr Martin Nolte*[*] and *Dr Caroline Bechtel*[**]

SUMMARY: 1. Introductory Remarks – 2. Legal Framework – 2.1 State Law – 2.1.1 Laws on the Promotion of Sport – 2.1.2 Criminal Law – 2.2 Sports Association Rules – 2.2.1 Isolated Regulations – 2.2.2 Safe Sport Code – 2.2.2.1 Concept – 2.2.2.2 Objectives – 2.2.2.3 Definitions – 2.2.2.4 Prohibited Behaviour and Reporting Obligation – 2.2.2.5 Organisational and Procedural Frame – 2.2.2.6 Emergency Measures and Sanctions – 2.2.2.7 Explanatory Notes – 3. Safeguarding Strategies/Policies – 3.1 Centre for Safe and Non-violent Sport – 3.2 Association Safe Sport e.V. – 3.3 Code for Reappraisal – 4. Conclusion

## 1. *Introductory Remarks*

Interpersonal violence is unlawful and unjust. It violates inalienable human rights and impairs the integrity of sport.[1] Interpersonal violence must therefore be prevented and combated with the utmost determination. The safety of children and adults as well as their protection from interpersonal violence and abuse of power can be ensured in manifold ways. The responsibility to do so is thereby divided between the State and organised sport, which is in line with the fundamental principles governing the relation between state and private actors in the field of sport in Germany.[2] While the State has a duty to protect human rights, to prevent aggressions to the detriment of those affected and to prosecute serious violations, it is incumbent upon sports organisations to comply with their duties of due diligence towards

[*] Prof. Dr. Martin Nolte, Head of the Institute for Sports Law at the German Sport University Cologne, is the author of the feasibility study for a Centre for Safe and Non-violent Sport and elaborated the Model Safe Sport Code for organised Sport in Germany as well as the Code for Reappraisal together with Dr. Caroline Bechtel.

[**] Dr. Caroline Bechtel, Deputy Head of the Institute for Sports Law at the German Sport University Cologne, elaborated the Model Safe Sport Code for organised Sport in Germany as well as the Code for Reappraisal together with Prof. Dr. Martin Nolte, with whom she also founded the Society for Responsibility and Integrity in Sport, based in Groß Grönau near Lübeck.

[1] Concerning the recent development of integrity as key category of sports law see NOLTE/BECHTEL, *Auf dem Weg zur Integrität des Sports*, SpoPrax – Sportrecht und E-Sportrecht in der Praxis, 2021, 318 ff. with further references; NOLTE/BECHTEL, *Integrität des Sports*, Europäische Fernhochschule Hamburg GmbH, SPREH03.

[2] On the relationship between the state and sport in Germany STEINER, *Staat, Sport und Verfassung*, DÖV 1983, 173 et seq.; NOLTE, *Staatliche Verantwortung im Bereich Sport*, Kiel 2004, 4 et seq.

their members and all participants in sport activities, particularly children.[3] The discharge of these respective responsibilities thereby entails structured cooperation and coordinated action between public institutions and the sporting sector. Based on those principles of cooperation and coordination between the relevant stakeholders, this article illustrates the legal framework against interpersonal violence in sport. In accordance with the underlying two-pillars-system of sports law,[4] the article distinguishes between the State law relevant to sport on the one hand and the rules and regulations of sports organisation in the field of safeguarding on the other hand. Following the illustration on the legal framework, the policies and strategies in the field of sports regarding interpersonal violence in Germany as well as the general developments over the past five years are outlined.

## 2. *Legal Framework*

The responsibility to prevent violence and abuse of power in sport is divided between the State and organised sport.[5] This principle of joint responsibility is reflected in the legal framework. It comprises, on the one hand, all (sport-relevant) State laws against violence and abuse of power. Those laws primarily aim at preventing criminal offences which may infringe protected legal interests (see *infra* paragraph 2.1). On the other hand, it also includes the rules and regulations of sports organisations against violence and abuse of power in Germany. These apply not only to criminal behaviour, but also to rule violations that do not reach the threshold of criminal offences. In doing so, the sport rules help to prevent criminal offences, as they take effect prior to a possible criminal act (see *infra* paragraph 2.2).

### *2.1 State Law*

Germany is lacking a comprehensive law governing sport in general or dealing with violence and abuse of power in sport in particular. However, there are a few specific provisions against violence and abuse of power contained in sports-relevant laws. Further, and as a general rule, all State laws, including criminal law, apply to the field of sport, regardless of it being sports-related or not. This is based on the fact, that sport is not a state within a state and sport federations do not stand alongside the world's recognised states.[6]

---

[3] Nolte/Merkens, *Einrichtung für sicheren und gewaltfreien Sport, Eine Machbarkeitsstudie*, Kölner Beiträge zum Sportrecht, Vol. 12, Cologne 2022, 8; Nolte/Bechtel, *Integrität des Sports, Europäische Fernhochschule Hamburg GmbH*, SPREH03, 29 et seq.

[4] Nolte, *Grundlagen des Sportrechts, Ein Skriptum zur Vorlesung und Klausurvorbereitung*, Kölner Materialien zum Sportrecht, Vol. 1, 2nd ed. Cologne 2017, 7 (9); Bechtel, *Sportrecht – Eine Einführung*, Europäische Fernhochschule Hamburg GmbH, SPREH01, 6 et seq.

[5] On the legal concept of the division of responsibility in sport: Nolte, *Staatliche Verantwortung im Bereich Sport*, Kiel 2004, 200 et seq.

[6] Nolte, *Grundlagen des Sportrechts, Ein Skriptum zur Vorlesung und Klausurvorbereitung*, Kölner Beiträge zum Sportrecht, 2nd edition, Cologne 2017, 8.

### *2.1.1 Laws on the Promotion of Sport*

Such provisions directed against violence and abuse of power are contained, for example, in the statutes of the federal States on the promotion of sport.[7] Those statutes form the legal framework for the promotion of recreational and club sport and seek the facilitation for individual sporting activity within sports organisations (clubs, associations). Thus, the objectives of amplifying sporting activities and building and improving sporting infrastructure as well as living up to the principle of sport for all including equality of all individuals are endorsed. Recently, those laws are also meant to serve to protect and to strengthen the integrity of sport through measures against sexual abuse.[8] These objectives are thus being recognized as inherent to the mission of sports organisations which entail the financial promotion by state funds.[9] All in all, the provisions emphasise the integrity of sport being the fundamental value of sport. However, integrity is not limited to the field of sport but serves as guiding principle for all areas of life. To protect integrity (of sport) means to combat the manifold threats to which it is exposed, including not only doping and manipulation, but also violence in all appearances. This understanding is in line with the resolutions passed by the Conference of Sports Ministers of all federal States in Germany.[10]

### *2.1.2 Criminal Law Provisions*

When speaking of non-sport-specific State law which applies to the field of sport, criminal law is of particular importance. Accordingly, offences against sexual self-determination are prohibited under Sections 174 et seq. of the German Criminal Code. These prohibitions include, notably, sexual abuse of persons in one's charge (Section 174), sexual abuse of children (Section 176), sexual assaults, sexual coercion and rape (Section 177) as well as the promotion of sexual acts by minors (Section 180) and sexual abuse of juveniles (Section 182). With regard to the field of sport, Section 184i is of particular relevance. This provision was recently inserted to the German Criminal Code and prohibits sexual harassment, meaning such behaviour where a person touches another person in a sexual manner and thereby harasses that person. Consequently, any sexually motivated contact and accompanying harassment may be punished.

---

[7] On the regulative basis of the promotion of sports at the federal state level, see Nolte/Bechtel, *Die Förderung des gemeinnützigen Sports*, Abschlussbericht eines Forschungsprojekts, Kölner Beiträge zum Sportrecht, Vol. 13, Cologne 2023.

[8] *Pars pro toto*: Section 3 No. 7 of the Act on the Promotion of Sport in Schleswig-Holstein of 7 March 2022, GVOBl. 2022, 156.

[3] Cf. Section 5 (2) No. 8 of the Act on the Promotion of Sport in Schleswig-Holstein of 7 March 2022, GVOBl. 2022, 156.

[10] Concerning the rationale of Section 3 No. 7 of the Act on the Promotion of Sport in Schleswig-Holstein, see the draft bill of the CDU, Bündnis 90/Die Grünen and FDP parliamentary groups, Drs. des Schleswig-Holsteinischen Landtags 19/3270 of 8 September 2021, 9.

If an assault to sexual self-determination is accompanied by offences against physical integrity, the provisions of Sections 223 (bodily harm) et seq. of the German Criminal Code are affected in concurrence of offences. In the case of non-physical, in particular verbal, assaults, an insult pursuant to Section 185 of the German Criminal Code may be committed. Finally, whoever unlawfully, by force or threat of serious harm, compels a person to do, acquiesce to or refrain from an act commits an offence according to Section 240 (Coercion).

### *2.2 Sports Association Rules*

In Germany, organised sport was lacking specific rules against violence and abuse of power over a long time. This stands in direct opposition to the identified necessity to avert such misconduct, as it is not possible for sports organisations to take action against violent and abusive behaviour without a legal basis. Only in recent years have sports organisations declared the prevention of violence, especially sexualised violence, to be one of their statutory objectives. However, comprehensive rules that enabled sports organisations to conduct internal disciplinary proceedings and to sanction violence and abuse of power were still lacking.[11]

#### *2.1.1 Isolated Regulations*

One of the few sports organisations providing a legal basis was the German Football Association (DFB). On 28 April 2023, it modified its legal and procedural regulations to include a specific provision on the violation of sexual self-determination (sexualised violence, sexual abuse, sexual harassment, Section 6b). Accordingly, any actions of sexual violence, sexual abuse or sexual harassment committed by – in particular – players, referees, coaches or officials, against another person, constitute a rule violation, which by definition represents a so-called unsportsmanlike conduct and may be sanctioned. This way, the DFB substantiated its statutory commitment to opposing all forms of violence and particularly aimed at protecting children and adolescents from sexual violence: The purpose of Section 6b is to protect sexual self-determination being a specific manifestation of the general right of personality which is closely related to human dignity. The provision is thus intended to avert actions that are directed against the freedom of another person to decide "whether", "when" and "how" a sexual encounter may take place.[12]

#### *2.2.2 Safe Sport Code*

With the adoption of the Safe Sport Code in December 2024, organised sport in Germany gave itself a comprehensive legal basis that prohibits interpersonal

[11] Nolte/Merkens, *Einrichtung für sicheren und gewaltfreien Sport, Eine Machbarkeitsstudie*, Kölner Beiträge zum Sportrecht, Vol. 12, Cologne 2022, 29.

[12] Cf. in detail Nolte/Bechtel, *Anti-Diskriminierung und sexuelle Selbstbestimmung*, in: Lentze/Stopper (eds.), Handbuch Fußballrecht, 3rd ed. 2024, 2283 et seq.

violence in all appearances. This Model Code has been adopted and implemented by the German Olympic Sports Confederation (DOSB) at its general assembly.[13] Its members, being the national and regional federations across all sports in Germany, have further committed to submitting this Safe Sport Code to their general assemblies for approval in the coming years until 2028. The President of the DOSB, *Thomas Weikert*, described these resolutions to be a "milestone for organised sport in Germany", stating that violence had no place in "our" sports clubs and associations, that it was incompatible with "our" values and that any form of violence in sport is firmly opposed.[14]

#### *2.2.2.1 Concept*

The Safe Sport Code is a fundamental and comprehensive set of rules consisting of 21 Articles as well as explanatory notes for every article and an appendix with rules of conduct. The design of the Safe Sport Code is similar to the World Anti-Doping Code. Though the Code was elaborated as a national set of rules in cooperation with two Olympic sports federations in Germany – the German Gymnastics Federation and the German Equestrian Federation – and adopted by the (national) DOSB, the authors based the Code on international categories, standards and principles: by prohibiting interpersonal violence in all appearances, it relies on the understanding of the World Health Organization. Accordingly, it comprises all four categories of interpersonal violence being physical, psychological and sexual violence as well as neglect. Also, the procedural provisions, which form the legal frame for the investigation, the disciplinary and appeal proceedings as well as the imposition of emergency measures and sanctions were designed in line with existing international rules in other areas of sport and in consideration of the human rights. This Code may therefore serve as an example on an international level and unleash impulses towards a global sports culture without violence. It shall make a contribution to develop a "*World Safe Sport Code*" for international organised sport across all nations, in order to harmonize all existing rules on a global scale in a consistent and coordinated way.

#### *2.2.2.2 Objectives*

The objectives of the Safe Sport Code can be found in its preamble, which precedes the actual Code and illustrates the origin and the development of the Code, as well as in Article 2 of the Code. As implied by its (English) denomination, the "Safe Sport Code" aims at ensuring a safe, non-violent sport and shall protect human

[13] The code was elaborated by the authors of this article as part of a research project on behalf of the Federal Institute for Sports Science (BISp) in cooperation with the German Gymnastics Federation (DTB) and the German Equestrian Federation (FN), *https://www.bisp-surf.de/Record/PR020230300071?sid=283552070&lng=en* (7 July 2025).

[14] Available at *https://www.dosb.de/aktuelles/news/detail/gegen-gewalt-im-sport-dosb-stellt-safe-sport-code-vor-1*. (7 July 2025).

dignity, health and sexual self-determination of every individual involved in sport. It puts a particular focus on athletes as they are highly vulnerable to interpersonal violence due to the hierarchical structures and dependency relationships in sport. To this end, it prohibits interpersonal violence in all appearances. The protection of these fundamental rights is subsequently being substantiated within the Code. The term of interpersonal violence thereby constitutes the *key concept*. On a substantive level, the notion of interpersonal violence describes the threat from which human rights need to be protected. On a formal scale, the Safe Sport Code enables the implementation, harmonisation and coordination of legally secure measures against interpersonal violence by organised sport. These objectives are enhanced by explanatory notes accompanying each article, definitions contained in the Code as well as provisions describing the prohibited conduct and providing for a reporting obligation. With that, the Code sets new standards in the fight against interpersonal violence and shall apply uniformly across all sports and at all levels of organised sport in Germany. With the adoption of the Code, the validity and importance of human rights in organised sport has been acknowledged throughout Germany, thus making a vital contribution to the integrity of sport. It strengthens the autonomy of sports organisations to take effective action against interpersonal violence and to live up to their own values.

#### *2.2.2.3 Definitions*

The Safe Sport Code provides definitions of key terms, recognising that a shared understanding is essential to ensure consistent application. Accordingly, Article 4 of the Code sets out the fundamental values and interests the Code seeks to protect.

Further, the term of "interpersonal violence" is defined and describes any abuse of a person by another individual in a physical, psychological or sexual form (physical, psychological or sexual violence) as well as neglect. As may be seen from this definition, it is essential that the behaviour be abusive in order to constitute a rule violation. This is the case when the behaviour is contrary to valid, recognised and prevailing rules as well as social or legal norms. In this regard, the *rules of conduct for the Safe Sport Code*, which can be found in the appendix to the Code, are of particular importance, as they determine a general standard of good behaviour in sport and establish tangible rules in the relationship between individuals, notably athletes and coaches or support personnel. The standard established by the rules of conduct shall serve as a guideline for the interpretation and application of the Code. The assessment, however, whether abusive behaviour has actually occurred, may be based exclusively on the definitions and provisions contained in the Code. Consequently, the authority to impose a sanction derives solely from the Code itself. For the purpose of the Safe Sport Code, physical violence means any abusive behaviour that affects or may affect the physical well-being of another person. Whether the behaviour *itself* is physical, psychological

or in any other form does not matter in this context. Accordingly, both physical acts (such as hitting, kicking, biting, pushing or shaking) and non-physical behaviour (such as commanding training sessions or the participation in competitions, which may lead to physical harm) can constitute physical violence in the sense of the Code. Pursuant to the Code, psychological violence is any abusive behaviour that affects or may affect the emotional, mental or social well-being or development of another person. The impact to the emotional, mental or social well-being or development (for example shame or fear) may thereby equally be caused by a physical act (such as touching) and by non-physical behaviour (such as belittling, mocking, denigrating or threatening). Also, discrimination through statements and actions towards another person in relation to certain characteristics (e.g. origin, skin colour, disability, religion, language, gender, sexual identity) as well as demanding unrealistic performances from athletes are comprised in the definition of psychological violence. Sexual violence describes any abusive behaviour using the means of sexuality. It particularly takes into account the subordination of the person affected, thus focusing on the abuse of power by the offender. Sexual violence often leads to feelings of being powerless and ashamed in the person affected. Sexual violence is prohibited in all appearances, ranging from sexual harassment without body contact (so-called "*hands-off*" acts, for example by verbal statement or gestures), over transgressive behaviours (e.g. hugs, greeting kisses, etc.), to sexual offences with body contact (so-called "*hands-on*" acts, e.g. in the form of rape, touching). Finally, the Code also extends to neglect. According to the Code, neglect is the failure to act in accordance with one's duty of care (e.g. failure to provide adequate nutrition).

#### *2.2.2.4 Prohibited Behaviour and Reporting Obligation*

The Code prohibits interpersonal violence in all appearances. Accordingly, every form of interpersonal violence being physical, psychological and sexual violence as well as neglect, constitutes a rule violation. In this context, it must be noted, that it is not necessary that a prohibited behaviour actually incurs an actual harm. Rather, it is sufficient that the prohibited behaviour be detrimental to the physical or psychological well-being of another person. In so doing, the Code omits the necessity of proving the causality between the prohibited behaviour and the (possible) harm afflicted. With that, the Code helps prevent the occurrence of an actual harm. The Code's protective effect is even enhanced by extending the prohibition to every form of involvement, being perpetration and participation as assisting, aiding, abetting, conspiring, inciting or covering up as well as commission by a positive act or by omission including an attempted violation of the rules.

Further, the Safe Sport Code also enables the sports organisation to impose a sanction to a legal person (clubs, associations). Such a sanction may be, for example, a warning or financial consequence but also a temporary withdrawal of voting and participation rights within the sports organisation or even an exclusion

from the sport organisation. In order to do so, it is required that multiple rule violations by individual persons acting on behalf of the legal person occurred within a period of one year or that other serious circumstances apply.

The intention of this provision is to encourage sports organisations to take action against individuals who have committed a rule violation while acting on behalf of the legal person. Correspondingly, the Code also provides for a reporting obligation. This obligation states that any safeguarding concern must be reported to the relevant sports organization. It is aimed at uncovering misconduct by breaking the silence in order to enable the investigation and sanctioning of interpersonal violence. However, the obligation to report does not extend to every individual who is subject to the Safe Sport Code. Rather, the obligation is incumbent only on individuals who are legally responsible to prevent or to stop the occurrence of interpersonal violence (such as parents with regard to their children or coaches/ support personnel towards their athletes). Then again, the obligation to report is discontinued, in case the person affected by interpersonal violence sincerely demands of the legally responsible person not to make a report.

#### *2.2.2.5 Organisational and Procedural Frame*

The organisational and procedural provisions governing the investigation as well as the disciplinary and appeal proceedings, and which include the possibility of consensual dispute resolution such as mediation and conciliation, are crucial for the implementation of the Code as they form the procedural framework for the effective enforcement and protection of human dignity, health and sexual self-determination. Particular attention is thereby paid to the rights of individuals affected by interpersonal violence. That is why the Code provides for a right of veto to the benefit of those affected by interpersonal violence. The right of veto means that the investigation and the subsequent proceedings are subject to the consent of the individual affected by interpersonal violence. The Code further contains special rights of individuals affected by interpersonal violence, which have been designed in consideration of the high vulnerability of affected individuals and aim to ensure fair proceedings. Further procedural rules are related to the burden of proof and the standard of proof when assessing the possible occurrence of interpersonal violence and establishing the facts. The Code also includes provisions governing the cooperation and coordination between organised sport and State authorities as well as regulations concerning the exoneration and rehabilitation of wrongly accused persons and rules offering the possibility to appeal to an arbitration court. With that, the Code forms a comprehensive procedural framework which allows for the substantive rights to unfold ensuring that individuals, notably athletes, be effectively protected against interpersonal violence.

#### *2.2.2.6 Emergency Measures and Sanctions*

The Safe Sport Code allows to effectively sanction rule violations and to take immediate action. This is a crucial difference to other existing rules and regulations, such as codes of conduct, codes of ethics or codes of good governance. Accordingly, the Code entitles the sport organisation to impose sanctions and emergency measures. If the existence of reasonable grounds to assume the occurrence of a rule violation is sustained and the situation requires immediate action, the sport organisation may impose emergency measures before the disciplinary proceedings have been concluded or even engaged. Those measures include a provisional suspension, a temporary ban on entering the premises or a provisional prohibition to have contact with or to supervise children, adolescents and other persons in need of particular protection (e.g. people with disabilities) during training and competitions. Concerning the possible sanctions that may be imposed in case a rule violation has been established, the Code differentiates between individuals and legal persons. Accordingly, an individual may be subject to sanctions as a temporary or permanent ban on entering or using the premises, a ban on holding office in the sports organisation, a suspension of the licence as a trainer or a withdrawal of the right of athletes to compete. Conversely, a sanction for a legal person may consist in a temporary withdrawal of voting and participation rights within the sports organisation or the exclusion from the sports organisation. In any case, the sanction must be proportionate and serve the objective to ensure a safe and non-violent sport as well as the protection of individuals against interpersonal violence.

#### *2.2.2.7 Explanatory Notes*

Every Article of the Code is accompanied by a comprehensive explanatory note. Theses explanations serve several purposes: On the one hand, they shall clarify and illustrate the rules – which are inherently abstract – in order facilitate the understanding and the application of the rules. This way, it helps the persons subject to the Code to comply with its requirements and at the same time guides those executing and applying the Code. To know and to understand the rules is a prerequisite for the rules to be effective and ensure the achievement of the objectives formulated in the Code. On the other hand, the explanatory notes shall guarantee a uniform interpretation and application of the Code across all sports and at all levels of organised sport in Germany. With that, the Code may unleash impulses on an international level.

### *3. Safeguarding Strategies/Policies*

The strategies and policies in Germany for the prevention and prosecution of interpersonal violence have developed dynamically over the past five years.

Following various sociological studies on the prevalence of interpersonal violence and abuse in sport, the *Independent Inquiry into Child Sexual Abuse*[15] organised a public hearing in 2020 with numerous persons affected be interpersonal violence as well as experts in the field of sport, politics and academia, on their experiences with and the reappraisal of sexual abuse in sport. Thereafter, also in 2020, the German federal States issued the "Bremen Declaration"[16] on sexual diversity and gender identity in sport, in which they acknowledged the activities of organised sport to prevent sexual violence in sport. At the same time, they identified the necessity for further action, for example to establish independent points of contact to the benefit of those affected, to recognize of the detrimental consequences of sexual violence, to grant access to help and support for affected persons and have independent reappraisal into child sexual abuse. Furthermore, the implementation of certain measures of prevention (such as the education plan of the German Olympic Sports Confederation (DOSB) and the German Sports Youth (dsj)) was to be established as a condition for the eligibility to receive state funding and be promoted as a sports organisation as of 2019.

### *3.1 Centre for Safe and Non-violent Sport*

After the German Bundestag had convened on the topic of interpersonal violence on multiple occasions, a public hearing of its Sports Committee was held in 2021, during which the lack of scientific studies in this area was exposed. This finding prompted the Federal Ministry of the Interior, Building and Home Affairs (BMI) to commission a so-called "feasibility study" for a centre for safe and non-violent sport. The aim of the study was to examine whether an independent, centralised institution for safe and non-violent sport was necessary or conducive in Germany. To this end, the study analysed the existing structures for the prevention, intervention and reappraisal of sexual violence in sport in Germany, thereby taking into account recent scientific findings in the field of safe sport and evaluating data on the extent and severity of sexual violence.[17] Based on the foregoing, the study assessed the factual need for a new, independent institution for safe and non-violent sport, taking into consideration the functions, tasks and organisations of foreign

[15] *https://www.aufarbeitungskommission.de/en/* (7 July 2025).

[16] Sports Ministers of the Federal States, Bremen Declaration on Sexual Diversity and Gender Identity in Sport, 44th Conference of Sports Ministers, 12 November 2020, 1.

[17] Rulofs, *Safe Sport, Schutz von Kindern und Jugendlichen im organisierten Sport in Deutschland*, Erste Ergebnisse des Forschungsprojekts zur Analyse von Häufigkeiten, Formen, Präventions- und Interventionsmaßnahmen bei sexualisierter Gewalt, 2016; Rulofs, *Voices for truth and dignity, Ein Forschungsprojekt zur Aufarbeitung sexualisierter Gewalt im europäischen Sport durch die Stimmen der Betroffenen*, Diskurs Kindheits- und Jugendforschung 2017, 477 et seq.; Rulofs/Allroggen, *Forschungsprojekt SicherImSport, Factsheet zum Abschluss der Datenerhebungen/ Zwischenauswertung* vom 03. November 2021; Rulofs et al., Final Report Voices For Truth And Dignity, Combatting sexual violence in European Sport through the voices of those affected, 2020.

"safe sport" agencies in the USA,[18] Canada,[19] Australia,[20] Austria[21] and Switzerland.[22] Finally, the study discussed whether further integrity-related topics (e.g. doping, discrimination or manipulation in sport) should be included in the institution's remit and if the institution's competence should be limited to top-level sport or also serve recreational sport in Germany.

As one of the most important findings and recommendations, the study identified the need for an independent, national point of contact for individuals affected by interpersonal violence. Moreover, the study ascertained the necessity of an independent reappraisal of past cases in order to analyse the conditions that enabled or facilitated the occurrence of (sexual) violence and to derive recommendations for effective measures of prevention in the future. It also sustained that a future institution could contribute to the evaluation of measures of organised sport to prevent interpersonal violence. The study also advised not to attribute further integrity topics (such as manipulation, corruption, discrimination, doping, etc.) to a future institution. While it is true that the topics are connected with each other in many ways, there are nonetheless significant differences between the topics that – for the time being – require different approaches and impede an equal treatment. The crucial finding was however, that – unlike in other areas of sport such as doping – no standardised, cross-sport rules against interpersonal violence existed. The study revealed a significant lack of uniform rules enabling sport organisations to sanction violations, which resulted in the recommendation to develop a model code against interpersonal violence in sport.[23] Less than three years later, such a model code has been adopted and implemented by the German Olympic Sports Confederation.

### *3.2 Association Safe Sport e.V.*

In 2021, the former federal government decided to set up an Independent Centre for Safe Sport in order to support the fight against physical, psychological and, in particular, sexual violence in sport.[24] This was in line with the recommendations of the feasibility study and led to the founding of a registered association

[18] *https://uscenterforsafesport.org/* (7 July 2025).
[19] *https://www.canada.ca/en/canadian-heritage/services/safety-integrity-ethics-sport.html* (7 July 2025).
[20] *https://www.sportintegrity.gov.au/; https://www.sportintegrity.gov.au/what-we-do/safeguarding* (7 July 2025).
[21] *https://safesport.at/* (7 July 2025).
[22] *https://de.swisssafesport.com/*; *https://www.sportintegrity.ch/* (7 July 2025).
[23] Nolte/Merkens, *Einrichtung für sicheren und gewaltfreien Sport, Eine Machbarkeitsstudie*, Kölner Beiträge zum Sportrecht, Vol. 12, Cologne 2022, 29.
[24] Coalition agreement (2021-2025) MEHR FORTSCHRITT WAGEN, BÜNDNIS FÜR FREIHEIT, GERECHTIGKEIT UND NACHHALTIGKEIT, KOALITIONSVERTRAG 2021-2025 ZWISCHEN DER SOZIALDEMOKRATISCHEN PARTEI DEUTSCHLANDS (SPD), BÜNDNIS 90 / DIE GRÜNEN UND DEN FREIEN DEMOKRATEN (FDP), 2021, 90.

(Safe Sport e.V.) in the year 2022, which serves as a contact point for persons affected by interpersonal violence. It is construed as a sponsorship body and its founding members consist of the Federal Ministry of the Interior and Home Affairs, the federal states, the association *Athleten Deutschland e.V.*,[25] a representative from the *Survivors' Board of the Independent Commissioner for Child Sexual Abuse Issues* (UBSKM)[26] and a representative from academia.

An extensive dialogue between different stakeholders was initiated, debating on how to develop the association into a comprehensive Safe Sport Centre and ensuing questions as to the remits, services and competences such a Centre should possibly provide. Meetings were regularly held and included around 90 participants with different expertise: Individuals affected by interpersonal violence, members of the German Bundestag as well as representatives of the federal states, Athleten Deutschland e.V., the German Olympic Sports Confederation (DOSB), the German Sports Youth (dsj), the national and regional sports federations, the German Paralympic Committee, the *Independent Commissioner for Child Sexual Abuse Issues* (UBSKM), the *Survivors´ Board* at UBSKM, the *Independent Inquiry into Child Sexual Abuse*, the German Sport University Cologne, the Association of Coaches in German Sport (BVTDS)[27] as well as representatives from contact points, helplines and information centres. The dialogue was concluded in 2023 agreeing upon a portfolio of possible future tasks for the Centre for Safe Sport in the fields of prevention, intervention and reappraisal, a cost estimate as well as a recommendation on the legal form and a step-by-step model for the establishment of the centre.

In recognition of the agreements reached by the stakeholders within the dialogue, the current federal government has equally committed to a sport free of harassment, violence and abuse and to continuing the evolvement of the Safe Sport Centre for top-level sport. However, synergies for recreational sport shall be accomplished by establishing a coordinated system of responsibilities and competences between organised sport and the Centre.[28]

### *3.3 Code for Reappraisal*

Of particular importance for the elaboration and development of effective measures in the field of prevention and intervention of – inter alia[29] – interpersonal violence is the knowledge gained from a systematic reappraisal of past occurrences. By uncovering internal organisational structures, conditions and cultures that enabled or facilitated the occurrence of interpersonal violence, measures to prevent such

[25] Available at *https://athleten-deutschland.org/* (7 July 2025).
[26] *https://beauftragte-missbrauch.de/en/survivors-board/survivors-board-at-ubskm* (7 July 2025).
[27] *https://bvtds.de/verband/startseite.*
[28] Coalition agreement (2025) Koalitionsvertrag zwischen CDU, CSU und SPD: Verantwortung für für Deutschland, 2025, 118.
[29] The Code for Reappraisal also applies to other areas, such as discrimination, extremism or historic involvements of the sport organisation.

occurrences may be implemented or enhanced. In Germany, media reports of sexual abuse in swimming[30] prompted the German Swimming Association to commission an independent reappraisal in 2023 in order to analyse several occurrences of sexual violence and give recommendations for future improvements. This was the first ever major reappraisal process in the field of interpersonal violence in organised sport in Germany. After one year and a half, the commission presented its findings to the German Swimming Association in 2024, which contained multiple recommendations for structural and organisational measures as well as regulatory recommendations for German swimming.[31]

One of the most important regulatory recommendations was for the German Swimming Associations to adopt and implement a comprehensive rule prohibiting interpersonal violence in all appearances and providing for a procedural framework in order to observe and enforce the rights of individuals affected by interpersonal violence. Those recommendations were guided by and founded in the regulations contained in the Safe Sport Code, which had in the meantime been developed on behalf of the Federal Insitute for Sport Science (BISp)[32] in cooperation with the German Gymnastics Federation (DTB)[33] and the German Equestrian Federation (FN).[34]

At the same time, the need for a legal basis on which reappraisal processes might be grounded became evident. This finding is supported, on the one hand, by the experiences of the Commission for reappraisal of sexual violence in Swimming. On the other hand, legal disputes, notably concerning the scope of action and the competences of the reappraisal analysing (alleged) occurrences of interpersonal violence in Handball, revealed the absence and thus the necessity of a legal basis for reappraisal. This led to the elaboration of a model code governing reappraisal processes in organised sport.[35] This regulation specifies the objectives, the subject-matters and the purposes of reappraisal, which is incidentally not limited to the area of interpersonal violence. Reappraisal thereby aims at recognising injustices that have occurred, supporting those affected by interpersonal violence and elaborating recommendations to enhance protection against interpersonal violence. Also, reappraisal may contribute to the rehabilitation of persons who have been wrongly accused of a rule violation. Finally, organisational and procedural rules as well as provisions regulating the methods and competences of independent reappraisal commissions ensure the process to be successful. In so doing, reappraisal

[30] Available at *https://www.daserste.de/sport/sportschau/sendung/missbraucht-sexualisierte-gewalt-im-deutschen-schwimmsport-100.html* (7 July 2025).
[31] Available at *https://www.dshs-koeln.de/fileadmin/redaktion/Aktuelles/Meldungen_und_Pressemitteilungen/2024_News/Kurzfassung_zum_Abschlussbericht_Aufarbeitung_DSV.pdf* (7 July 2025).
[32] Available at *https://www.bisp.de/EN/Home/home_node.html* (7 July 2025).
[33] Available at *https://www.dtb.de/* (7 July 2025).
[34] Available at *https://www.pferd-aktuell.de/deutsche-reiterliche-vereinigung/wir-ueber-uns* (7 July 2025).
[35] Available at *https://cdn.dosb.de/Relaunch_2024/DOSB/Dokumente/Muster-Aufarbeitungsordnung_dsj_DOSB_inkl_Vorwort__8_.pdf* (7 July 2025).

supports, enhances and complements the endeavours of sports organisations in the field of prevention and intervention related to interpersonal violence.

In this context it must be highlighted, that the German Gymnastics Federation is not only the first national sports federation to have adopted and implemented the Safe Sport Code. The German Gymnastics Federation has recently adopted the Code for Reappraisal and will conduct future reappraisal processes in accordance with the Code for Reappraisal.

## *4. Conclusion*

Germany's approach to safeguarding in sport is characterised by the shared responsibility between organised sport and the State.

Until last year, organised Sport in Germany was lacking adequate regulatory instruments to address violence and abuse. With the adoption of the Safe Sport Code by the German Olympic Sports Confederation (DOSB), this deficiency has been remedied, which represents a landmark development in the internal regulation of safeguarding. The Code introduces comprehensive definitions, prohibited conduct and obligations as well as procedural safeguards, modelled on international standards and clearly anchored in human rights principles. Its adoption marks a fundamental recognition that the protection of athletes – especially children and vulnerable persons – is a core responsibility of sport organisations.

Concerning the role of the State, it is to be noted that, for the time being, a unified sport-specific law does not exist at the federal level. However, various state laws, particularly in the domains of criminal law and sport promotion statutes, contribute to the overarching framework for the protection of human dignity, health and sexual self-determination in sport. These provisions establish a legal baseline, affirming that sport is not above or apart from the general legal order. Moreover, the establishment of external mechanisms, such as the *Association Safe Sport e.V.* and the projected *Centre for Safe and Non-Violent Sport*, demonstrates an increasing responsibility of the State including independent oversight and the professionalisation of safeguarding responses. These bodies shall serve not only as points of contact and support for affected individuals but also contribute to policy development, training, and the evaluation of safeguarding measures.

A particularly innovative development is the creation of a Code for Reappraisal, which provides a normative and procedural foundation for the systematic review of past cases of – inter alia – interpersonal violence. This approach underscores the importance of organisational learning, transparency, and victim-centred justice. By enabling structured reappraisal processes, the Code supports accountability, helps rebuild trust, and facilitates the development of more robust prevention strategies.

In sum, Germany's safeguarding model reveals a dynamic and evolving legal and regulatory system that seeks to strengthen the self-regulation of organised sport and to enhance State authority and independent oversight. The adoption of

the Safe Sport Code and the Code for Reappraisal, combined with institutional reforms, signals a move towards a comprehensive, rights-based, and systematic approach to preventing and responding to interpersonal violence in sport. It may serve as a model for other jurisdictions and contribute to the global harmonisation of safeguarding standards.

# SAFE SPORT IN ITALY

by *Stefano Bastianon*[*] and *Michele Colucci*[**]

SUMMARY: Introduction – 1. The State Legal Framework – 1.1 The Constitutional Framework – 1.2 The Sports Reform – 2. The Sports Regulatory Framework – 2.1 The CONI's Framework – 2.1.1 Principles and Guidelines for the National Sports Federations – 2.2 Objectives and Implementation – 2.3 OCMs and CsC for Sports Associations and Clubs – 2.3.1 OCMs – 2.3.2 CsC – 2.4 Duties for Coaches, Managers and Athletes – 2.4.1 Coaches and Managers: Duties and Ethical Responsibilities – 2.4.2 Athletes: Rights and Responsibilities – 3. The Role of National Sports Federations – 3.1 The Sports Federations' Guidelines – 3.2 The Safeguarding Officer(s) – 3.2.1 Functions of the Safeguarding Officer and Office – 3.2.2 The Relationship Between the Safeguarding Officer/Office and the Federal Prosecutor – 3.3 Federal Prosecutors and the General Prosecutor's Office of CONI – 3.4 The General Prosecutor's Office of CONI and the Public Prosecutors – 3.5 Training Obligations in Safeguarding Policies – 4. Sports Associations/clubs – 4.1 Obligation Information – 4.2 The appointment of a "Responsible Officer for Abuse, Violence and Discrimination" by sports associations/clubs – Conclusion

## *INTRODUCTION*

In the last few years, Italy has taken a proactive and multifaceted approach to safeguarding in sports, recognizing the need for a comprehensive legal and regulatory framework to protect athletes, particularly minors and vulnerable individuals. This approach is grounded in constitutional principles and implemented through a combination of national laws and sports-specific regulations.

---

[*] Stefano Bastianon is a Full Professor of European Union Law at the University of Bergamo (Italy), CAS Arbitrator and member of the "Collegio di Garanzia dello Sport del CONI" (Italian highest Sports Court of the Italian Olympic Committee). He is an Attorney-at-law and co-founder of the Law Firm Bastianon-Garavaglia in Busto Arsizio (Italy). He is a member of the Steering Committee of the *Rivista di Diritto Sportivo* and the Scientific Committee of the *Rivista di Diritto ed Economia dello Sport.*
The views presented in this article are solely those of the author and do not reflect the position of any affiliated institution.
[**] Michele Colucci is the co-founder and Honorary President of the Italian Association of Sports Lawyers (AIAS) and editor of the International Encyclopaedia of Sports Law.
The views expressed in this article are solely those of the author and do not reflect the position of any affiliated institution and association.

## 1. The State Legal Framework

### 1.1 The Constitutional Framework

The Italian Constitution represents the fundamental normative basis for safeguarding policies in sport, enshrining key principles that guide legislation and regulations.[1] As amended in 2024, Article 33 now recognizes the educational, social, and psychophysical well-being value of sports activities in all their forms, emphasizing their importance to the Italian Republic. Complementing this, Article 32 establishes the right to health protection as a fundamental individual right and a collective interest, reinforcing the role of sports activities in promoting public health. Additionally, Article 3 enshrines the principle of equality and non-discrimination, ensuring fair and safe access to sports for all individuals. A combined reading of these constitutional provisions forms a robust framework for safeguarding in sport, emphasizing inclusivity, health, and the multifaceted benefits of sports activities.

### 1.2 The Sports Reform

The cornerstone of Italy's legislative commitment in sports safeguarding is the so-called "Sports Reform," embodied in Legislative Decree No. 36 of 28 February 2021 concerning professional and amateur sports associations[2] as well as Legislative Decree No 39/2021 on the simplification of the duties and obligations of sports associations.[3]

This comprehensive reform represents a paradigm shift in the way Italy approaches the issue of abuse in sport, moving from reactive measures to proactive prevention. Article 16, paragraph 1, of Legislative Decree No. 39/2021 provides that National Sports Federations (hereafter "NSF"), together with the so-called "Associated Sports Disciplines, Sports Promotion Bodies, and Meritorious Associations" (hereafter respectively "ASD", "SPB", "MA"), after hearing the opinion of the Italian National Olympic Committee ("CONI"), shall adopt Guidelines for the preparation of Organizational and Control Models ("OCMs") for sports activities as well as Codes of Conduct ("CsC") to protect minors and prevent harassment, gender-based violence, and any other form of discrimination based on ethnicity, religion, personal beliefs, disability, age, or sexual orientation. This requirement elevates safeguarding from a recommended practice to a legal obligation.

[1] The text in English of the Italian Constitution is available at *https://www.cortecostituzionale.it/documenti/download/pdf/The_Constitution_of_the_Italian_Republic.pdf*.
[2] Available at *https://www.gazzettaufficiale.it/eli/id/2021/03/18/21G00043/sg*.
[3] Available at *https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2021-02-28;39*.

Furthermore, Article 16, paragraph 2, of Legislative Decree No. 39/2021 provides that sports associations, amateur sports clubs, and professional sports clubs, within twelve months of the communication of the CONI Principles (and the Guidelines contained therein), shall adopt and implement OCMs for sports activities as well as CsC in compliance with these principles.

The Sports Reform does not operate in isolation but integrates with and builds upon existing Italian legislation such as, for instance, Article 2043 of the Civil Code which establishes the general principle of tort liability, which can be applied in cases of abuse or negligence in sports contexts. Moreover, several articles of the Criminal Code are particularly relevant to safeguarding in sport, namely Article 571 addressing the abuse of means of correction or discipline as well as Article 572 covering mistreatment in the family or towards children, which can be extended to sports environments. Articles 609-*bis* to 609-*decies* deal with sexual offenses, including those against minors, providing a strong legal basis for prosecuting sexual abuse in sport.

Finally, legislative decree No. 231 of 8 June 2001[4] establishes administrative liability of legal entities, including sports organizations, for offenses committed by their representatives. It provides a strong incentive for organizations to implement robust safeguarding measures to avoid potential liability.

## *2. The Sports Regulatory Framework*

To provide a first general overview, the safeguarding framework in the sports sector is structured around the following steps:

(i) First, CONI has adopted Principles and Guidelines for Safeguarding addressed to the NSFs for the preparation of OCMs for sports activities and CsC to protect minors.

(ii) Second, the NSFs have adopted their own Guidelines on Safeguarding based on the CONI Guidelines.

(iii) Third, all sports associations/clubs (should) have adopted OCMs and CsC to protect minors, in accordance with the federal guidelines and have appointed a "*Responsible for Abuse, Violence, and Discrimination*" by 31 December 2024.

### *2.1 The CONI's Framework*

The CONI plays a pivotal role in translating the above-mentioned legal requirements into practical and homogenous guidelines for the sports community.

[4] The English text of legislative decree 231/2001 is available at *https://sherloc.unodc.org/cld/uploads/res/document/legislative-decree-8-6-2001-n-231_html/Legislative_Decree_8-6-2001_n_231_EN.pdf*.

### *2.1.1 Principles and Guidelines for the National Sports Federations*

On 25 July 2023 the CONI established the Permanent Observatory on Safeguarding Policies which was tasked to prepare the guidelines (hereafter "The Guidelines") to help sports associations to comply with the above-mentioned legal obligations.

The Guidelines are incorporated in a document called *Fundamental Principles for the Prevention and Combating of Abuse, Violence, and Discrimination*,[5] providing the overarching framework for a safeguarding policy.

The Guidelines recall firstly that any individual registered with a sport club/association shall be treated with respect and dignity and protected from any form of abuse, harassment, gender violence and any other form of discrimination, regardless of race, personal opinions, ethnic origins, disability, age, gender identity, sexual orientation, language, political opinions and religion.[6]

They also underline that health and physical and psychological wellbeing represent a fundamental value compared to sports results and performances.

### *2.2 Objectives and Implementation*

Building upon the foundational principles and values of inclusivity, dignity, and respect, Sports Federations are entrusted with a crucial role in fostering a safe and supportive environment for all participants, particularly minors. To achieve this, Federations are required to develop their own comprehensive guidelines and CsC that not only guide the organizational models for sporting activities but also emphasize the protection and empowerment of vulnerable individuals.

The CONI's Guidelines serve as a roadmap for achieving key safeguarding objectives, which are essential to maintaining trust, promoting fairness, and addressing challenges in the sports sector. The objectives include:[7]

- *Fostering a Culture of Inclusivity and Respect:* NSFs aim to cultivate an environment where dignity, equality, and respect for human rights are at the forefront. This involves actively promoting diversity and ensuring fairness across all levels of participation, with a particular emphasis on the rights of minors.
- *Proactive and Confidential Response to Issues:* Timely, effective, and confidential mechanisms must be in place to address incidents of abuse, violence, or discrimination. These mechanisms ensure that such incidents are handled with the utmost sensitivity and professionalism, reinforcing a culture of accountability.

[5] Osservatorio Permanente del CONI per le Politiche di Safeguarding, *Principi Fondamentali per la Prevenzione e il Contrasto dei Fenomeni di Abuso, Violenza e Discriminazione*, available at *https://www.endas.it/contents/uploads/2023/09/Principi-Fondamentali-CONI-per-Prevenzione-e-Contrasto-Abusi.pdf*.

[6] CONI Guidelines, Article 2.

[7] Ibid., Article 3.

- *Empowering Athletes, Coaches, and Staff:* Raising awareness about individual rights is a cornerstone of safeguarding. Athletes, coaches, and staff members are provided with the knowledge and tools they need to recognize, protect, and assert their rights, creating a community that is both informed and vigilant.
- *Clear Reporting and Handling Procedures:* NSFs must ensure that all participants are informed about how to report instances of abuse, violence, or discrimination. Additionally, there must be transparency about how such reports will be managed, fostering trust in the processes and reducing barriers to reporting.
- *Encouraging Club Participation in Safeguarding Initiatives:* Collaboration is key to effective safeguarding. NSFs actively promote the engagement of clubs and associations in initiatives that reinforce safeguarding policies, creating a unified approach to tackling challenges across the sports ecosystem.
- *Advocating for Robust Safeguarding Measures:* NSFs encourage clubs and associations to adopt safeguarding policies that align with best practices. This includes implementing procedures and measures designed to prevent harm and promote safety at every level of sporting activity.

Through these efforts, NSFs aim not only to comply with regulatory expectations but also to set a standard for safeguarding excellence. By creating a proactive, inclusive, and informed sporting community, they ensure that the physical, emotional, and social well-being of all participants is upheld.

### *2.3 OCMs and CsC for Sports Associations and Clubs*

Sports clubs and associations play a vital role in ensuring the safeguarding and protection of all individuals involved in sporting activities, especially minors. In alignment with the guidelines provided by their respective Federations, these organizations are required to adopt robust OCMs and comprehensive CsC. These frameworks collectively aim to foster a culture of safety, respect, and inclusion within the sporting community.

#### *2.3.1 OCMs*

The OCMs are at the heart of safeguarding efforts, offering a structured framework to guide both preventive and responsive actions. Designed to outline essential policies, procedures, and responsibilities, OCMs aim to ensure compliance with legal standards while minimizing risks and promoting a culture of accountability and respect in sports.[8]

[8] Ibid., Articles 5-9.

Central to this framework are preventive measures and control activities that emphasize lawful and ethical conduct in all sporting activities. By establishing robust checks and balances, these measures aim to identify and mitigate risks, ensuring a safe and secure environment for all participants.

Equally important are response mechanisms for abuse, violence, and discrimination, which provide clear, actionable procedures to address harmful incidents. These mechanisms ensure that incidents are reported effectively, victims and complainants are supported, and corrective actions are implemented promptly and with professionalism.

To reinforce accountability, the OCMs establish defined sanctions, a transparent system to address violations of safeguarding policies. This well-documented approach serves both as a deterrent to misconduct and as a means to uphold integrity within the sports community.

The OCMs also prioritize the promotion of gender equality, diversity, and inclusion, embedding measures that celebrate diversity and ensure all participants feel valued and respected. These initiatives reflect a commitment to creating inclusive environments where everyone can thrive.

An essential aspect of the OCMs is the dissemination of safeguarding policies. Clubs and associations play a vital role in raising awareness among athletes, coaches, staff, and the broader sports community, fostering a collective commitment to safety and well-being.

Finally, the appointment of a Safeguarding Officer is a cornerstone of the OCMs. This dedicated role ensures the implementation of safeguarding measures, serves as a primary contact for concerns, and guarantees adherence to policies across all organizational levels.

### *2.3.2 CsC*

The CsC complement the OCMs by providing detailed guidance on expected behaviors, responsibilities, and ethical standards for all participants in sporting activities. These Codes, as mandated by the Guidelines, must address key areas including the duties of coaches and managers, as well as the rights and responsibilities of athletes.

The core components of the Codes of Conduct encapsulate a vision for ethical, inclusive, and empowering sports environments.[9] These frameworks are designed to set high standards of behavior while safeguarding the rights and well-being of all participants.

At their heart are principles and practices for ethical conduct, which emphasize fairness, loyalty, and integrity. The Codes encourage athletes, coaches, and staff members to engage in healthy and ethical sporting practices. By fostering awareness of their rights and responsibilities, they aim to create a safe, inclusive, and supportive environment that promotes the best in everyone.

[9] Ibid., Articles 10-11.

A deep commitment to athlete well-being lies at the core of the Codes. This includes prioritizing the physical, emotional, and mental health of athletes while ensuring the prevention of abuse, violence, and discrimination. The Codes advocate for diversity, inclusion, and the holistic development of athletes, particularly minors, nurturing their growth as individuals both within and beyond the sporting arena.

The Codes also champion provisions for equal participation, mandating clear measures to break down barriers and guarantee equal opportunities for all. These provisions ensure that athletes can compete and thrive regardless of personal beliefs, political opinions, ethnic background, disability, age, gender identity, sexual orientation, language, or religion.

By adopting these principles, sports clubs and associations demonstrate their unwavering commitment to safeguarding and inclusivity. These comprehensive frameworks serve as a foundation for environments where every participant feels secure, respected, and empowered to achieve their fullest potential.

### *2.4 Duties for Coaches, Managers and Athletes*

The safeguarding framework outlined in the CONI Guidelines establishes clear expectations and duties for coaches, managers, and athletes, ensuring that every individual in the sporting community contributes to a safe, respectful, and supportive environment. By defining duties and responsibilities, the Guidelines aim to foster trust, promote well-being, and protect participants – especially minors – from any form of harm or misconduct.

#### *2.4.1 Coaches and Managers: Duties and Ethical Responsibilities*

Coaches and managers hold positions of trust and influence, which come with significant responsibilities. Their primary duty is to act as protectors and educators, ensuring the safety and holistic development of athletes while adhering to the highest ethical standards.[10]

Their role extends far beyond training regimens and game strategies; it touches the core of personal growth, safety, and integrity.

A cornerstone of their duty is to create a safe and respectful environment. They must be ever vigilant in preventing and addressing any form of abuse, discrimination, or violence. Their position of authority is one of trust, especially when working with minors, and it demands the highest ethical standards. Misusing this trust – whether through power, authority, or influence – is an unacceptable breach of their responsibility.

Coaches and managers must ensure that every interaction and training session contributes positively to the athlete's physical, emotional, and psychological growth. For younger athletes in particular, this involves guiding them with care

[10] Ibid., Articles 12-14.

and understanding, helping them navigate not just the demands of their sport but also the broader challenges of adolescence.

Professional boundaries are paramount in these relationships. Physical contact, when necessary, must always be appropriate and mindful of its purpose – whether ensuring safety or facilitating learning. At the same time, it is essential to avoid situations that could be misinterpreted or cause discomfort, such as private or overly intimate settings. Thoughtful planning during travel, including accommodation arrangements, further ensures that these boundaries are respected.

The well-being of athletes also requires attentiveness to their emotional states. Coaches and managers must remain sensitive to signs of distress – whether it manifests as anxiety, fear, or unease. In such cases, they must prioritize the athlete's safety by stepping back from the relationship and promptly notifying a Safeguarding Officer who can provide appropriate support.

Similarly, any indicators of health risks, such as the potential emergence of eating disorders, must be addressed without delay. Coaches and managers have a duty to act swiftly, ensuring that athletes receive the care they need to thrive both on and off the field.

Transparency and trust underpin every aspect of their work. Any conflicts of interest, no matter how minor, should be disclosed openly to preserve the integrity of their relationships with athletes and their families. Privacy, too, is a sacred obligation. The use of images or videos of athletes, particularly minors, must always respect their dignity and be shared only with explicit, written consent for legitimate educational purposes.

By embracing these principles, coaches and managers not only safeguard the athletes in their care but also create a culture of respect, growth, and accountability – one where every athlete has the opportunity to flourish.

### *2.4.2 Athletes: Rights and Responsibilities*

Athletes also have a critical role in maintaining a positive and respectful sporting environment. Recognizing their influence and responsibility, the CONI Guidelines outline a clear framework of rights and duties that emphasize solidarity, mutual respect, and proactive engagement in safeguarding. These guidelines empower athletes to be active participants in building a culture of integrity and well-being within the sports community.

At the core of their responsibilities is the principle of upholding solidarity and respect. Athletes are expected to embrace solidarity among teammates, demonstrating a commitment to protecting the dignity, health, and well-being of everyone involved. By valuing mutual respect, they contribute to a harmonious and supportive environment that benefits all participants.

Athletes are also tasked with avoiding inappropriate situations, particularly those that could compromise the boundaries of professionalism and safety. For instance, they must refrain from engaging in intimate situations with coaches or managers, especially during trips away from home. Moreover, they are encouraged

to promptly report any inappropriate behavior or conduct they observe, ensuring that potential risks are addressed swiftly.

The responsibility of reporting risks and concerns is another vital aspect of their role. Athletes are urged to report any situation – whether real or potential – hat could endanger themselves or others. By bringing concerns to the attention of the Safeguarding Officer or other designated authorities, they play an active role in preventing harm and reinforcing accountability.

By delineating these duties and responsibilities, the CONI Guidelines ensure that athletes, alongside coaches and managers, contribute meaningfully to a safe, inclusive, and supportive sports environment. This shared commitment not only safeguards the physical and emotional well-being of participants but also fortifies the integrity and ethical foundation of the sports sector, creating a community where everyone can thrive.

## *3. The Role of National Sports Federations*

Following the CONI Guidelines all 48 NSFs have adopted their own guidelines containing provisions concerning the OCMs and the CsC for the benefit of sport clubs/associations and have established a Safeguarding Office(r).[11]

### *3.1 The Sports Federations' Guidelines*

In general, the Guidelines of the Federations simply mirror the content of the CONI ones. Nevertheless, several sports federations, including ACI (Automobile) and FGI (Gymnastics), emphasize "best practices" to create an inclusive environment that respects the dignity and rights of all members, particularly minors. These practices promote equality, value diversity, and safeguard physical and moral integrity.[12]

The FISR (Roller Sports) and FIS (Fencing) have drafted OCMs that provide not only goals for affiliates but also concrete behavioural guidelines. Examples include ensuring non-discrimination in training schedules, addressing athletes' physical and emotional needs, monitoring for signs of distress, and preventing abuse or misconduct through safeguards like supervised training and appropriate conduct in shared spaces.

Additional measures also extend to education on safeguarding policies, sanctions for violations, and encouraging gender representation and awareness of rights. Federations may require tailored actions, such as publishing safeguarding resources, holding informational sessions, and implementing complaint mechanisms to ensure adherence to these principles.

---

[11] See S. Bastianon - M. Colucci, *Il Safeguarding in Ambito Sportivo*, V Edition, SLPC, 2024, available at *https://sherloc.unodc.org/cld/uploads/res/document/legislative-decree-8-6-2001-n-231_html/Legislative_Decree_8-6-2001_n_231_EN.pdf*.

[12] Ibid.

In alignment with CONI's Guidelines, NSFs have been tasked with crafting their OCMs to effectively address harmful behaviours and manage reports. These models are designed to include several key elements aimed at fostering a safe and respectful sporting environment.

First, they must outline quick-response measures, enabling organizations to act immediately and proportionately in cases of alleged harmful behaviour. Equally important are early warning mechanisms, which promote good practices and provide tools to detect potential issues before they escalate, while also safeguarding against misuse of reporting processes.

The OCMs must establish secure systems for reporting harmful conduct, ensuring both confidentiality and the prompt handling of cases. They also need to protect members from retaliation or secondary victimization, especially those who, in good faith, report, support, or testify in safeguarding matters. To maintain accountability, measures to sanction false or malicious reports are also required.

While the OCMs consistently reference the concepts of quick response and early warning tools, practical applications of these measures are not often provided. Despite this, CONI strongly emphasizes that sports associations and clubs must remain vigilant in preventing abuse, violence, and discrimination, and must act swiftly and decisively to protect individuals whenever incidents are reported.

### *3.2 The Safeguarding Officer(s)*

Each sports federation in Italy is required to appoint a Safeguarding Officer ("SO") whose primary responsibility is to ensure the implementation of safeguarding policies, address and manage potential abuse or danger, and carry out preventive actions.

This role is crucial to ensuring a safe environment for all athletes, particularly minors, within the realm of Italian sports. According to the guidelines provided by the CONI, federations are given the responsibility to select the SO from a range of qualified candidates chosen among university professors in legal or medical fields, judges, lawyers, notaries with experience in the sports sector, and individuals with significant experience in leadership roles within sports federations or as professional athletes.

This broad pool of potential candidates ensures that the role of SO is held by individuals with both legal and practical expertise, ensuring a comprehensive approach to safeguarding.

Some Federations, such as the FIGH (Handball Federation) and the FISR (Roller Sports Federation), place additional emphasis on gender balance in the selection of SOs.[13] In these cases, candidates are not only expected to have relevant experience and qualifications, but also to ensure a diverse and balanced representation. Furthermore, these Federations stress the importance of candidates having proven experience in several key fields, including legal, medical,

[13] Ibid.

psychological, and social professions. This diverse expertise helps to create a well-rounded and effective approach to safeguarding, covering all aspects of potential abuse and misconduct that may arise within the sporting context.

While appointing a single Safeguarding Officer is the common practice, federations have the alternative option of establishing a "Safeguarding Office", which is composed of at least three members. This office must include a president and representatives from legal, medical, and psychological backgrounds. The creation of a Safeguarding Office allows federations to address safeguarding issues with a collective and multidisciplinary approach, leveraging the expertise of several professionals to monitor, prevent, and address safeguarding concerns.

Additionally, federations have the flexibility to form a Joint Safeguarding Office ("JSO") with other federations or entities. This shared office can operate under a collaborative agreement, pooling resources and expertise to strengthen the safeguarding framework across multiple sports.

### *3.2.1 Functions of the Safeguarding Officer and Office*

The SO and the Safeguarding Office play a pivotal role in upholding the safety and integrity of sports environments. Their responsibilities are centered around four primary functions:

First, they ensure compliance by closely monitoring whether affiliated sports associations and clubs adhere to safeguarding models, codes of conduct, and established reporting procedures. This includes overseeing the implementation of safeguarding protocols and verifying that federations meet regulatory requirements.

Second, they proactively engage in prevention and intervention efforts to combat abuse, discrimination, and violence in sports. By taking decisive actions to protect individuals at risk and intervening, when necessary, the SO and the office work tirelessly to create a safe and inclusive environment for all participants.

Third, in instances where safeguarding violations occur or are reported, they act as a critical link to the appropriate authorities, such as the Federal Prosecutor's Office. Their responsibilities include ensuring that violations are addressed according to legal and regulatory standards while facilitating the proper handling of incidents.

Finally, they contribute to the continuous improvement of safeguarding practices by providing regular updates to the CONI Safeguarding Observatory. These reports detail the state of safeguarding policies, highlight actions taken, and evaluate the effectiveness of ongoing efforts, fostering a culture of accountability and excellence across federations.

Through these functions, the Safeguarding Officer and the office demonstrate a steadfast commitment to protecting the well-being of individuals and maintaining the integrity of sports.

When abuse is reported or discovered, the Safeguarding Officer/Office is required to act immediately. It must gather relevant documentation, provide information to the Federal Prosecutor's Office, and initiate investigations into the allegations. It is empowered to carry out inspections at events, training sessions, or any other federation-organized activities to ensure compliance with safeguarding protocols.

The Safeguarding Officer/Office is also authorized to make recommendations following an investigation, which may include temporary measures or permanent actions to prevent further occurrences of abuse or misconduct. It is expected to recommend measures to prevent future risks and to help facilitate awareness and education on safeguarding within their federation.

The mandate for a Safeguarding Officer/Office typically lasts for the duration of the Olympic cycle, which is four years. However, some federations, like the FIC (Rowing), have established that the term can be renewed only once, allowing for a maximum of eight years in the role.

The appointment of Safeguarding Officers and the establishment of Safeguarding Offices are integral parts of the safeguarding structures in Italian sports. Their work involves ensuring compliance with safeguarding models, preventing abuse, addressing violations, and reporting to the CONI Safeguarding Observatory. Through these roles, NSFs are tasked with ensuring that athletes, particularly minors, are protected from harm while participating in sports activities. The comprehensive and multidisciplinary approach to safeguarding helps Federations address both the prevention and intervention aspects of safeguarding, fostering a culture of protection and respect within Italian sports.

### *3.2.2 The Relationship Between the Safeguarding Officer/Office and the Federal Prosecutor*

Federal Prosecutors play a key role in ensuring that any abuses are prosecuted in accordance with the relevant Sports Justice Code. They exclusively carry out disciplinary actions against affiliated individuals, members, and other legitimate subjects when there is no justification for filing the case.

In cases of illegal activities, they may take action on their own initiative and can receive reports of misconduct, provided they are not anonymous, and the informant is fully identified.

Similarly, reports of abuse can be made directly to the Federal Prosecutor either by a member or a third party (again, not anonymously), or by the Safeguarding Officer/Office, who must also provide related documentation such as the received report, any verification activities carried out, and interviews or hearings conducted.

Federal Prosecutors are responsible for conducting all necessary investigations to determine any violations of statutes or regulations. Within 30 days of receiving a report or complaint, they must record the facts or relevant actions in the proper register as prescribed by the CONI Justice Code.

Investigations must conclude no later than 60 days after the entry is made in the register, though the General Sports Prosecutor's Office can grant a 40-day extension, and in exceptional cases, an additional 20-day extension.

It is important to note that investigative actions performed after the deadline cannot be used, although any documents and acts acquired at any time by the Public Prosecutor's Office or other judicial authorities can be used.

According to the CONI National Council Resolution No. 255 of 25 July 2023, the Safeguarding Officer/Office is required to report to the Federal Prosecutor's Office any non-compliance by affiliated sports associations and clubs regarding their obligation to adopt and update their OCMs, CsC, and to appoint the Responsible Officer for Abuse, Violence, and Discrimination.

Different federations have handled the relationship between Federal Prosecutors and Safeguarding Officers/Office in various ways.

The FIR (Rugby) Federation specifically allows the Safeguarding Officer to be assisted by the Federal Prosecutor's Office, which can take over investigative activities when necessary.

The FGI (Gymnastics), FIDS (Dance), FITARCO (Archery), and FITA (Taekwondo) Federations specify that the Safeguarding Officer must inform the Federal Prosecutor's Office of the outcomes of inspections and evidence gathering if relevant for further legal action.

Other Federations, including ACI (Automobile), FISE (Equestrian Sports), FISR (Roller Sports), FITAV (Shooting), FITP (Tennis and Padel), UITS (Shooting Range), and FIG (Golf), also require the Safeguarding Officer to collaborate with the Federal Prosecutor to combat discrimination, abuse, and other forms of mistreatment. The Safeguarding Officer's role is limited to addressing current risks and preventing future ones. If significant facts emerge during investigations that suggest potential responsibility for abuse or other disciplinary violations, the Safeguarding Officer must forward the findings to the Federal Prosecutor's Office for appropriate action.

Regardless of the formulations used, it is crucial that the Safeguarding Officer/Office and the Federal Prosecutor's Office work closely within their respective roles to ensure the protection of individuals involved in the sport.

### *3.3 Federal Prosecutors and the General Prosecutor's Office of CONI*

Equally important is the coordination between the Federal Prosecutors which are essential part of the internal investigatory/inquisitory legal system of each federation and the General Prosecutor's Office of Sports, which, under CONI's Statute, has the autonomy and responsibility to coordinate and supervise the investigative and prosecutorial activities carried out by the Federal Prosecutors.

Each Federal Prosecutor plays a critical role in maintaining the integrity of sports and ensuring accountability. Their responsibilities include two key functions.

Firstly, they are required to provide regular reports to the General Prosecutor's Office of Sports. These reports detail their ongoing activities and the

status of any proceedings, whether they are in the investigative stage or the trial phase. This ensures transparency and allows for effective oversight of their work.

Secondly, they must promptly notify the General Prosecutor's Office of Sports about significant developments in cases of sports-related misconduct. This includes reporting the receipt of misconduct allegations, the initiation of disciplinary actions, the conclusion of investigations, requests for deadline extensions, referrals for further action, or decisions to dismiss complaints.

Through these duties, Federal Prosecutors contribute to a robust system of accountability, fostering trust and ensuring that sports-related misconduct is addressed with diligence and integrity.

To protect the rights of victims of abuse, it is important to highlight that the General Prosecutor's Office of CONI, upon direct reports from victims, can request the relevant Federal Prosecutor to open an investigation on specific facts.

Moreover, the General Prosecutor has the power to intervene if investigation deadlines are exceeded or if there are significant omissions in the investigative process that could harm disciplinary actions. In cases where the intention to dismiss a case is deemed unreasonable, the General Prosecutor can also intervene.

### *3.4 The General Prosecutor's Office of CONI and the Public Prosecutors*

As part of its efforts to combat abuse, the General Prosecutor's Office of CONI has established Memorandums of Understanding with several Public Prosecutor's Offices, with the first signed with the Public Prosecutor's Office in Milan in January 2023, and subsequently with those in Bari, Florence, Palermo, Perugia, Potenza, Spoleto, Terni, Florence, and Trento.

The purpose of these protocols is to facilitate collaboration among the signatory Prosecutor's Offices to enable effective disciplinary actions through the timely sharing of information.

The established protocols create a cohesive framework for collaboration between the Public Prosecutor's Office and the General Prosecutor's Office of Sports, ensuring the effective handling of sports-related misconduct cases. These protocols emphasize mutual support, transparency, and respect for both legal and disciplinary processes.

During an ongoing criminal investigation, the Public Prosecutor may request detailed information from the General Prosecutor's Office of Sports about the individual under scrutiny. This includes insights into their role, activities, any prior reports, or pending disciplinary proceedings, allowing the investigation to proceed with a comprehensive understanding of the individual's context.

The General Prosecutor's Office of Sports is committed to sharing any relevant information it holds and, when necessary, may seek permission to access criminal records linked to the individual under investigation. Such exchanges ensure that both parties are well-equipped to address misconduct.

In preliminary investigations, the General Prosecutor's Office of Sports can request access to case files under Article 116 of the Criminal Procedure Code. These requests are typically granted unless the Public Prosecutor raises objections. Once the investigation concludes, full access is authorized, further enhancing the transparency and effectiveness of the disciplinary process.

Timeliness is a cornerstone of this collaboration. Both parties agree to respond promptly to requests, ensuring that all actions consider the full legal and sports-related context of the case, preventing unnecessary delays.

Should the General Prosecutor's Office of Sports uncover evidence of a crime committed by a CONI member or affiliate, it will promptly notify the appropriate Public Prosecutor's Office while initiating and documenting the corresponding disciplinary measures. This ensures a coordinated approach to addressing both criminal and regulatory violations.

In cases where the Public Prosecutor's Office identifies that Federal Prosecutor activities might interfere with an ongoing criminal investigation, it will inform the General Prosecutor's Office of Sports. In turn, the Federal Prosecutor's investigation will be suspended until further notice, safeguarding the integrity of the criminal proceedings.

This protocol fosters a collaborative and efficient relationship between the legal and sports disciplinary systems, ensuring that misconduct is addressed comprehensively and with due regard for all relevant frameworks.

Upon the lifting of the investigative secrecy, the Public Prosecutor's Office will inform the General Prosecutor's Office and provide access to the relevant documents.

Finally, the General Prosecutor's Office of CONI will notify the relevant Federal Prosecutor's Office of the documents it receives from the Public Prosecutor's Office, to resume investigations or take any other necessary action under the Sports Justice Code.

### *3.5 Training Obligations in Safeguarding Policies*

Federations are responsible for providing specialized training on safeguarding to coaches, officials, and other key personnel.

Several NSFs, including FPI (Boxing), FIDS (Dance), and FGI (Gymnastics), have taken proactive steps to promote safeguarding through educational initiatives. These federations organize informational seminars open to all stakeholders, as well as training and refresher courses tailored for Safeguarding Officers. Notably, many of these programs are available in e-learning formats, making them accessible to a broader audience.

Moreover, mandatory safeguarding seminars are being implemented for coaches, athletic trainers, and medical staff of national youth teams. These sessions ensure that individuals in direct contact with athletes, especially minors, are properly educated on safeguarding principles and practices. Examples of commendable

approaches include FPI (Boxing)'s requirement for at least one-hour modules and FGI (Gymnastics)'s provision of four-hour sessions conducted annually or as part of every training and refresher course for federal coaches. FGI (Gymnastics) also promotes regional-level informational seminars on safeguarding, extending their reach to all members.[14]

The ACI (Automobile Club of Italy) further raises the standard by requiring participants to provide proof of training completion, with certificates issued at least biannually.

A particularly noteworthy initiative is spearheaded by CONI's Office of the General Prosecutor, which has organized thematic seminars on safeguarding policies. These seminars target national sports federations, their federal prosecutors, and associated sports disciplines. To maximize the dissemination of this critical knowledge, CONI has made a comprehensive training module available, which is included as Annex 4 in the 2023 Activity Report of the General Prosecutor's Office.

### *4. Sports Associations/Clubs*

Affiliate sports associations and clubs have the obligation to comply with the Guidelines of the relevant Federation, and failure to adopt OCMs and CsC as well as failure to appoint the Responsible officer for Abuse, Violence and Discrimination are subject to disciplinary procedures established by their respective NSF, ASD, SPB, MA.

CONI has reiterated this requirement, stating that the failure of an affiliated association or sports club to comply with the obligation to appoint a Safeguarding Officer/Office, or the submission of false declarations regarding these obligations, constitutes a violation of the duties of loyalty, integrity, and fairness as outlined in the CONI Code of Sports Justice.[15]

Additionally, CONI has empowered the NSF, ASD, SPB, MA to mandate, starting 1 of January 2025, that the adoption of organizational and control models for sports activities and codes of conduct be a prerequisite for the affiliation or reaffiliation of sports associations and clubs.

#### *4.1 Information Obligation*

Once adopted, the OCM must be made accessible to ensure transparency and awareness among all stakeholders. It should be prominently displayed at the affiliate's headquarters and published on its homepage. Alongside the OCM, the contact details of the official responsible for addressing abuse, violence, and discrimination must also be included. This requirement is underscored by the

[14] Ibid.

[15] The CONI Code of Sports Justice is available in Italian at *https://www.coni.it/images/DEF_11.06.2014_CODICE_DELLA_GIUSTIZIA_SPORTIVA__.pdf*.

FGI (Gymnastics) regulation, which considers the failure to display the OCM in competition and training venues a disciplinary offense, reportable to the Safeguarding Office and the Prosecutor General for appropriate action.

The adoption of the OCM, along with any updates, must be promptly communicated to the safeguarding officer and the federal safeguarding policy leader. Affiliates are also obligated to report any significant information to the safeguarding officer, who will then notify the federal safeguarding authority.

Additionally, when athletes register, they and their guardians must be informed about the OCM and provided with the contact information of the safeguarding official.

To foster ongoing awareness, the OCM mandates periodic dissemination of information to members. This includes procedures for reporting harmful behavior, educational materials on preventing abuse, violence, and discrimination, and resources on eating disorder prevention for athletes. Any other safeguarding policies adopted by the governing body or the affiliate must also be shared regularly.

Finally, affiliates must ensure that athletes and their guardians are fully informed about the specific measures in place to prevent and address abuse, violence, and discrimination during sports events. This comprehensive approach seeks to create a safe and supportive environment for all participants.

### *4.2 The Appointment of a "Responsible Officer for Abuse, Violence and Discrimination" by Sports Sssociations/Clubs*

In Italy, sports associations/clubs are required to appoint a Responsible Officer for Abuse, Violence, and Discrimination by 31 December 2024, as per the extension granted by CONI through a decree in June 2024. This person, known as the Responsible for Abuse ("RA") plays a dual role. Firstly, he/she must prevent any harmful situations involving vulnerable individuals in sports, such as abuse and violence. Secondly, he/she is responsible for responding to reported cases, ensuring the physical and moral safety of those involved.

This role is mandatory, and organizations must inform the relevant authorities of their appointment. The name of the person in this role must be made public, and failure to do so could result in disciplinary consequences for the organization. In the absence of a designated person, the organization's legal representative will be automatically assigned the role. However, there are no penalties from external authorities, only from the federation itself.

The process of selecting the person for this role is not strictly defined by the law or CONI, meaning each organization has some flexibility. However, organizations are advised to appoint someone with the appropriate legal and psychological knowledge and competence, as well as independence from other roles, such as trainers or social officers. The person must also provide a clean criminal record check to ensure they are fit for the position.

The qualifications for this role include proven moral integrity, independence from leadership roles, prior experience in handling sensitive situations,

specific training in safeguarding, and a clean criminal record, particularly with regard to crimes involving minors or discrimination. In some federations, there are additional requirements, such as being an active member of the organization and a citizen of Italy.

The person appointed must request a criminal record check for any staff or volunteers who will be working directly with minors. This is an obligation set out by Italian law (Legislative Decree No. 36/2021). The certificate must be requested from the Ministry of Justice, and there are no costs for this service. This check is mandatory for anyone in positions that involve regular contact with minors, such as coaches or administrators.

Additionally, the RA is tasked with several important duties. They must receive reports of any abuse, supervise the adoption of organizational models and codes of conduct, monitor staff compliance with safeguarding regulations, and take immediate action in cases of abuse or discrimination. They must also report any violations to the Federation's safeguarding officer, ensure the protection of the identities of those reporting abuse, and encourage education and training on safeguarding issues.

Reporting of abuse is a central part of the safeguarding system, and NSFs have implemented various procedures for reporting concerns. Generally, if anyone learns of potential abuse or inappropriate behavior, they are required to report it to the designated person or safeguarding officer. Federations ensure that all reports are handled confidentially and promptly.

To further protect those who report abuse, Federations have developed systems to ensure anonymity and prevent retaliation against the whistleblower. Some federations have set up whistleblowing services on their websites, where individuals can report abuse safely and securely. These measures ensure that whistleblowers can act without fear of reprisal and that all reports are taken seriously.

In summary, the appointment of a RA is a critical step in creating a safer sports environment for minors and vulnerable individuals. This individual is tasked with preventing abuse, responding to allegations, and ensuring compliance with safeguarding regulations, with the overall goal of fostering a secure and supportive environment in the sporting world.

## *Conclusions*

Italy's framework for safeguarding in sports, rooted in constitutional principles and supported by a robust legal and regulatory structure, provides a strong foundation for addressing abuse and misconduct in this critical area. By combining clear legal mandates with practical guidelines and advocating for a sharp cultural shift, Italy

[14] Ibid.

[15] The CONI Code of Sports Justice is available in Italian at *https://www.coni.it/images/DEF_11.06.2014_CODICE_DELLA_GIUSTIZIA_SPORTIVA__.pdf*.

envisions a sports environment that is safe, inclusive, and nurturing for all participants. However, turning this vision into reality requires a sustained, multi-faceted effort, as meaningful cultural change and behavioral transformation often take years to achieve.

A critical component of this journey will be the implementation of continuous training on safeguarding. This training must equip stakeholders - coaches, officials, athletes, and administrators alike - with the knowledge and skills necessary to recognize, prevent, and respond to safeguarding issues effectively. Without ongoing education, even the most robust frameworks risk being undermined by gaps in awareness and preparedness at all levels of sport.

Equally essential are the establishment of effective monitoring procedures to ensure that the outlined measures are not only implemented but rigorously enforced. The theoretical strengths of Italy's framework must be matched by practical mechanisms that guarantee accountability and adaptability as challenges arise.

While Italy's approach offers valuable insights for other nations grappling with safeguarding challenges, its success will depend on sustained commitment, robust enforcement, and the willingness to invest in education and training. The journey toward a fully safe and inclusive sports environment is gradual, requiring patience, persistence, and a long-term vision. With continuous training and robust monitoring, Italy's framework has the potential to significantly reduce abuse in sports and foster a culture where the well-being of athletes remains paramount.

# SAFE SPORT IN PORTUGAL

by *José Manuel Meirim*[*]

SUMMARY: 1. The State Legal Framework – 1.1 The Constitutional Framework – 1.2 The sports legislation – 1.3 Public Administration – 1.4 National Olympic Committee – 1.5 National Federations – 1.5.1 Portuguese Football Federation (FPF) – 1.5.2 Portuguese Gymnastics Federation (FGP) – 1.5.3 Portuguese Athletics Federation (FPA) – 1.5.4 Other national federations – 1.6 National Observatory on Violence against Athletes – Conclusions

## *1. The State Legal Framework*

### *1.1 The Constitutional Framework*

The Constitution of the Portuguese Republic of 1976 grants sport a dignity that is almost unparalleled in the international context. The right to sport is considered a fundamental right. Pursuant to Article 79: "*1. Everyone has the right to physical culture and sport. 2. In cooperation with schools and sporting associations and groups, the state is charged with promoting, stimulating, guiding and supporting the practice and dissemination of physical education and sport, and preventing violence in sport*". Moreover, young people must even enjoy special protection, particularly in physical education and sport (Article 70/2/d). Furthermore, promoting sport is also considered as a mechanism to protect and promote the fundamental right to health (Article 64/2/b). If the constitutional relevance of sport demands a safeguarding policy, other constitutional principles and norms equally call for such a policy. According to Article 1 of the Constitution, the Republic of Portugal is based on the dignity of the human being. There is a right to personal integrity (moral and physical) (Article 25/1) and to the free development of personality (including sports personality) (Article 26/1). Finally, children have the right to protection by society and the State, especially from all forms of abandonment, discrimination and oppression and from the improper exercise of authority in the family or any other institution (Article 69).

[*] Invited Professor of Law, Law Faculty, Lisbon School (Catholic University). Coordinator of the Postgraduate Course in Sports Law. Member of the Appeal Body of Euroleague Basketball. Director of Sports Law Magazine (Portugal), Jurisconsult in Sports Law.

### *1.2 The specific sports legal framework*

In terms of legislation,[1] the Framework Law on Physical Activity and Sport (LBAFD), approved by Law 5/2007 of 16 January refers to the principles of universality and equality (Article 2) and to the principle of sporting ethics in the following terms: "*1. Sporting activity is carried out in compliance with the principles of ethics, defence of the sporting spirit, sporting truth and the integral formation of all participants. 2. The State is responsible for adopting measures to prevent and punish anti-sporting behaviour, namely violence, doping, corruption, racism, xenophobia and any form of discrimination. 3. Special support is given to initiatives and projects in favour of sportsmanship and tolerance*".

Law-Decree 248-B/2008 of 31 December 2008 establishes the legal framework for sports federations which must adopt disciplinary regulations sanctioning violations of the rules of the game or competition, as well as other sports rules, particularly those relating to sports ethics, against violence, doping, corruption, racism and xenophobia, as well as any other manifestations of perversion of the sporting phenomenon (Article 52).

Furthermore, Article 53 establishes that those regulations must cover specific matters. The recently added subparagraph h) is of the utmost importance: it establishes the necessary existence of an internal reporting channel for facts that may constitute a breach of rules for the defense of sporting ethics. Professional leagues also have a duty to set up a report channel (Article 29/4).[2]

In the case of some offences (for instance, those of criminal nature), the competent disciplinary body of the federation must report it to the relevant ordinary authorities (Article 56).

A criminal investigation, which became public in June 2023, concerned what came to be known as the "*B Sports Case*". At issue was the activity of a sports training academies, particularly football training ones, in which a series of

[1] In addition to the specific provisions set out in sports legislation, it is important to remember that broader legal frameworks also play a crucial role in safeguarding individuals, especially minors, in the context of sport. One example of this is found in the Penal Code, specifically in Articles 163 and the following, which address offences against sexual freedom and self-determination.These articles outline various criminal offences related to sexual abuse, harassment, and exploitation, offering a legal basis for holding individuals accountable for such actions. When dealing with issues of sexual misconduct in the sporting context, it is vital to consider these provisions, as they ensure that such offences are treated seriously and can be prosecuted under the general criminal law, in addition to the specific regulations set forth in the field of sports.Thus, sports organizations must be aware that safeguarding efforts extend beyond the realm of sport-specific rules, incorporating broader legal protections designed to preserve the fundamental rights and freedoms of individuals, particularly in relation to sexual autonomy and freedom from abuse.

[2] Both norms were added by Law 23/2024 of 15 February, which established the proportion of people of each sex in the composition of the bodies of sports federations and professional leagues and provides for the creation of channels for reporting breaches of rules for the defense of sports ethics.

serious irregularities were detected regarding the protection of minors' rights and the quality of training. It was also reported a lack of psychological and social support, restrictions on their freedom of movement and even suspicions of human trafficking.

The case had a major impact on the Portuguese society and was the determining factor for urgent legislative intervention, which took the form of Law-Decree 117/2023 of 20 December 2023, establishing the legal framework for sports training.

According to Article 2, paragraph 1 of the decree-law, its provisions apply to entities that organize sports training activities. This means that any organization involved in running such activities must adhere to the rules set out in the law.

However, paragraph 2 provides exceptions to this rule. It specifies that the decree-law does not apply to sports training activities organized by certain entities. These include local authorities, the Portuguese Olympic Committee, the Portuguese Paralympic Committee, the Portuguese Sports Confederation, as well as federations that have public utility status which are granted public prerogatives. Also excluded are the associations, clubs, and sports entities affiliated with these federations, along with professional sports leagues.

In paragraph 3 of Article 2, it is stated that, although certain entities (like local authorities, federations, and professional leagues) are excluded from most of the provisions of the law-decree, they must still comply with specific provisions, namely[3] technical staff involved in sports training activities must submit a criminal record in compliance with Law 113/2009 of 17 September 2009, which establishes measures for the protection of minors in order to ensure the safety and suitability of those working with children and young people.

Morover sports organizations need to identify and designate a person responsible for promoting the rights and protection of children and young people. This person's identity, along with their qualifications, must be documented with the relevant certificate.

Pursuant to Article 13, this person must have undergone specific training on child protection, provided by the Portuguese Institute of Sport and Youth (IPDJ), ensuring they are equipped with the necessary knowledge to handle safeguarding matters effectively.Once appointed, he/she has several important duties.

Their first responsibility is to manage and report any situations of risk or danger for children and young people. If a risk is identified, they must ensure that the appropriate authorities are notified and that all reports are properly forwarded to the relevant organizations.

In situations of immediate danger, they must take swift action to ensure the protection of the child or young person. This may involve contacting the police

[3] These provisions are found in Article 6, paragraph 2, subparagraphs j) and k), and Article 13, paragraphs 2, 3, 6, and 7.

or requesting the intervention of the court if there is an imminent threat to the individual's life or physical and mental well-being. They are also required to inform the Public Prosecutor's Office of such situations.

The designated person is also responsible for supporting children or young people who are at risk, ensuring they are not left without assistance until the relevant authorities intervene. Beyond handling individual cases, this person plays a key role in implementing protective measures within the organization, ensuring that procedures are in place to prevent harm to children and young people in the future.

Furthermore, they must work alongside others in the organization to develop and maintain an environment that prioritizes the safety and well-being of children and young people, helping to create a positive, child-focused sporting culture. They also take on the responsibility of raising awareness of child protection codes of conduct and ensuring that the organization adheres to safe recruitment practices when selecting staff.

Confidentiality is another critical aspect of their role. They must maintain strict confidentiality when handling any information related to the safety of children or young people involved in the sport. In addition, the designated person represents the organization at relevant meetings and works with others to shape the organization's approach to safeguarding issues.

The appointed individual also plays a vital role in advising the organization on training needs related to child protection and ensures that the staff receive regular and up-to-date training in this area. They must remain vigilant, continually improving their knowledge and skills to stay informed about best practices in safeguarding.

In addition to these responsibilities, all technical staff – those directly involved in coaching or other roles with minors – must be well-versed in the best practices for child protection, following the guidelines set out in the Manual for the Protection of Children and Young People in Sport.

Other notable aspects from this legislation include prior notification and registration (Article 6). The prior notification must contain information about various aspects, as for instance:

d) the internal operating regulations and the training project, which must include mechanisms to promote gender equality and the inclusion of people with disabilities;
k) the identification of the person responsible for promoting the rights and protection of children and young people referred to in Article 13(2) and (3) and the respective certificate.

Article 9 sets out how sports training activities are classified. There are two main types:

*Residential:* when the activity includes accommodation and overnight stays;
*Non-residential*: when it doesn't involve staying overnight.

Regardless of the type, there are specific safety requirements. At least two technical staff members must always be present during overnight stays.

Additionally, during the training itself, there must be at least two technical staff for every group of 20 participants.

Organisers must keep up-to-date records at all times (Article 11). These should include, among other things, a list of underage participants, along with the name and contact details of their parents or legal guardians, as well as a signed authorisation from them.

They are also required to prepare a code of good conduct aimed at preventing and addressing any form of physical or psychological violence (Article 12). The code should also include measures to protect children and young people from discrimination, especially based on race, ethnicity, colour, nationality, origin, religion, sex, sexual orientation, or gender identity.

The Directors are responsible for ensuring that all activities fully comply with the law, relevant regulations, and internal rules.They must also make sure that the code of good conduct is followed, along with all health, hygiene, and safety standards (Article 14).

With regards sports coaches and other technical staff, they are responsible for accompanying the participants during the activities, providing them with all the support, guidance and assistance they need (Article 15).

All athletes have the right to practice their sport in a safe and supportive environment (Article 16) This includes protection of both their physical and mental health during training and competition as well as safeguards against any form of violence, whether physical or psychological.

Organisers are required to have a complaints book available, allowing participants or their families to formally raise concerns or report issues (Article 18) while ordinary authorities can take preventive action if necessary. This includes the power to suspend sports training activities for up to two years if there are serious concerns about safety, legality, or compliance (Article 23).

Finally there are special rules for sports players who are not citizens of a European Union country (Article 24): in order to participate in amateur sports in Portugal, they need a temporary stay visa unless the athlete is under temporary protection or accompanied by a direct family member who is legally residing in Portugal (for minors) and he/she is enrolled in and attending a school in Portugal (for minors).

In addition, non-EU minors cannot register with a sports federation unless they meet one of the following conditions: (i)they are under temporary protection or have a family member in Portugal with legal residence; (ii)they are enrolled in school; (iii)they have an employment or training contract as a sportsperson, in line with Portuguese law.

### *1.3 Public Administration*

The Instituto Português do Desporto e Juventude, I.P. ("IPDJ, I.P.") – Portuguese Institute for Sports and Youth – is a public institution with administrative and financial

autonomy and its own assets. It operates under the authority of the Presidency of the Council of Ministers, under the supervision of the Prime Minister, or the designated Government member responsible for sport and youth.

IPDJ has played a significant role in safeguarding for sport and has participated in projects such as 'Child Safeguarding in Sports', thus implementing various measures, with the commitment and determination to ensure that the issue of abuse in sport is addressed not only in general child protection systems, but also in the sports system.

Following the Pro Safe Sport projects (Pro Safe Sport for Young Athletes (2014-2015) / Pro Safe Sport + 'Putting an end to sexual harassment and abuse against children in sport' (2017), and the launch of the Start to Talk initiative, Portugal was invited to participate with the Council of Europe in the project whose final product was presented as a roadmap for national policy on the protection of young people in sport, which includes concrete measures for the creation of Agents for the Protection of Young Athletes – Safeguarding and Protecting Children and Young People in Sport – Child Safeguarding in Sport (CSIS).

The project, which is now called *Protection of Children and Young People in Sport*, was based on teamwork between the two departments involved, set up within the IPDJ. From this joint work:

– a Steering Committee was set up with various organisations linked to the sport and child protection sector;
– a 'Protection of Sports Practitioners' sector was created on the IPDJ website, in order to publicize the measures set out in the roadmap containing the relevant information to support victims and support and referral lines for situations of violence;
– a Manual for the Protection of Children and Young People in Sport was created in conjunction with APAV (the Portuguese Association for the Protection of Victims), exploring the concepts of violence, children's development, the sporting context, the child and youth protection system, reporting, procedures to be followed and the action flowchart;
– a course was created on the NAU platform aimed at coaches, available free of charge to anyone interested in such matters;
– training sessions were held within the Federations;
– an IPDJ reporting channel;[4]
– 10 training sessions were promoted by the IPDJ, given by APAV, in each of the five IPDJ regional directorates, for clubs and associations firstly in November 2023, and secondly in a following edition, after the publication of Decree-Law 117/2023 of 20 December, in November 2024;
– two clarification webinars were held on the application of the Decree-Law and on the Person Responsible for the Promotion and Rights of Children and Young People, which are also available on the 'Protection of Sports Practitioners' page on the IPDJ website.

[4] Available at *https://denuncias-externas.ipdj.gov.pt*/.

The National Plan for Ethics in Sport (PNED) is a government initiative implemented by the IPDJ since 2012, competent, *inter alia*, to address this issue, with guidelines for parents and clubs to promote ethical values, good practices against racism in sports.

In regard to the registered complaints, we can only access those that have been registered on the IPDJ complaints section priorly mentioned. By the end of 2024, 8 complaints had been registered, three of which were referred to the Public Prosecutor's Office.

Regarding the number of complaints reported to the IPDJ by the Violence Against Athletes Observatory, five complaints were forwarded to the IPDJ and then sent to the Public Prosecutor's Office.

The complaints were also forwarded to the competent authorities, namely the Authority for the Prevention and Combat of Violence in Sport and to the competent sports federations, to prevent possible future occurrences. It should be noted that the IPDJ always requests that the competent authorities inform them about the steps to be taken regarding the reported situation, as well as the result thereof. However, the information is not always made available.

### *1.4 National Olympic Committee*

In terms of safeguarding, the Portuguese Olympic Committee (COP) has followed the IOC's guidelines and has been implementing the 'For Respect' Integrity program since 2016, with the aim of supporting federations and training sports agents in preventing, recognizing and reporting threats to sporting integrity. This initiative is part of a global strategy, which focuses on raising awareness, educating and empowering.

The program incorporates the development and implementation of several initiatives, particularly regarding prevention, training and skill building, while seeking to promote collaborative partnerships with the main players and boost essential instruments that will enable sports organizations in Portugal to achieve the highest standards of protection for all those involved in sports.

A set of educational and awareness-raising resources was developed (a video available on the COP's YouTube page, Manual/Guidelines for athletes, coaches and sports communities, available in PDF and E-book format, and Introduction and awareness-raising leaflet on violence and abuse in sport), tools that cover the basic concepts on the subject and define practical models for action, providing an indispensable key to support the training and awareness-raising of sports agents and national federations.

Meanwhile, COP is running the Safer Grassroots Sport: building capacity for grassroots sports organizations (GRASS) project, with a bottom-up strategy and co-funded by the European Commission under the ERASMUS+ Sport program.

A conference was held under this program, called '*Zero tolerance to all forms of violence and abuse*', and took place on 12 December 2024.

COP also promoted the '*Prevalence of Violence against Athletes*' study, with funding from Olympic Solidarity.[5]

Data was collected from athletes aged 18 or over who were or had been members of the national teams in the last 10 years, using an instrument developed in Canada – the Violence Towards Athletes Questionnaire.

The general aim of the project was to characterize violence and abuse against athletes in Portugal, with a view to understanding its typologies, dynamics, consequences and implications, and in terms of the specific nature of sports.

A total of 336 athletes from 17 sports federations took part in the study.

Out of the 336 participants, 148 were female (44%) and 188 were male (56%). The types of violence considered correspond to each of the 3 dimensions of the instrument: 1) psychological violence and neglect, 2) physical violence, and 3) sexual violence (harassment and abuse).

The results indicated that most participants (84,23%) had experienced some kind of violence.

Out of these, a total of 82.44% of the participants reported having suffered psychological violence/neglect. More than half of the participants reported having suffered physical violence (57,44%), and 42,26% reported having been victims of sexual violence.

There were no significant differences in the proportion of men and women who reported psychological violence and neglect or physical violence. Only regarding sexual violence did women report suffering more of this type of aggression when compared to men (57,7% and 42,3%, respectively), in which case there was a significant difference.

The results therefore suggest that female athletes are more likely to suffer from sexual violence than male athletes.

Unlike the general prevalence of different types of violence discussed earlier – where psychological violence and neglect were the most reported, followed by physical violence and, lastly, sexual violence (a pattern consistent with violence in athlete relationships) – cases involving violence by coaches showed a reversal of this trend, with sexual violence being reported more frequently than physical violence.

Although psychological violence/neglect continues to be the most prevalent, with almost half of the athletes reporting some episode of this nature (49,1%), sexual violence comes in second place; here, 16,4% reported having felt uncomfortable (at least once) with sexual behaviour from their coach. Finally, 11% of athletes indicated that at some point in their sporting life they had experienced physical violence or had been encouraged to engage in aggressive behaviour by a coach.

[5] The study, carried out by the European University under the coordination of Professors Miguel Nery and Thiago Santos, with the participation of Professor Catarina Morais from the Portuguese Catholic University in Porto, is the first contribution analysing the prevalence of violent behaviour against athletes in Portugal, comparing it with other countries where the phenomenon has been studied in a similar way.

Being "intentionally excluded and/or rejected" by coaches is the most common type of episode, reported by around half of the athletes (49%). Nevertheless, it is also important to note that around a quarter of the participants reported that their coaches 'forced or asked them to do extra, very intense or excessive training' (27,3%), 'suggested or forced them to do technical movements that were too complex' for the athlete's abilities (24,7%), or 'criticized them excessively' (23%). These figures suggest a feeling of over-demand, which goes beyond the athlete's ability to fulfil their demands. Finally, around a fifth of participants reported that coaches intentionally ignored them or were indifferent (21.5%), forced them to train while injured (20,2%), and/or locked them in a tight space or tried to limit their movements (19,7%).

As for sexual behaviour provoked or encouraged by coaches, 16,4% of the participants reported that had heard "rude, offensive or uncomfortable comments about [their] sex life, private life or physical appearance". One in ten athletes reported that their coaches had already engaged in "behaviour of a sexual nature" that made them feel uncomfortable (10,4%). A minority of participants (1,8 per cent) reported more serious episodes, such as "filming or photographing them while undressing, masturbating, sexually touching them or someone else", and/or "watching or asking them to undress, masturbate or sexually touch someone else".[6]

Concerning psychological violence/neglect in the relationship between people in positions of authority and athletes, the episodes in which these people 'intentionally excluded or rejected' athletes (44%), reported by almost half of the athletes, stand out. Although reported less often, 18,2% of people in positions of authority were reported to have asked athletes to train to exhaustion, and 17,3% of athletes reported that these people in positions of authority knew that the athlete was using unhealthy weight loss methods and did not intervene. Other behaviours reported with similar frequency were excessive criticism and locking the athlete in a tight space or trying to limit their movements (both 16,7%), as well as forcing the athlete to train injured, despite being medically ill-advised (16,1%).

Regarding the prevalence of physical violence, the results reported are lower. However, 4,5% of athletes still reported that people in positions of authority had encouraged them to adopt aggressive behaviour towards an opponent. Around 6 per cent had already been physically assaulted and 2% had even been strangled or choked by people in positions of authority in a sporting context.

A comparative analysis was conducted involving Canada, Belgium, Australia, Switzerland and Portugal.

About the prevalence of episodes of violence against athletes, all the studies point to a high result, with around 4 out of 5 athletes reporting having suffered at least one episode of violence (Canada: 84,5%; Belgium, 86%; Australia: 82% and Switzerland: 79%). Portugal is in line with this trend, as 84,23% of participants reported having been victims of at least one episode of violence.

[6] Ibid.

The study presents the following conclusions:

"*The prevalence of violence and abuse against athletes is worrying. A high percentage of the participants in this study reported having suffered physical, psychological and/or emotional violence. Psychological violence is the most prevalent form of violence from peers, coaches and people in positions of authority. Sexual violence from people in a position of authority was not reported, but with regard to coaches, episodes were reported with worrying frequency (higher than physical violence). There are differences between the sexes in terms of the prevalence of sexual violence, with women being more exposed to this type of episode.*

*Both sexes are exposed to psychological and physical violence in similar proportions. However, being a woman is a risk factor when it comes to sexual violence, a result in line with the initial conclusions that women are more exposed to sexual violence than men.*

*The results that underpin the comparative analysis carried out allow us to conclude that the prevalence and nature of violence and abuse against athletes in Portugal is in line with the international literature on the subject. The prevalence of episodes of violence against athletes is high and should be paid attention to in order to prevent and intervene appropriately. Note that, despite the considerable methodological overlap, there are some differences that should be considered when analysing the results, such as the definitions adopted, type of study, statistical treatment and sample size.*

*Further studies are needed in order to make new and more robust inferences*".[7]

### *1.5 National Federations*

National sports federations play a key role in promoting ethical standards, safeguarding participants, and ensuring compliance with legal and regulatory frameworks. In this section, we present concrete examples of how certain national federations have taken action in these areas.

#### *1.5.1 Portuguese Football Federation (FPF)*

The first mention goes to the FPF "Integrity Regulations"[8] whose Article 6 affirms the principle of human dignity: "*The FPF develops policies aimed at protecting the dignity of the human person, moral integrity and sexual freedom, not admitting and sanctioning, within the scope of its activity and under the terms of its disciplinary regulations, the practice of humiliating, vexatious,*

[7] Ibid.

[8] Approved on 20 December 2024 (CO-00406, 23/12/2024).

*violent, whether physical, psychological or unwanted behaviour of a sexual nature*".

The principle of sporting ethics is emphasised in article 7:

*"1. The FPF carries out its activity in compliance with the principles of ethics, the defence of the sporting spirit, sporting truth, loyalty and correctness, in accordance with the rules of Fair-Play and the integral formation of all participants, under the terms of its statutes and regulations in force.*

*2. The FPF develops policies to comply with the principle of sporting ethics in the affiliation and participation of sports agents and in the organization of their activity.*

*3. The FPF shall adopt measures to prevent, train, educate, raise awareness of and punish any manifestations of violence, human trafficking through FPF activities, racism, xenophobia and any form of discrimination.*

*4. The FPF provides the 'futebolparatodos.fpf.pt' platform for reporting signs of a breach of the principle of sporting ethics in a competition organised by the FPF.*

*5. Within the scope of its activity, the FPF prevents the promotion of acts that constitute incidents that are detrimental to any participant in the game, which may result in an unsportsmanlike demonstration or which, regardless of their specific content, constitute a violation of sporting ethics or are capable of compromising the normal course of the game organised by the FPF, sanctioning them under the terms of the Disciplinary Regulations".*

FPF also approved a *Code for the Protection of Children and Young People in Football*, not yet published and, therefore, not in force.[9]

The objectives of the Code are:

– to establish clear guidelines to protect children and young people from abuse, neglect and exploitation;
– to implement preventive measures to identify and minimise the risks of abuse, whether physical, psychological, sexual or emotional;
– to define the responsibilities of all those involved and promote a culture of transparency;
– to demonstrate the institution's commitment to the protection of children and young people, strengthening the trust of society, family members, guardians and young people themselves in the FPF;
– to ensure that FPF complies with national and international laws and regulations relating to child protection;

[9] The Code is based on the IPDJ's 'Manual for the Protection of Children and Young People in Sport', the Union of European Football Associations' (UEFA) "Country-Specific Roadmap for Effective Child Protection in Sports Policies", the "Competition-Specific Child and Youth Protection Guidelines" and the Fédération International de Football Association's (FIFA) "Guardians Safeguarding in Football" program, with the aim of safeguarding and guaranteeing the rights of participants.

– to provide a guide for appropriate behaviour and action in situations of suspected or confirmed abuse;
– to promote a culture of respect, equality and inclusion, where everyone, regardless of their origin, is treated with dignity and respect;
– to guide the creation of institutional policies and practices on child protection and safety protocols;
– to educate everyone involved on issues related to child protection and how to contribute to a safe and positive environment;
– to establish a process for a continuous review and updating protection policies, ensuring they are always aligned with best practices and changes in legislation or society.

FPF has a Certification Regulation for Training Entities[10] aiming at establishing the certification for entities that provide training to young players up to the Under-19 level and approves the Certification Manuals of the FPF, published in the annex.

The certification procedure is mandatory for all sports clubs and sports companies that wish to register sports training contracts with the FPF.

The certification procedure is also mandatory for all clubs and sports companies that participate in professional football competitions, in accordance with the Liga Portugal Licensing Manual and for all who participate in national competitions subject to the FPF Club Licensing Regulations and as stipulated in the Regulations of the respective competitions, as well as for all sports clubs and sports companies that undergo the licensing process for events organized by UEFA.

According to the above-mentioned Manual, the entity must declare, on honour, that, in addition to the criminal records attached to the human resources listed on the certification platform – required for activities involving regular contact with minors – it has also requested and verified the criminal records of all other personnel within the organization. Furthermore, the entity must confirm that it has explicitly required compliance from its Service Providers, who, although not listed on the certification platform, may have sporadic, occasional, or regular contact with the organization's underage players.

Moreover, some entities must declare, on honour, that they are aware of and comply with all the procedures required with regard to the protection of minors (Law 147/99, of 1 September 1999), showing that at least their Academy Director/Training Entity or the Head of School Monitoring Officer or the D.R.E. Practitioner Monitoring Officer has attended the online course provided by the FPF in partnership with UEFA,[11] providing them with basic knowledge in the area of Safeguarding and Protecting Children and Young People in Football.

They also must have to Welcome and Good Practice Manual presents the rules on relations with Parents/Guardians of Practitioners, including

[10] Here we address the rules relating to men's football and futsal.
[11] Available at *https://uefa-safeguarding.eu/cursos-online-de-protecao-de-criancas-da-uefa-portuguese*.

Infractions and Disciplinary Framework, specifically referring to the behaviours of Parents/Guardians (including situations of bullying, harassment and violence).

The 2024 Disciplinary Regulations contain provisions about sexual and moral harassment in the following terms:

– Article 126-B - Sexual harassment: "*1. A manager who harasses a sports agent by adopting unwanted behaviour of a sexual nature, in verbal, non-verbal or physical form, shall be punished with a suspension of 4 months to 4 years. 2. A manager who forces a sports agent to perform a sexual act against their will is punished with a suspension of 3 to 5 years. 3. A manager who shows a passive attitude in repressing the behaviour provided for in the previous paragraphs will be punished with a suspension of 1 to 6 months*".
– Article 126-C Bullying: "*1. A manager who harasses another sports agent by adopting continuous acts of physical or psychological violence, intentionally and repeatedly, with the intention of inflicting pain and anguish, shall be penalised with a suspension of 4 months to 4 years. 2. If the conduct referred to in the previous paragraph results in damage to the physical or psychological integrity of the offending sports agent, the manager will be penalised with a suspension of 3 to 5 years. 3. A manager who shows a passive attitude in repressing the behaviour provided for in the previous paragraphs shall be sanctioned with a suspension of 1 to 6 months. 4. The provisions of the previous paragraphs shall apply even if it occurs outside of an official match*".

FPF has a report channel for reporting breaches of ethical standards, such as sexual harassment, aiding illegal immigration, manipulation of matches or other acts of corruption and related offences carried out in or through the FPF or within the scope of its activities.

### *1.5.2 The Portuguese Gymnastics Federation (FGP)*

The FGP is also a leading example in safeguarding. On their website they recall their motto:

> "Safe sport for all gymnastics practitioners!": "*All gymnasts have the right to be protected against non-accidental violence, harassment and abuse, regardless of their race, colour, sex, gender, sexual orientation, language, religion, political or other opinion, national or social origin, disability, physical attributes, athletic ability or any other status.*
>
> *Non-accidental violence includes all forms of harassment and abuse and occurs all over the world. It is important to raise awareness about the indicators and impact of all its forms. All gymnastics participants need to know how to voice their concerns and be assured that they will be properly addressed.*

*It is the responsibility of the FGP to adopt and implement policies and procedures to protect its gymnasts and other gymnastic agents. It is the responsibility of all and for all to identify, report and eradicate any unacceptable practices*".

The Portuguese Gymnastics Federation (FGP) has established a dedicated reporting channel called "Participate a Case", which allows anyone to report instances of unacceptable behaviour within the sport of gymnastics. This initiative is part of FGP's broader commitment to ethics, transparency, and athlete well-being. Reports can be submitted on line, in person, by telephone, by email. This multi-channel approach makes it easier and safer for athletes, coaches, judges, and others involved in gymnastics to speak up. The FGP encourages everyone to take an active role in promoting a positive and respectful sporting environment.

The Portuguese Gymnastics Federation (FGP) places strong emphasis on safeguarding education. It recognises that raising awareness about sporting ethics, safeguarding, and transparency is one of the most effective ways to protect athletes. Educating children and young people is especially important, so they can recognise unacceptable behaviour, understand their rights, and know how and where to report any issues.

The FGP also highlights that promoting ethics is not just about rules – it's about encouraging the right behaviours, attitudes, and decisions. For this reason, all sports professionals, not just those involved in gymnastics, have a role to play in reinforcing these values.

### *1.5.3 The Portuguese Athletics Federation*

The Portuguese Athletics Federation (FPA) has published its Policy for the Safeguarding and Protection of Children and Young People in Athletics on its website. This initiative is part of the Portuguese Institute of Sport and Youth's (IPDJ) national roadmap, and also responds to a call from European Athletics for all member federations to invest in safeguarding as a matter of human rights.

As part of this effort, the FPA is working with the IPDJ to: i) analyse existing legislation; ii)organise focus groups with key figures in the sport to gather insights and promote best practices; iii) develop a dedicated platform for reporting cases of abuse in sport, particularly in athletics, similar to platforms already active in other sports; iv) to support these efforts, the FPA is creating a dedicated space on its website, where it will share educational resources, tools, and materials to help the athletics community – and the wider sporting world – identify, prevent, and respond to abuse".[12]

The Portuguese Athletics Federation (FPA) has also announced that it will soon publish a Regulation for the Protection of Sports Practitioners, along with specific Codes of Conduct for Sports Agents. These documents aim to further strengthen ethical standards and the safeguarding framework within athletics.

[12] Available at *https://fpatletismo.pt/safeguarding/*.

For reporting concerns or suspected cases of abuse, the FPA refers individuals to the Report Portal managed by the Portuguese Institute of Sport and Youth (IPDJ, I.P.), which provides an official channel for submitting complaints related to safeguarding in sport.

### *1.5.4 Other National Federations*

#### *Portuguese Handball Federation*

The Portuguese Handball Federation has established a reporting channel for violations of sporting ethics, as required by Law no. 93/2021 and Article 73(4) of its Disciplinary Regulations. Whistleblowers can report incidents confidentially by contacting the federation through a dedicated email address.

#### *Portuguese Volleyball Federation*

The Portugues Volleyball Federation places strong emphasis on the prevention of sexual, psychological, and physical harassment, viewing it not only as a priority in sport, but also as a key societal and cultural issue. It highlights the importance of public awareness campaigns, particularly around sexual harassment in sport, to uphold the values of both sporting excellence and civic education.

#### *Portuguese Basketball Federation*

The Portuguese Basketball Federation has also set up a reporting system for a broad range of ethical and legal violations, including corruption, fraud, harassment, illegal immigration, and human rights abuses. Reports can be submitted anonymously and are handled in accordance with Law 93/2021, ensuring protection for whistleblowers and respect for due process.

### *1.6 National Observatory on Violence against Athletes*

The National Observatory on Violence against Athletes is an initiative of the University of Maia/Maiêutica in collaboration with the *Plano i Association*, which aims to be an anonymous platform for collecting information on situations of violence against athletes.

Its objectives are:

a. to survey situations of violence against athletes that have been directly experienced or witnessed;
b. to characterise situations of violence against athletes, with a view to understanding their typologies, dynamics, consequences and implications;
c. referring those who wish to do so to the relevant authorities (e.g. the police, victim services).

d. contribute to the development of scientific studies in the field in question;
e. contribute to the optimisation of policies and measures to prevent and combat violence against athletes.

*Conclusions*

Sports organizations, both public and private, and even the legislator[13] are trying to achieve a comprehensive Safeguarding Culture. If this statement is true, the concerns that have been expressed are no less. With all due honour, we reproduce the words of João Paulo Almeida:[14]

> "*When survivors of abuse in sport say that there are no adequate protection systems in place, they are not questioning the existence of rules or reporting channels, but the failure to guarantee their application, to hold offenders accountable, or to monitor and prevent high-risk situations. The coexistence of a culture of silence, a lack of oversight and negligence in prioritizing the problem has perpetuated situations of abuse and enabled a context of apparent 'abuse'. a context of apparent 'normality' between abusers, parents, coaches and managers, increasing the risk and compromising the duty of protection of sports organisations. In Portuguese sport, few comply with the law, and even fewer monitor it, so I tis not surprising that the 'Roadmap for the effective protection of children in sports policies'. is far from having achieved its aims. Without coordinated and effective action, sport will never be a safe space for everyone and measures capable of generating trust and guaranteeing systems that prevent and punish abuse remain to be realized*".

[13] That said, Decree-Law 117/2023 is essentially aimed at other types of training not covered by sports federations, what is a big mistake.
[14] COP Director General, *Record*, 9.12.2024, "Sport - an (un)safe space".

# SAFE SPORT IN SPAIN

by *Carmen Pérez-González*[*]

SUMMARY: 1. Introduction – 1.1 Overview of the Spanish Context – 1.2 Cultural and Institutional Relevance of Child Safeguarding in Sport – 2. Legal and Institutional Framework – 2.1 National Legal Instruments on Child Protection in Sport – 2.2 Role of the CSD and Other Public Authorities – 2.3 Relationship Between National and Regional Legal Frameworks – 3. Safeguarding Strategies and Implementation – 3.1 Role of National Federations and Sports Associations – 3.2 Strategic Plans and Protocols for Prevention – 3.3 Involvement of Civil Society and Oversight Bodies – 4. Education, Training and Awareness – 5. Reporting Mechanisms and Confidentiality Policies – 6. Promoting a Culture of Safeguarding: Social and Cultural Barriers – 7. Conclusions – 7.1 Key Achievements and Remaining Gaps – 7.2 Recommendations for Strengthening the Safeguarding Culture in Spanish Sport

## *1. Introduction*

### *1.1 Overview of the Spanish Context*

Safeguarding in sport[1] has become an increasingly prominent focus of public policy and regulation in many countries. This chapter addresses the topic in broad terms, while also taking into account, where relevant, the specific circumstances of

[*] Full Professor of Public international law at Universidad Carlos III de Madrid (UC3M). She has written extensively in the area of International and EU sports law, anti-doping and the protection of athletes' fundamental rights. Between September 2015 and July 2016, she served as Member of the High-Level Group on Sport Diplomacy of the European Commission. She is the Chair Holder of the UNESCO Chair ELIS (Education Linkage through International Sports) established in 2021 at UC3M.

[1] Safeguarding in sport refers to efforts aimed at preventing harm, abuse, and harassment within sporting environments. It has gained increasing attention across academic, policy, and professional spheres. Over time, the concept has evolved to encompass a wide range of risks, including not only sexual abuse, but also psychological and physical harm, self-inflicted behaviours, and structural issues such as discrimination or inadequate medical care: S. BEKKER and A. POSBERGH, '*Safeguarding in sports settings: unpacking a conflicting identity*', *Qualitative research in sport, exercise and health*, Vol. 14, no. 2, 2022, 181.

vulnerable groups such as women, persons with disabilities, and children.[2] In Spain, safeguarding in sport has gained growing institutional relevance, with recent national legislation and regional initiatives reinforcing the protection of vulnerable athletes. This development has unfolded within a complex framework shaped by the country's decentralised governance structure and a sport culture historically marked by rigid hierarchies, institutional loyalty, and a degree of tolerance towards abusive or negligent behaviours. Despite growing awareness, however, studies continue to warn that violence against athletes in sport is far from being a marginal issue within the sports world.[3]

Spanish media have revealed several high-profile cases in recent years involving the sexual abuse of children in sport. For example, in 2023, Miguel Ángel Millán, former coach of Olympic decathlete Antonio Peñalver, was convicted for the serial sexual abuse of underage athletes.[4] Similar convictions have involved coaches in youth gymnastics and football, exposing long-term abuse patterns in youth sport.[5] Regarding women athletes, the so-called "Rubiales case" – triggered by the unsolicited kiss given by the president of the Spanish Football Federation to player Jenni Hermoso during the 2023 FIFA Women's World Cup awards ceremony – highlighted the persistence of structural sexism, abuse of power and lack of adequate protection for women in elite sport.[6] Even in 2017, reports exposed the existence of so-called "anti-pregnancy clauses" in contracts signed by female footballers in Spain, effectively forcing them to choose between their careers and motherhood – an emblematic example of structural discrimination in sport.[7]

This chapter critically analyses the development of the safeguarding system in Spain to prevent, eradicate and sanction violence and abuse against athletes in sport., with a particular focus on legal frameworks, institutional responses, and the socio-cultural challenges that influence its implementation. Drawing on a multidisciplinary approach, it explores the articulation between laws, practices, and cultural contexts, highlighting both formal progress and persistent

[2] Recent prevalence research confirms that interpersonal violence toward children in sport is "a serious and widespread problem" in Europe J. Toftegaard Støckel, *et alii*, '*Child Abuse in Sport: European Statistics (CASES) – General Report*', Ormskiik, Edge Hill University, available at *https://sites.edgehill.ac.uk/cpss/projects/child-abuse-in-sport-european-statistics-cases/*. All electronic sources cited throughout this work were accessed on 11 June 2025

[3] S. Parent and K. Fortier, '*Comprehensive overview of the problem of violence against athletes in sport*', *Journal of Sport and Social Issues*, Vol. 42, no. 4, 2018, 227-246.

[4] *Ex-coach of Spanish Olympic medalist guilty of sexual abuse*, available at *apnews.com*.

[5] *La gran lacra del abuso infantil en el deporte*, available at *https://elpais.com/deportes/2022-01-23/la-gran-lacra-del-abuso-infantil-en-el-deporte.html*.

[6] E. Crabill, '*Women's football, sexism and media representation: Contextualising the Rubiales/Hermoso kiss*', *European Journal of Cultural Studies*, Vol. 28, no. 1, 2025, 223-228. On February 20, 2025, Luis Rubiales was found guilty of sexual assault for kissing Jenni Hermoso without consent. He was fined •10,800 and ordered to pay •3,000 in compensation, but was acquitted of coercion: *https://edition.cnn.com/2025/02/20/sport/spain-rubiales-guilty-hermoso-kiss-intl*.

[7] *Why female athletes in Spain are banned from getting pregnant,* available at *https://english.elpais.com/elpais/2017/03/27/inenglish/1490613973_221448.html*.

implementation gaps. The aim is twofold: first, to identify the structural factors that hinder effective protection in the sporting sphere; and second, to highlight innovative experiences and opportunities for systemic transformation. Safeguarding should not be understood merely as a legal duty, but as an ethical and political imperative that challenges the very foundations of sport governance and its democratic legitimacy.

### *1.2 Cultural and Institutional Relevance of Safeguarding in Sport*

As said, safeguarding in sport is not only a legal obligation but also a matter of cultural and institutional integrity. In Spain, sport occupies a prominent place in public life, with high levels of participation across all age groups.[8] This makes sport a critical arena for ensuring the safety, well-being, and dignity of all participants, particularly those who may face specific risks of abuse, discrimination, or exploitation. Regarding elite athletes, ensuring their protection is essential not only to uphold their fundamental rights but also to preserve the integrity and credibility of sport in Spain. These athletes operate under intense pressure and public visibility, often within hierarchical structures that may expose them to abuse, harassment, or exploitation. Safeguarding their well-being is a matter of justice and responsibility, particularly in a country where sport plays a prominent role in national identity and international prestige.

The values traditionally associated with sport – discipline, teamwork, respect – can only be meaningfully upheld when safeguarding is embedded at all levels of practice and governance. Yet, culturally, safeguarding has long been sidelined. Deeply rooted social dynamics – including competitive pressures and gender stereotypes – have contributed to environments where abusive behaviour often goes unchallenged. In this context, fostering a safeguarding culture requires more than policy adoption; it demands sustained efforts to transform mindsets, practices, and power relations.

Institutionally, recognition of safeguarding has gradually increased. National and regional public and sports authorities have begun to integrate protection against different forms of violence into strategic planning and sport governance models. Alignment with international standards – such as those promoted by the Council of Europe or the United Nations – has further emphasized the need for a proactive and preventive approach. However, the transition from marginal concern to mainstream practice remains incomplete.

Understanding safeguarding as a shared responsibility across authorities, federations, clubs, schools, families, and communities is essential.

[8] R. Llopis Goig, '*La práctica deportiva en la sociedad española. Pautas, tendencias y evolución reciente*', *Panorama social*, no. 40, 2024, 9-21.

## 2. Legal and Institutional Framework

### 2.1 National Legal Instruments on Athletes Protection in Sport

Spain has demonstrated a strong commitment to upholding the integrity and protection of all individuals – including athletes – against discrimination and violence by ratifying several key international treaties. These instruments form a crucial part of the legal and normative foundation for safeguarding, including in sport. Some of them – particularly those addressing the rights of vulnerable groups – include specific provisions related to sport, underscoring its relevance as a space where rights must be actively safeguarded. This is the case, for example, of treaties concerning children, women, and persons with disabilities.

Regarding, Spain ratified the United Nations Convention on the Rights of the Child in 1990,[9] which obliges States to protect children from all forms of physical or mental violence, abuse, neglect or exploitation (Article 19). This core treaty has been complemented by the ratification of the Optional Protocol on the sale of children, child prostitution and child pornography (2001),[10] and the Optional Protocol on a communications procedure (2013),[11] which enables individual complaints before the UN Committee on the Rights of the Child. At the European level, Spain ratified the Council of Europe's Lanzarote Convention in 2010,[12] a binding legal instrument specifically aimed at preventing and combating sexual exploitation and sexual abuse of children, including within institutional and extracurricular settings such as sport. Spain is also a party to the Istanbul Convention (ratified in 2014),[13] which, although focused on violence against women, extends protection to girls and obliges States to adopt preventive and protective measures across all sectors. In addition, the revised European Social Charter (ratified in 2021)[14] recognizes the right of children and young persons to protection against neglect, violence and exploitation, while the Council of Europe Convention on Action against Trafficking in Human Beings (ratified in 2009)[15] includes specific safeguards for child victims.

[9] BOE no. 313, 31 December 1990, available at *https://www.boe.es/eli/es/ai/1989/11/20/(1)*.
[10] BOE no. 27, 31 January 2002, available at *https://www.boe.es/eli/es/ai/2000/05/25/(1)*.
[11] BOE no. 27, 31 January 2014, available at *https://www.boe.es/eli/es/ai/2011/12/19/(1)*.
[12] BOE no. 274, 12 November 2010, available at *https://www.boe.es/eli/es/ai/2007/10/25/(1)*.
[13] BOE no. 137, 6 June 2014, available at *https://www.boe.es/eli/es/ai/2011/05/11/(1)*.
[14] BOE no. 139, 11 June 2021, available at *https://www.boe.es/eli/es/ai/1996/05/03/(2)*.
[15] BOE no. 219, 10 September 2009, available at *https://www.boe.es/eli/es/ai/2005/05/16/(1)*. Recent findings by FIFA have revealed troubling patterns of child trafficking linked to football academies and clubs in Spain. According to an investigation reported by *Relevo*, Spain ranks among the countries with the highest number of irregularities in the registration and movement of underage players, raising serious concerns about the exploitation of minors under the guise of sporting opportunities. These practices often involve children being brought into the country without adequate legal safeguards or long-term care, exposing them to abuse and abandonment. This phenomenon highlights the urgent need for stronger enforcement of child protection mechanisms in Spanish sport, in line with international commitments to safeguard children from trafficking and

Spain ratified the UN Convention against all forms of discrimination against women in 1983.[16] The Convention specific provisions related to sport. Article 10 calls for equal access to physical education and sport within the educational system. Article 13 guarantees women the right to participate in recreational, sporting, and cultural activities on an equal basis with men. Additionally, Article 5 requires states to eliminate gender stereotypes, which often limit women's full and equal participation in sport and physical activities.

The Convention on the Rights of Persons with Disabilities (CRPD), which was ratified by Spain in 2007,[17] also includes specific provisions related to sport. Article 30(5) obliges States Parties to ensure that persons with disabilities have equal access to participation in recreational, leisure, and sporting activities. This includes promoting their involvement at all levels – from grassroots to elite sport – and ensuring accessibility in sporting venues, equipment, and services.

Consistent with these international commitments, the Spanish legal system provides an increasingly robust framework for safeguarding in sport. Several provisions of the Spanish Constitution[18] support the principles of safeguarding in sport. Article 14 guarantees equality before the law and prohibits discrimination on grounds such as sex, birth, or any other personal or social condition, providing a legal basis for protecting individuals from abuse or unequal treatment. Article 43.3 commits public authorities to promote physical education and sport, and to ensure the proper use of leisure time – implying a responsibility to create safe and inclusive environments. These constitutional principles align with broader efforts to embed safeguarding in all areas of public life, including sport. Regarding children, article 39 establishes the obligation of public authorities to ensure the protection of minors.

The Spanish Sport Law 39/2022[19] builds upon the constitutional principles of equality and the promotion of sport by introducing a modern legal framework aimed at protecting participants and improving governance.[20] While the Law represents a step forward in recognising safeguarding as a structural issue within the sport system, certain gaps remain in terms of implementation and accountability.

---

exploitation, available at *https://www.relevo.com/futbol/liga-primera/fifa-detecta-trafico-menores-futbol-20241121110814-nt.html*.

[16] BOE no. 69, 21 March 1983, available at *https://www.boe.es/eli/es/ai/1979/12/18/(1)*.

[17] BOE no. 96, 21 April 2008, available at *https://www.boe.es/eli/es/ai/2006/12/13/(1)*.

[18] An English version of the 1978 Spanish Constitution is available at *https://www.senado.es/web/conocersenado/normas/constitucion/detalleconstitucioncompleta/index.html?lang=en.*

[19] BOE no. 314, 31 December 2022, *https://www.boe.es/buscar/act.php?id=BOE-A-2022-24430.*

[20] The Spanish Constitution is also relevant for safeguarding in sport due to its provisions on the distribution of powers between the central government and the Autonomous Communities. As a decentralized state, Spain grants significant authority to regional governments in areas such as education, health, and sport policy. This means that effective safeguarding requires coordination across multiple levels of government, in line with the constitutional framework. According to Article 148.1.19, the Autonomous Communities may assume powers in the promotion of sport. As a result, all 17 regions have developed their own sports legislation and policies, leading to a diverse and heterogeneous legal landscape. While this allows for local adaptation and innovation, it

Safeguarding is incorporated among the guiding principles of the Law. Article 3(c) refers to the protection of the rights of athletes and other participants, including the right to be free from violence, abuse, and harassment. This principle is reaffirmed in Article 4, which establishes a general obligation for public authorities and sport entities to provide safe environments and to adopt measures for the prevention and detection of violence – particularly gender-based violence, sexual abuse, and harassment. However, the wording remains broad, leaving significant discretion to the entities involved. Article 48 introduces the concept of integrity and safeguarding as organisational duties, requiring sport entities to adopt internal protocols and appoint protection officers (delegados de protección). These officers are meant to oversee safeguarding procedures and serve as contact points for reporting, but the law does not provide clear standards regarding their independence, training, or authority, which could undermine their effectiveness in practice. The Law reflects a shift towards aligning sport governance with broader protection principles, linking eligibility for public funding to the implementation of safeguarding measures.[21] The Law also includes a reference to safeguarding training in Article 64, which calls for awareness-raising and the inclusion of safeguarding content in coaching and professional development programmes. While this is a welcome addition, the provision again lacks detail on curriculum content, enforcement, or evaluation.

Particular attention is paid to minors and vulnerable individuals in Article 49, which obliges sport organisations to ensure that children and adolescents participate in safe and inclusive environments. Nonetheless, the provision largely reiterates general commitments without establishing mechanisms for monitoring or sanctioning non-compliance. Article 7 establishes that the practice of sport by minors, along with their rights and needs, must receive special protection from public authorities. Sports entities are required to comply with child safeguarding standards in line with Organic Law 8/2021 on the comprehensive protection of children and adolescents against violence[22] particularly by ensuring that sport and physical activity do not become environments of discrimination based on age, race, disability, sexual orientation, gender identity or expression, or other personal or social circumstances. Organic Law 8/2021 explicitly recognizes sport as an environment where children's rights must be protected and establishes clear obligations to protect children and adolescents from violence in sport and leisure environments. It states that public authorities are required to develop and implement action protocols that ensure a safe environment for minors in these settings. These

---

also presents challenges for coordination and consistency across the national territory. The text of the 17 regional sports laws is available at *https://www.iusport.es/comuni.htm*.

[21] According to Article 4.10 sports federations and professional leagues will not be eligible for public funding aimed at promoting gender equality if they do not have a protocol in place to prevent and address situations of discrimination, sexual abuse, or harassment based on sex or authority.

[22] BOE no. 134, 5 June 2021, available at *https://www.boe.es/buscar/act.php?id=BOE-A-2021-9347*.

protocols must address prevention, early detection, and intervention in situations of violence, and are mandatory for all institutions providing sports or recreational activities – regardless of whether they are public or private. Their application is particularly emphasized in high-performance centres, sports federations, and municipal sports schools. Entities that regularly work with minors in sport or leisure are obliged to adopt these protocols and implement monitoring systems to ensure their enforcement. They must also appoint a dedicated child protection officer, responsible for ensuring that the protocols are understood and followed, and for serving as a trusted contact for minors who may wish to report concerns.[23]

Machismo continues to exert a pervasive influence across Spanish society, and the world of sport is no exception.[24] Traditional gender norms and asymmetrical power relations between coaches, athletes, and staff persist, often fostering environments in which authority goes unquestioned, submission is normalised, and abusive behaviour is minimised or tolerated – particularly when directed at girls, LGBTQ+ youth, or those who defy dominant stereotypes. Such dynamics can impair athletes' ability to set boundaries or recognise harmful conduct. In response to these structural inequalities, Law 4/2023 of 28 February, on the real and effective equality of trans people and the guarantee of the rights of LGBTI people,[25] introduces specific provisions aimed at promoting non-discrimination in sport. The law affirms the right of trans and LGBTI individuals to participate fully and safely in sporting contexts. Article 27 guarantees access to educational, cultural, and sports spaces free from discrimination, including on the basis of gender identity, gender expression, or sexual orientation. Article 70 goes further by explicitly mandating public authorities to promote equal access to sport and physical activity for LGBTI persons, encouraging the creation of inclusive spaces and the removal of barriers to participation. Additionally, sport federations and entities are called upon to adopt internal measures to prevent discrimination and violence against LGBTI athletes and to respect their rights in accordance with applicable legal provisions.[26]

Overall, Law 39/2022 represents a notable development in the formal recognition of safeguarding in Spanish sport law. However, the effectiveness of

---

[23] M. J. Benítez Jiménez, '*Protocolos de actuación frente a la violencia sexual en el ámbito del deporte y del ocio y la figura del Delegado/a de protección de menores*', *Boletín criminológico*, no. 30.225, 2024, 1-28.

[24] For a discussion of gender norms and machismo in Spanish sport, see N. Puig & S. Soler, '*Women and sport in Spain: state of the matter and interpretative proposal*', *Revista Apunts Educación Física y Deportes*, no. 76, 2004, 71-78.

[25] BOE no. 51, 1 March 2023, available at *https://www.boe.es/eli/es/l/2023/02/28/4/con*.

[26] This protection has, in some cases, been reinforced at the regional level. For example, the Canary Islands Sports Law – specifically Law 1/2019 – establishes guarantees of equality and freedom for transgender and intersex individuals in sport, including minors. The law promotes the real and effective inclusion of trans individuals in the sporting sphere and explicitly condemns all forms of transphobia. Moreover, it places particular emphasis on the protection of minors, ensuring that sport is not a setting for discrimination based on gender identity or other personal circumstances, available at *https://www.gobiernodecanarias.org/boc/2019/027/001.html*.

its provisions will depend on the capacity and willingness of institutions to translate general commitments into concrete practices, and to ensure meaningful protection for all participants, especially those most at risk. While enforcement challenges persist, this legal architecture provides a comprehensive foundation for embedding safeguarding into Spanish sport.

Additionally, Law 19/2007 of 11 July[27] aims to prevent and combat violence, racism, xenophobia, and intolerance in sport. Key safeguarding elements include the obligation of sports organisers and public authorities to guarantee safe environments for all participants (Article 3), the promotion of values such as respect and inclusion (Article 4), and specific preventive measures such as security protocols, educational campaigns, and sanctions against discriminatory or violent behaviour (Articles 5–10). The law reinforces the duty to protect both athletes and spectators, especially minors and vulnerable groups, from harm and exclusion in sporting contexts.[28]

### *2.2 Role of the CSD and Other Public Authorities*

The Higher Sports Council (*Consejo Superior de Deportes*, CSD)[29] plays a central role in the coordination, promotion, and oversight of safeguarding policies within the Spanish sport system. In this area the CSD plays a key role in developing strategic guidelines and protocols, and overseeing the implementation of legal obligations set out in national legislation.

Since its establishment, the CSD has developed operational guidelines and support tools to assist sports federations and clubs in fulfilling their safeguarding responsibilities, as part of its broader role in promoting safe and inclusive sport environments. This includes the promotion of safeguarding codes and protocols,[30]

[27] BOE no. 166, 12 July 2007, available at *https://www.boe.es/eli/es/l/2007/07/11/19/con*.

[28] Regional legislation relevant to this area is diverse and fragmented. Notable examples include the Sports Laws enacted by the Autonomous Communities, as well as regulations governing public events and recreational activities, which frequently incorporate measures aimed at preventing violence.

[29] The CSD is Spain's national public agency responsible for the implementation of the state's sports policy. Functioning as an autonomous body under the Ministry of Education, Vocational Training and Sport, it represents the central government in all matters related to sport. The CSD has its own legal personality and operational capacity, allowing it to manage public functions and resources effectively. Its core responsibilities include the development and promotion of sport across Spain, oversight and coordination of national sports organisations, and ensuring compliance with national sports regulations. It also plays a key role in implementing constitutional principles related to access to physical activity and sport for all citizens: Articles 1-3 of the Royal Decree 460/2015 of 5 June, approving the Statute of the Spanish National Sports Council, BOE no. 143, 16 June 2015, available at *https://www.boe.es/eli/es/rd/2015/06/05/460*.

[30] See for instance the guidelines set out in the Code of Good Governance for Spanish Sports Federations, available at *https://www.csd.gob.es/es/federaciones-y-asociaciones/federaciones-deportivas-espanolas/codigo-de-buen-gobierno-de-las-federaciones-deportivas* and the Protocol for action against violence in high-performance centres, available at *https://www.csd.gob.es/es/igualdad-en-el-deporte/protocolo-de-actuacion-contra-la-violencia-en-los-centros-de-alto-rendimiento-del-csd*.

the development of training and awareness programmes[31] and the establishment and coordination of specialised bodies.[32] The CSD also monitors compliance through conditions attached to public funding and collaboration agreements with federations.

In addition to the CSD, other public (and private)[33] authorities at both national and regional levels contribute to the safeguarding system. The Ministry of Youth and Childhood, for example, leads broader child protection policies, while regional governments often assume direct responsibility for child welfare services and the regulation of non-federated sport. The Spanish Women's Institute recognises the importance of promoting safe and inclusive environments for women in sport. Among its priorities are the prevention of gender-based violence and harassment, the elimination of discrimination, and the promotion of equality in access and participation. The Institute supports awareness-raising, training, and institutional coordination to ensure that sport is a space free from abuse and conducive to the empowerment of women and girls at all levels.[34] As said, coordination between these actors remains a key challenge, given the decentralised nature of Spanish governance and the diversity of practices across the Autonomous Communities. This issue will be explored in greater depth in the following section of this study.

Judicial and law enforcement bodies also play an important role, particularly in the investigation and prosecution of abuse cases,[35] as well as in the protection of victims. Moreover, collaboration with ombudsperson institutions helps reinforce a rights-based and multi-institutional approach. This matter will also be further addressed later in this paper.

Overall, the leadership of the CSD, combined with the engagement of other public and private bodies, is essential to create a coherent and effective safeguarding framework across the country. Strengthening inter-institutional cooperation and ensuring consistent implementation across regions will be crucial for translating legal norms into meaningful safeguarding in sport.

---

[31] An example of this is a training course aimed at teachers and instructors, designed to enhance their knowledge of gender and equality issues. Further details are available at *https://www.csd.gob.es/es/igualdad-en-el-deporte/curso-de-formacion-para-docentes*.

[32] For instance, the Spanish Observatory for Equality in Sport promotes safeguarding by monitoring gender equality, preventing discrimination, and supporting safe, inclusive environments across all levels of sport: *https://www.csd.gob.es/es/csd/organos-colegiados/observatorio-de-igualdad-en-el-deporte*.

[33] The *Fundación Deporte Joven*, for example, is a foundation under the authority of the CSD. It is a private entity dedicated to improving the lives of young people – and society as a whole – through sport. Its action plan focuses on physical activity and healthy lifestyles, corporate collaboration, sport and values, and education and outreach. In 2021, it celebrated its 25th anniversary.

[34] The programmes, activities, and publications of the Women's Institute related to women in sport are available at: *https://www.inmujeres.gob.es/areasTematicas/deporte/home.htm*.

[35] See *supra* notes 5, 6 and 7.

### *2.3 Relationship Between National and Regional Legal Frameworks*

As said, Spain's decentralised political structure significantly influences how safeguarding policies are implemented in sport. While national laws such as Law 19/2007, Organic Law 8/2021 and the 2022 Sport Law establish a common framework, key competences in promotion of sport and non-federated sport are shared with or granted to the Autonomous Communities.

As said, building on this decentralised framework, many regional governments have not only developed their own sports legislation but have also adopted specific safeguarding measures, some of which explicitly address the safeguarding in the context of sport. These regional legal instruments and measures often set out obligations for sports organisations regarding prevention, detection, and intervention in cases of violence or abuse involving athletes and participants in sport. While this reinforces the protective multilevel framework, it also contributes to a complex and uneven regulatory landscape, where the scope and implementation of safeguarding measures can vary significantly across the country.[36]

The CSD oversees the federated system, but its ability to enforce safeguarding policies beyond that sphere is limited. This underscores the importance of establishing mechanisms – such as intergovernmental working groups, joint training programmes, and cooperation agreements – to align efforts across levels of governance.

At the grassroots level, implementation requires the support of regional sport and protection authorities. These bodies play a critical role in monitoring compliance, providing technical assistance, and building the capacity of local actors. In short, bridging national and regional frameworks is essential to ensuring that safeguarding is applied consistently across Spain.

## *3. Safeguarding Strategies and Implementation*

### *3.1 Role of National Federations and Sports Associations*

National federations and sports associations are key actors in translating legal safeguarding obligations into concrete practice. As regulatory bodies for each sport, they oversee affiliated clubs, competitions, and training pathways – giving them strategic control over implementation.

[36] See, by way of example, the Framework Protocol for the Protection of Minors from Violence in Sport adopted in Andalusia, available at *https://juntadeandalucia.es/servicios/sede/tramites/procedimientos/detalle/25660.html* and Valencia *https://presidencia.gva.es/es/web/deporte/espacios-seguros-en-el-deporte*, and the Protocol for the safe practice of sport by minors in facilities of the Community of Madrid, available at *https://derecholocal.es/novedad-legislativa/protocolo-para-la-practica-del-deporte-seguro-de-menores-en-instalaciones-de-la-comunidad-de-madrid*. The Basque Government has launched *Zure Taldekoak Gara*, a support service to prevent and address sexual abuse, harassment, and sex-based discrimination in sport, offering help to victims and witnesses: *https://www.euskadi.eus/web01-a1berkir/es/*.

Despite their central role, federations show wide variation in their engagement with safeguarding. Some have proactively developed codes of conduct, prevention protocols,[37] and training initiatives. Others view safeguarding as a mere legal requirement, adopting only minimal compliance measures. These disparities often reflect differences in institutional capacity, leadership commitment, and whether safeguarding is viewed as a moral imperative or an administrative burden.

Implementation is especially challenging given the complex network of regional delegations and clubs[38] within each federation. Ensuring consistency and verifying compliance at the grassroots level is resource-intensive. The structural challenges are often exacerbated in sports with limited professionalisation or smaller organisational scale.

While recent legislation has prompted federations to appoint safeguarding officers and create reporting mechanisms, robust accountability systems remain rare. In many cases, there is no clear separation between disciplinary procedures and safeguarding processes, which may undermine trust in reporting channels.

To move beyond symbolic compliance, federations must be equipped and held accountable for embedding safeguarding into the governance and everyday practice of sport.

### *3.2 Strategic Plans and Protocols for Prevention*

The adoption of strategic plans and safeguarding protocols has been a main response to the new legal obligations. These instruments are intended to provide structured guidance on preventing, detecting, and responding to abuse and neglect. In practice, however, their quality and integration vary considerably.

Most major federations and sport associations have developed protocols,[39] often to meet funding conditions or comply with CSD directives. These typically include procedures for identifying risks, managing disclosures, and referring cases to competent authorities. Some also address safe recruitment, codes of conduct,

[37] See *infra* at 3.2.

[38] There are also notable examples of good practice among sports clubs. One such initiative is the *Aterpe* Programme developed by Athletic Club, aimed at safeguarding and promoting the well-being of all children and adolescents involved in the club's activities. The programme creates a safe, inclusive environment by focusing on prevention, early detection, and effective response to situations of violence, abuse, or discrimination. It includes staff training, clear reporting mechanisms, and is implemented across all levels of the club. The name *Aterpe*, meaning "shelter" in Basque, symbolises the club's commitment to being a safe space for young people. More information is available at *https://www.athletic-club.eus/programa-aterpe/informacion.*

[39] This the case of the Royal Spanish Football Association (*https://rfef.es/es/noticias/la-rfef-aprueba-su-protocolo-de-proteccion-de-la-infancia-y-la-adolescencia*), the Royal Spanish Table Tennis Association (*https://www.rfetm.es/noticia/4138-protocolo-para-la-prevencion-deteccion-y-actuacion-frente-el-acoso-y-el-abuso-sexual*) or the Royal Spanish Athletics Federation (*https://atletismorfea.es/federacion/integridad-y-transparencia/integridad/safeguarding/politicas-procedimientos-y-codigos-de-conducta*). These are complemented by the measures adopted by the regional federations.

and safeguarding during travel or overnight stays. However, many protocols are generic, reactive, and disconnected from broader governance or ethics structures. In some cases, they exist only on paper – poorly disseminated, not clearly explained to staff, and lacking practical enforcement. Few federations conduct regular monitoring or evaluate the effectiveness of their protocols.

Strategic planning is even more underdeveloped. While safeguarding may be integrated into wider integrity or gender equality agendas, comprehensive plans with objectives, timelines, and indicators are rare. This weakens efforts to build a sustainable, preventive culture.

Moreover, potential victims, particularly those from vulnerable groups, are seldom involved in the design or evaluation of these measures. Their exclusion limits the relevance and effectiveness of safeguarding strategies, as it disconnects them from the real risks and lived experiences of those they aim to protect..

### *3.3 Involvement of Civil Society and Oversight Bodies*

The effectiveness of safeguarding depends not only on internal regulations but also on the involvement of civil society and independent oversight institutions. These external actors play a crucial role in raising awareness, monitoring compliance, and pressuring institutions to act – especially where internal mechanisms are weak or lack credibility.

In Spain, NGOs focused on children's rights, gender-based violence, and the rights of persons with disabilities have denounced risks in sport environments and advocated for reform. Some have produced training materials, conducted research, or supported survivors.[40] However, their presence in the sport ecosystem remains marginal, constrained by limited access and institutional resistance.

The role of independent oversight institutions, such as ombudspersons, has been uneven. While they play a key role in protecting fundamental rights, monitoring public authorities, and addressing complaints related to abuse, discrimination, or institutional neglect, their intervention in sport-related safeguarding cases has been sporadic.[41] In part, this reflects the limited number of complaints that reach them, but also a broader cultural and institutional disconnect between sport and human rights protection systems.

---

[40] For example, the *Fundación También* promotes social inclusion through adapted sports and leisure activities for people with disabilities: *https://tambien.org/quienes-somos-que-hacemos/*.

[41] Resolutions, recommendations, and other public statements on violence in sport have been issued only sporadically by regional ombuds institutions. For example, the Andalusian Ombudsman published both a resolution and a set of recommendations addressing cases of violence in youth sport, available at *https://www.defensordelpuebloandaluz.es/actualidad/resolucion-sobre-los-casos-de-violencia-en-el-deporte-entre-menores*. Similarly, the Catalan Ombudsman issued a public statement emphasizing the need to safeguard children in the sporting context (see in Spanish at *https://www.sindic.cat/es/page.asp?id=53&ui=7670*). The decisions of the Ararteko (Ombudsperson of the Basque Country) in the field of sport are available at *https://www.ararteko.eus/es/taxonomy/term/84.*

A critical structural gap is the absence of an independent national mechanism specifically tasked with monitoring safeguarding in sport. Without such a body, current systems rely heavily on self-regulation – problematic in hierarchical, closed sport environments where reporting may be discouraged. Building an effective safeguarding culture requires both internal reform and external accountability.

### *4. Education, Training and Awareness*

Training and awareness-raising are essential pillars of any effective safeguarding strategy in sport. They ensure that those involved – whether as coaches, staff, athletes, or volunteers – understand their responsibilities, recognise signs of abuse, and are prepared to act appropriately.

In Spain, efforts in this area have expanded in recent years. The CSD has promoted the integration of safeguarding content into training curricula, especially for coaches. Some federations have included basic safeguarding modules in certification pathways, and a few have launched online courses or workshops. In certain cases, civil society organisations have contributed with external training materials or co-organised awareness campaigns.[42]

However, the overall picture remains fragmented. Many initiatives are short-term, inconsistent, or lack pedagogical depth. There is no national standard or accreditation framework to ensure quality and comparability across regions or disciplines.

One of the most significant gaps in current safeguarding approaches is the limited training provided to athletes themselves. Safeguarding initiatives often focus on institutional protocols or the responsibilities of staff, but fail to equip athletes, especially children and adolescents,[43] with the knowledge and tools to

[42] The CSD has actively participated in and promoted the "I Protect in Sport" initiative, which is based on a European project aimed at strengthening child safeguarding in sport. Developed in collaboration with organisations such as the Spanish Commission for the Investigation of Maltreatment of Children, the ANAR Foundation, and the Deporte Joven Foundation, the programme focuses on raising awareness, providing training, and developing practical tools to prevent violence against children in the sporting context:, available at *https://es.i-protect.eu/*. In Catalonia, an important example of research-driven safeguarding efforts is the creation of the *Bullying in Sport Research Network: Analysis and Good Practices* (ByD). While bullying has been extensively studied in school settings, research on peer harassment in sport remains limited and fragmented. The ByD Network was established to bring together researchers interested in this issue and to promote deeper understanding and evidence-based responses. It involves institutions such as the National Institute of Physical Education of Catalonia (INEFC–University of Barcelona), the Autonomous University of Barcelona, the University of Girona, the University of Vic–Central University of Catalonia, and other Spanish and Portuguese universities, with the support of the Barça Foundation. A key focus of the network is on training and education as tools for prevention and intervention: *https://inefc.gencat.cat/es/inefc/coneix_inefc/projectes_institucionals/responsabilitat-social/red-investigacion-bullying-deporte/index.html*.

[43] For a discussion of the adult-centred model in sport and the marginalisation of children's voices in safeguarding strategies, see P. David, (2005). Human Rights in Youth Sport: A critical review of children's rights in competitive sports, London: Routledge.

recognise inappropriate behaviour, assert their boundaries, and report concerns. This omission weakens their ability to protect themselves and reflects a model that does not fully acknowledge athletes, particularly minors, as active agents in the safeguarding process.

Awareness campaigns have also been sporadic. In Spain, some campaigns have been promoted at the national level – mainly through the CSD or in collaboration with public protection services. These include the distribution of posters, videos, and online resources addressing issues such as bullying, sexual abuse, or the importance of respectful coaching practices.[44] In certain cases, federations have launched their own awareness initiatives, often coinciding with international days or high-profile events.[45]

Capacity-building efforts – that is, initiatives aimed at developing the long-term organisational culture, skills, and infrastructure needed for effective safeguarding – are even less developed. Very few sports organisations have integrated safeguarding into their internal development plans or created mechanisms for continuous learning and peer support.

Finally, there is a lack of systematic evaluation. There is little evidence on whether current programmes lead to behavioural change, greater trust in reporting systems, or reduced risk exposure. Without this feedback loop, innovation and impact remain limited.

To overcome these challenges, safeguarding education must become an integral, ongoing component of sport governance. It must be inclusive, practical, and adapted to the needs of different stakeholders. Only in this way can training and awareness-raising contribute meaningfully to cultural transformation.

### 5. *Reporting Mechanisms and Confidentiality Policies*

Ensuring that victims can report abuse or misconduct in sport without fear of retaliation is a cornerstone of any effective safeguarding system. In Spain, this principle has been reinforced by Law 2/2023 of 20 February, which regulates the protection of persons who report breaches of the law and the fight against corruption.[46] This law transposes the EU Whistleblower Directive[47] into Spanish

[44] #AbusoFueraDeJuego is a campaign by Spain's Higher Sports Council (CSD) aimed at preventing child abuse in sports by promoting awareness and protective environments for minors, available at *https://bienestaryproteccioninfantil.es/campana-del-consejo-superior-de-deportes-csd-abusofueradejuego-contra-el-abuso-infantil-en-el-deporte/*.

[45] For example, the Royal Andalusian Football Federation (RFAF) launched a striking campaign to prevent violence in children's football, promoting respect and positive behaviour among families and spectators: *https://rfef.es/es/noticias/la-impactante-campana-de-la-rfaf-para-evitar-la-violencia-en-el-futbol-infantil*. And in 2021, the Tennis Federation of the Region of Murcia joined the fight against racism with awareness-raising activities: *https://fedetenismurcia.com/el-21-de-marzo-la-federacion-de-tenis-de-la-region-de-murcia-se-une-contra-el-racismo/*.

[46] BOE no. 44, 21 February 2023, available at *https://www.boe.es/eli/es/l/2023/02/20/2/con*.

[47] Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, OJ L 305, 26 November 2019,

legislation and establishes comprehensive protections for individuals – both in the public and private sectors – who report regulatory violations. It guarantees confidentiality, protection against retaliation, and access to support mechanisms, thereby providing a robust legal framework that could be extended and operationalised within the sport context.

Importantly, even before this general law was adopted, there were already provisions addressing reporting rights for minors. Organic Law 8/2021 on the comprehensive protection of children and adolescents against violence introduced specific obligations regarding child-friendly reporting mechanisms. According to Articles 17 to 20, children and adolescents who experience or witness violence have the right to report it through safe, confidential, accessible, and age-appropriate channels. These may include free helplines and allow for accompaniment by a trusted adult. Institutions such as schools and residential centres must inform minors of these mechanisms at the start of the academic year or upon admission, and maintain this information visibly and accessibly. Public and private entities are also required to report illegal online content involving violence against minors, and all institutions must ensure the protection and confidentiality of those who report violence, including access to judicial protection where necessary.

Despite these formal advances, sport organisations – particularly at the federated and club levels – often lack the capacity or the will to implement effective whistleblower policies. Many entities have no dedicated reporting channels, or rely on internal procedures managed by individuals with potential conflicts of interest. Where mechanisms exist, they are frequently opaque, poorly communicated, or perceived as unsafe by potential whistleblowers. Moreover, concerns about institutional loyalty, reputational damage, and fear of exclusion remain strong deterrents for reporting, especially in tight-knit sport environments.[48] This is particularly acute for children and young athletes, who may lack knowledge of their rights, feel intimidated by authority figures, or fear consequences for their sporting careers. To create a safe reporting culture, sport organisations must go beyond formal compliance and build robust mechanisms that are transparent, independent, and trusted. This includes appointing safeguarding officers trained in handling disclosures, ensuring anonymity where appropriate, and embedding protections against retaliation into all disciplinary and administrative procedures.

### *6. Promoting a Culture of Safeguarding: Social and Cultural Barriers*

While legal reforms provide a formal framework for safeguarding in sport, their effectiveness ultimately depends on the cultural and social environment in which they are applied. In Spain, several deeply embedded factors continue

available at *https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02019L1937-20241230.*

[48] J.L. Pérez Triviño, '*Whistleblowing*', *EUNOMÍA. Revista En Cultura De La Legalidad*, no.14, 2018, 285-298. *https://doi.org/10.20318/eunomia.2018.4170-*.

to hinder safeguarding efforts, particularly *machismo*, the culture of silence, and institutional loyalty.

The culture of silence is equally pervasive. In many grassroots sport settings, reporting misconduct is discouraged. Victims may fear retaliation, social isolation, or harming the reputation of their team. Those who witness abuse often remain silent out of loyalty, fear, or institutional pressure. This silence is sometimes rationalised as protecting the club or the athlete's career, but in reality, it perpetuates harm and isolates victims.

Institutional loyalty is another critical barrier. Clubs, federations, and even families may prioritise the defence of their institution or team over the safety of victims. This is particularly evident when allegations involve respected or high-profile coaches, whose status may shield them from accountability. In such cases, safeguarding mechanisms are often ignored or discredited in order to avoid scandal – reinforcing a system where institutional prestige outweighs protection. These barriers are not unique to Spain, but they manifest in specific ways given the country's sport governance culture. Overcoming them requires more than awareness campaigns or the drafting of protocols.[49] It demands intentional efforts to transform power relations, challenge harmful gender norms, and build environments in which listening to and believing victims of violence, discrimination or abuse is the norm, not the exception.

## 7. Conclusions

### 7.1 Key Achievements and Remaining Gaps

This chapter has shown that Spain has made important progress in developing a legal and institutional framework for safeguarding in sport. Recent legislative reforms have brought the issue to the forefront of national policy, establishing clear obligations for both public authorities and private entities.

However, these advances coexist with persistent structural limitations. Territorial fragmentation, weak accountability mechanisms, the insufficient professionalisation of safeguarding roles, and a prevailing culture of silence continue to undermine the effective implementation of protective measures. Moreover, victims' participation in the design, monitoring, and reform of safeguarding policies remains minimal.

From a critical perspective, the main shortcoming of the Spanish approach lies in the perception of safeguarding as an external mandate – imposed through legal or institutional requirements – rather than as an inherent dimension of ethical, transparent, and people-centred sport. This disconnect between form and substance cannot be addressed through regulation or awareness-raising alone; it requires a

[49] For a discussion of these standards in relation to an analysis of gender-based discrimination in Spanish sport, see: B. García, *Luis Rubiales as a symptom of Spanish sport poor governance standards*' *Managing Sport and Leisure*, 2024, 1-10, doi: 10.1080/23750472.2023.2299843.

deeper transformation in power dynamics, institutional cultures, and the role accorded to victims within the sport ecosystem.

In this light, building a coherent, cross-sectoral, and structural public policy on safeguarding is essential. Only then can sport move beyond the reproduction of exclusion or harm and become a space of protection, development, and democratic legitimacy.

### *7.2 Recommendations for Strengthening the Safeguarding Culture in Spanish Sport*

Strengthening a genuine safeguarding culture in Spanish sport requires moving beyond legal compliance and addressing the specific institutional, territorial, and cultural challenges that shape the Spanish context. While significant legal progress has been made, real protection depends on sustained investment, effective implementation, and a shift in priorities within the sport system.

First, enforcement mechanisms must be reinforced. The legal obligations introduced by recent legislation should be matched with stronger oversight by the CSD, including the development of clear benchmarks, public reporting requirements, and regular evaluations of safeguarding practices within federations and clubs. Ensuring that compliance with safeguarding standards is tied to access to public funding would also help increase institutional accountability.

Second, safeguarding responsibilities must be professionalised. Appointed officers should be specifically trained and should operate independently from disciplinary and management bodies to avoid conflicts of interest. Many federations and clubs currently lack the internal capacity to respond effectively to safeguarding concerns, especially at the grassroots level, and need support in building multidisciplinary teams capable of managing risk and responding to disclosures.

Third, reporting systems must be accessible, trustworthy, and adapted to the needs of all users. This means establishing clear, safe, and confidential channels that are easy to use, and ensuring that those affected feel confident that their concerns will be taken seriously and addressed effectively. Engaging stakeholders in the design and evaluation of these mechanisms is essential to ensuring their usability and legitimacy.

Fourth, sustained investment in training and cultural change is needed. Safeguarding education should be systematically integrated into sport structures at all levels – not only for coaches, but also for administrators, volunteers, and athletes. Awareness-raising initiatives should be ongoing, tailored to different communities, and aimed at challenging harmful norms such as machismo and institutional silence.

Fifth, cross-sectoral coordination must be strengthened. Effective safeguarding cannot rely solely on the sport system. Greater collaboration with schools, health and social services, local authorities, and civil society organisations is required to build a robust network of protection and response. In a decentralised

country like Spain, achieving coherence across autonomous communities also requires structured and ongoing intergovernmental cooperation.

Sixth, support for victims must be improved. Specialised psychological, legal, and social services should be available and accessible to all individuals affected by abuse in sport. Survivors' experiences and insights should inform institutional reform and policy development, recognising their role as key agents of change.

Seventh, safeguarding should be fully embedded in the governance and ethical frameworks of sport organisations. It must not be treated as a formal requirement, but as a core aspect of responsible leadership. Internal regulations, monitoring systems, and leadership training should all reflect this priority, aligning safeguarding with broader principles of transparency, accountability, and inclusion.

Finally, particular attention should be given to the needs of vulnerable groups – such as children, LGBTI+ athletes, and persons with disabilities – who may face specific risks and barriers. Effective safeguarding strategies must adopt an intersectional lens to ensure that protection efforts are inclusive, equitable, and rights-based.

Building a culture of safeguarding in Spanish sport is not simply a matter of legal compliance – it involves rethinking institutional priorities, reshaping power dynamics, and making the protection of human dignity a fundamental principle of sport governance.

# SAFE SPORT IN THE UNITED KINGDOM

by *Kat Craig*[*] and *Claudia Villa*[**]

SUMMARY: 1. Introduction – 2. Definition and Scope – 2.1 Defining Safeguarding and Abuse in Sport – 2.2 Defining Sport's Responsibilities – 2.3 Defining the UK: A Devolved System of Government – 3. Legal and Regulatory Context and Frameworks – 3.1 Safeguarding Children in Sport – 3.2 Safeguarding Adults in Sport – 3.3 Preventing Sexual Harassment and Abuse of Trust – 3.4 Online Abuse and Athlete Safety – 3.5 Equality Diversity, and Inclusion in Safeguarding – 3.6 Offences Against the Person and Trafficking – 3.7 Vetting, Barring, and Safer Recruitment – 3.8 Data Protection and Safeguarding Records – 4. Key Players and Sport Governance Developments – 4.1 The Key Players – 4.2 Key Developments – 4.2.1 The Safe Sport Project – 4.2.2 The Code for Sports Governance – 4.2.3 Response and Remedy Mechanisms – 5. Reviews, Inquiries, and Individual Investigations – 5.1 Reviews, Inquiries, and Independent Investigations – 5.2 Duty of Care in Sport Review – 5.3 UK Athletics Independent Safeguarding Review – 5.4 Report into Non-Recent Child Sexual Abuse Allegations in Football – 5.5 Independent Inquiry into Child Sexual Abuse – 5.6 The Whyte Review of Abuse in Gymnastics – 5.7 Holding Up A Mirror To Cricket – 5.8 The Dark Side of Swimming Clubs – 5.9 Cross-Cutting Findings and Recommendations – 5.9.1 Culture – 5.9.2 Governance & Accountability – 5.9.3 Response & Remedy – 5.9.4 Data & Oversights – 5.9.5 Training & Awareness – 6. Developments to Watch and Concluding Thoughts – 6.1 Legal Developments – 6.2 Independent Oversight and Grievance Mechanisms – 6.3 Increased Sector Scrutiny and Stakeholder Engagement – 6.4 Standardisation and Harmonisation of the Sector – 6.5 Improved Cross-Sector Collaboration – 6.6 Better Regulation and Due Diligence of Safeguarding Professionals – 6.7 New Types of Harm and Increased Expectations – 6.8 Contextualised Approaches to Safeguarding – 6.9 Concluding Remarks

## 1. INTRODUCTION

Safeguarding in UK sport has evolved significantly over the past three decades. Policies, processes, and public perception have been reshaped by high-profile abuse

[*] Kat Craig is a leading human rights lawyer and internationally recognised specialist in safeguarding, athlete welfare, and survivor-centred remedy mechanisms. As CEO of sport and social impact consultancy Athlead, she helps drive systemic, transformative change across sport through practical, values-led solutions. Kat's recent work includes designing trauma-informed safeguarding frameworks, leading investigations into abuse in elite sport, and building safe high-performance sporting cultures.

[**] Claudia Villa is Director at Claudia Villa Consultancy, and an international safeguarding specialist working at the intersection of sport, child protection, adult protection and human rights. She is experienced in cross-sector safeguarding practices, strategy and policy development with a focus on crisis management and safeguarding efforts in high-risk environments.

scandals, inquiries, and a growing recognition of the importance of survivor voice and athletes' rights. However, there is still much work to be done. A recent safe sport consultation in the UK revealed that "[t]he current system is fragmented, inconsistent, distrusted, lacks coherence, and has significant gaps in leadership, accountability and coordination".[1]

This chapter seeks to provide an overview of the current state of play of safeguarding in the UK, how the above events have prompted reforms, and of the steps yet to be taken to ensure welfare is placed at the heart of all sporting environments. To do this, the chapter first defines some key concepts. Second, it outlines the most relevant legal and regulatory frameworks that govern safeguarding in and outside of sport. Third, it considers some of the key stakeholders responsible for the practical implementation of these laws in the sporting context, alongside key developments. Fourth, it examines some of the major safeguarding reviews, and summarises the common critiques and recommendations.

Finally, this chapter highlights developments to watch if sport in the UK is truly going to live up to its safeguarding commitments.

## 2. Definitions and Scope

### 2.1 Defining Safeguarding and Abuse in Sport

The UK lacks a universally recognised and commonly adopted definition of safeguarding in sport.[2] In this chapter, "safeguarding" is defined as all the measures an organisation has in place to both prevent and respond to abuse. The term "abuse" is used to encompass all forms of harm, abuse, discrimination, harassment and interpersonal violence, to include psychological, physical, economic and sexual violence and neglect, acknowledging different modes of abuse including contact, non-contact and cyber abuse.

### 2.2 Defining Sport's Responsibilities

This chapter defines the responsibility of sports bodies broadly. While the sporting environment carries risks it is also, for many, a space to build safe, positive relationships where essential support can be found. In fact, recent research found that 54% of child safeguarding cases managed by National Governing Bodies (NGBs) in England and Wales concerned behaviour outside of sport.[3]

[1] UK Sport, *The Five UK Sports Councils Publish The Safe Sport Report*, 24 June 2025, available at *https://www.uksport.gov.uk/news/2025/06/24/the-five-uk-sports-councils-publish-the-safe-sport-report*.

[2] Department for Education, *Working Together to Safeguard Children*, HM Government, July 2018, *https://www.gov.uk/government/publications/working-together-to-safeguard-children—2.*

[3] D. Rhind, R. Booth, R. Ade, N. Slinn, J. Towesland & O. Garrod, *An analysis of child safeguarding cases managed by National Governing Bodies of sport across England and Wales*, *Child Abuse Review*, vol. 33, no. 6, 2024, article/ e70004.

Safeguarding therefore takes place both in and through sport, and the sporting environment can be a critical pathway for recognising and responding to wider safeguarding concerns. The moral and ethical safeguarding responsibilities of sport thus often extend beyond clear geographical or jurisdictional boundaries.

### *2.3 Defining the UK: A Devolved System of Government*

The UK operates a system of statutory devolution, meaning that certain legislative and executive responsibilities are delegated from the UK Parliament to devolved administrations in Scotland, Wales, and Northern Ireland. These bodies can make laws and oversee public services in devolved areas such as health, education, and culture.

This has resulted in separate but interconnected frameworks and governance structures across the UK sporting landscape that resist simple, unified summarisation. Different safeguarding standards produce divergence in terminology, reporting thresholds and compliance mechanisms. The recently published Safe Sport Project Report[4] (discussed further below) recognises this and highlights the need for a UK-wide leadership and consistent framework for safeguarding.

## *3. Legal and Regulatory Context and Frameworks*

The UK does not have one single, unified "Safe Sport Act". Further, the UK's common law system means that many legal principles, especially in areas such as negligence or duty of care, are also shaped by judicial decisions. In addition, the devolved system of government means that not all statutes are applicable across all nations.[5]

Professionals working in safeguarding must therefore understand the complex and intersecting legal landscape of national legislation, statutory guidance, jurisprudence, and international commitments, as well as the jurisdictional specificities of the five devolved nations. All of these inform the legal expectations for safer, more inclusive sporting environments. This chapter highlights the most relevant statutory duties and how they play out on the field, online, and behind the sporting scenes.

### *3.1 Safeguarding Children in Sport*

Children interact with sport in many different contexts. The primary legislative frameworks that apply across these contexts are the Children Act 1989[6] and

[4] Sport England, *Bold New Vision for Safe Sport Unveiled*, 24 June 2025, available at *https://www.sportengland.org/news-and-inspiration/bold-new-vision-safe-sport-unveiled*.

[5] For the purpose of this chapter, the focus is on laws and statutory guidance that either apply across the UK, or to England and Wales.

[6] Children Act 1989, c. 41, available at *https://www.legislation.gov.uk/ukpga/1989/41/contents*.

Children Act 2004.[7] These establish core principles, such as the paramountcy of child welfare and the expectation that agencies, including social services, health and education, will work together to safeguard children. Clubs, safeguarding officers, coaches, volunteers, and governing bodies that are involved in children's sporting activities must comply with both acts.

These pieces of legislation are complemented by key statutory guidance entitled Working Together to Safeguard Children (2018).[8] This outlines that safeguarding is everyone's responsibility and reiterates a child-centred approach whereby the needs and views of the child should be at the heart of safeguarding decisions. Importantly, it also promotes the effective and lawful sharing of information to protect children, including between sporting and non-sporting bodies or agencies, and clarifies that safeguarding outweighs data protection concerns wherever there is a risk of harm.

The Children and Young Persons Act 1933[9] makes it an offence to cruelly treat or neglect a child. It applies to anyone who has responsibility for a child and includes abandonment or exposure "in a manner likely to cause him unnecessary suffering or injury to health".[10] In the sporting context this may cover, for example, an event organiser responsible for ensuring children are supervised, hydrated, and safe during a full-day competition held in high temperatures.

Many children and young people practice sport in an educational context. The Education Act 2002[11] and accompanying Keeping Children Safe in Education (2020)[12] statutory guidance applies to school-based sport settings. These legal duties to safeguard and promote the welfare of children apply to coaches, instructors, volunteers, or (sports) organisations working in schools. They also apply to full-time academic institutions attached to, for example, football clubs. Requirements include the presence of a designated safeguarding lead, or a person with safeguarding responsibilities, during all extracurricular activities.

The Children (Performances and Activities) (England) Regulations 2014[13] govern the welfare of children under 16 who take part in sporting events organised for public performance or broadcast in England. Provisions include licensing, chaperoning, education and record keeping requirements, and mandate restrictions on hours and medical and risk assessments.

---

[7] Children Act 2004, c. 31, available at *https://www.legislation.gov.uk/ukpga/2004/31/contents*.

[8] Department for Education, *Working Together to Safeguard Children*, HM Government, July 2018 *https://www.gov.uk/government/publications/working-together-to-safeguard-children—2.*

[9] Children and Young Persons Act 1933, c. 12, available at *https://www.legislation.gov.uk/ukpga/Geo5/23-24/12*.

[10] Ibid., s.1.

[11] Education Act 2002, c. 32, available at *https://www.legislation.gov.uk/ukpga/2002/32/contents.*

[12] Department for Education, *Keeping Children Safe in Education*, HM Government, September 2023, available at *https://www.gov.uk/government/publications/keeping-children-safe-in-education—2.*

[13] The Children (Performances and Activities) (England) Regulations 2014, SI 2014/3309 available at *https://www.legislation.gov.uk/uksi/2014/3309/contents/made.*

The Protection of Children Act 1978[14] first made it an offence to take, make, distribute, or possess indecent images of children. It has been widely used in cases involving child sexual exploitation and online abuse (discussed in more detail below) and should be taken into consideration when developing and implementing policies related to taking or publicising images of children in sport. For example, safeguarding policies should build upon this legal framework when incorporating consent procedures, restrictions on where and when images can be taken, and guidelines on what types of images are considered acceptable.
Sexual offences against children are discussed separately below.

### *3.2 Safeguarding Adults in Sport*

The Care Act 2014[15] is the primary piece of legislation that covers safeguarding adults from abuse or neglect. It should form the basis of any adult safeguarding provisions in sport. The Act moves away from defining adults with certain characteristics as "vulnerable", which is increasingly considered disempowering. Instead, the Care Act links abuse of adults to circumstances, namely anyone aged 18 or over who:

– has needs for care and support (whether or not those needs are being met), and
– is experiencing or at risk of abuse or neglect, and
– as a result of those needs is unable to protect themselves from the abuse or neglect.

The Ann Craft Trust, the UK's leading charity on the safeguarding of adults, has produced helpful guidance on how the Act applies to sport and activity,[16] including that sports organisations have a duty to respond if they feel that an adult is suffering or is likely to suffer harm inside or outside of the sport.

The Mental Capacity Act 2005[17] protects individuals who may lack the capacity to make decisions. This Act should inform guidance for sports organisations working with adults with cognitive impairments. For example, sport provisions for adults with disabilities should assess participants' ability to consent to physical activity and ensure that safeguarding protocols cover emotional and financial abuse, not just physical harm.

---

[14] Protection of Children Act 1978, c. 37, available at *https://www.legislation.gov.uk/ukpga/1978/37.*
[15] Care Act 2014, c. 23, available at *https://www.legislation.gov.uk/ukpga/2014/23/contents.*
[16] Ann Craft Trust, *Safeguarding Adults in Sport and Activity: The Essentials Guide*, Ann Craft Trust, 2018, available at *https://www.anncrafttrust.org/wp-content/uploads/2018/11/Safeguarding-Adults-in-Sport-and-Activity-The-Essentials.pdf.*
[17] Mental Capacity Act 2005, c. 9, available at *https://www.legislation.gov.uk/ukpga/2005/9/contents.*

### *3.3 Preventing Sexual Harassment and Abuse of Trust*

The Sexual Offences Act 2003[18] is the principal legislation governing sexual offences in the UK (excluding Scotland). It covers both offences against adults and specific offences against children. For example, the Sexual Offences Act 2003 establishes the legal definition of consent. The Sexual Offences (Amendment) Act 1992[19] regulates the anonymity of victims of sexual offences, which is a significant concern for many impacted by abuse in sport, as these cases often attract extensive attention from the media.

A recent development particularly relevant to sport concerns the amendments to "position of trust" offences. Position of trust offences criminalise sexual activity between someone aged 18 and over and someone under 18 where the adult is in a position of trust, even if the young person is over 16 (the legal age of consent). Following the "Close the Loophole" campaign,[20] which raised awareness about the power imbalance and potential for grooming inherent in coach athlete relationships even when the athlete is of legal consent age, the law was expanded in June 2022 to include any adult who "regularly coaches, teaches, trains, supervises or instructs" a 16 or 17 year old in sport.[21]

More specifically to workplaces, the Worker Protection (Amendment of Equality Act 2010) Act 2023[22] introduced a new obligation on employers to proactively prevent sexual harassment at work, covering both co-worker and third-party harassment.[23] This requires employers, including in the context of sport, to create clear policies, educate staff, conduct risk assessments, and ensure that transparent reporting channels are available and accessible. Effective and proactive compliance by sports bodies, such as clubs or leagues, may include measures like fan education, online protections, diverse leadership, and promoting a positive workplace culture.

---

[18] Sexual Offences Act 2003, c. 42, available at *https://www.legislation.gov.uk/ukpga/2003/42/contents*.

[19] Sexual Offences (Amendment) Act 1992, c. 34, available at *https://www.legislation.gov.uk/ukpga/1992/34/contents*.

[20] The campaign was spearheaded by the NSPCC (National Society for the Prevention of Cruelty to Children) and supported by survivors of abuse, such as former gymnast Eloise Jinks, who spoke out about their experiences and parliamentarians, including Sarah Champion MP and Baroness Tanni Grey-Thompson, who pushed for legislative change in Parliament.

[21] *Sexual Offences Act 2003*, s.22A, as amended by the *Police, Crime, Sentencing and Courts Act 2022*.

[22] Worker Protection (Amendment of Equality Act 2010) Act 2023, c. 51, available at *https://www.legislation.gov.uk/ukpga/2023/51/contents*.

[23] However, employees cannot bring standalone tribunal claims for third-party harassment or employer failures to meet this duty.

### *3.4 Online Abuse and Athlete Safety*

Online abuse and athlete safety has become a huge topic of discussion in the UK in recent years. The Online Safety Act 2023[24] was introduced amid rising pressure, including from the sport sector, to regulate the digital space. It seeks to tackle online hate, illegal content, and harmful behaviour by imposing statutory duties to identify, remove and mitigate on platforms hosting user-generated content. As of mid-2025, the Act is undergoing phased implementation, but its limitations have already become apparent.

In June 2025 British tennis star Katie Boulter spoke out about the shocking online abuse she experienced, including death threats and explicit pictures.[25] In July 2025, during the UEFA Women's Euro 2025**,** England centre-back Jess Carter was subjected to sustained online racial abuse. This has prompted calls for the Act to be strengthened and for greater accountability for social media companies.

### *3.5 Equality, Diversity, and Inclusion in Safeguarding*

The Equality Act 2010[26] protects against discrimination and promotes equality, mandating equal opportunities regardless of race, gender, disability, or other protected characteristics. The provisions in the Equality Act will apply to many stakeholders in sport including clubs, governing bodies, venues, or event organisers operating as service-providers, employers, and membership associations. The main provisions under the Equality Act that pertain to safeguarding in sport include the requirement to avoid both direct and indirect discrimination, subject to a few narrow, well-defined exceptions that permit discrimination that would ordinarily be unlawful. But the Equality Act also protects individuals from victimisation,[27] such as retaliation for reporting harassment, and this was invoked in a recent case pertaining to racism in cricket.[28]

The Human Rights Act 1998[29] protects fundamental rights and although it applies only to public bodies (and in some cases private bodies carrying out public functions), it remains relevant to many sports organisations. This is because courts, as public bodies, must interpret laws in line with human rights principles.

---

[24] Online Safety Act 2023, c. 50, available at *https://www.legislation.gov.uk/ukpga/2023/50*.

[25] T. Carayol, *Katie Boulter Opens Up Over Online Abuse Sent to Tennis Players*, *The Guardian*, 17 June 2025, available at *https://www.theguardian.com/sport/2025/jun/17/katie-boulter-opens-up-over-online-abuse-sent-to-tennis-players*.

[26] *Equality Act 2010*, c. 15, available at *https://www.legislation.gov.uk/ukpga/2010/15/contents.*

[27] *Equality Act 2010*, s.27.

[28] Doughty Street Chambers, *Doughty Street Barristers Instructed in Whistleblower Azeem Rafiq's Race Discrimination Case*, 19 October 2023, available at *https://www.doughtystreet.co.uk/news/doughty-street-barristers-instructed-whistleblower-azeem-rafiqs-race-discrimination-case*.

[29] *Human Rights Act 1998*, c. 42, available at *https://www.legislation.gov.uk/ukpga/1998/42/contents*.

Individuals can therefore indirectly invoke these rights in safeguarding cases, such as the right to protection from inhuman or degrading treatment, the right to a fair trial, or the right to privacy, in sport-related disputes heard by the courts.

### *3.6 Offences Against the Person and Trafficking*

Safeguarding professionals in sport should also be cognisant of the Offences Against the Person Act 1861,[30] the general criminal law covering assault, battery, and grievous bodily harm against both children and adults. Consent to physical contact inherent to sport is a recognised defence to these offences, but this should be strictly interpreted in the safeguarding context. For example, in contact sports excessive physical contact disguised as training should still be deemed abusive.

The Modern Slavery Act 2015[31] criminalises human trafficking, forced labour, and sexual exploitation, and recognises children as a vulnerable group with special protection. This is particularly relevant in the context of Mega Sporting Events. The Premier League and English Football Association also apply this Act in the regulation of underage international transfers and talent migration. It is also important to remember how this applies throughout the broader supply chain in the sporting goods and services context.

### *3.7 Vetting, Barring, and Safer Recruitment*

The Safeguarding Vulnerable Groups Act 2006[32] created a legal duty for employers to conduct Disclosure and Barring Service (DBS) checks before hiring individuals in regulated roles ("DBS checks"). There are three levels of DBS checks: basic, standard and enhanced. Each DBS check provides increasingly detailed information depending on a person's level of involvement with vulnerable groups or their access to sensitive information. For example, all licensed coaches in regulated activities are required to undergo DBS checks. However, DBS checks only reveal information held on police or court records or on barred lists that meet the legal criteria for disclosure. Even Enhanced DBS checks will not show allegations made within the employment context, or other internal work-related safeguarding breaches that were not also reported to the police.

In response to these limitations, a Misconduct Disclosure Scheme[33] was developed in 2018 to prevent individuals who have engaged in sexual misconduct

[30] Offences Against the Person Act 1861, c. 100, available at *https://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents*.

[31] Modern Slavery Act 2015, c. 30, available at *https://www.legislation.gov.uk/ukpga/2015/30/contents*.

[32] Safeguarding Vulnerable Groups Act 2006, c. 47, available at *https://www.legislation.gov.uk/ukpga/2006/47/contents.*

[33] *International Safeguards for Children in Sport*, *Misconduct Disclosure Scheme*, February 2022, available at *https://static1.squarespace.com/static/614474241773374f8093f5d9/t/62053cf4b3f56046a4d3c162/1644510452979/Misconduct+Disclosure+Scheme+ENG.pdf*.

from moving undetected between organisations.[34] At present this scheme is still voluntary and subject to the diligent and ethical sharing of information between organisations. In the sporting context, where disclosure and reporting rates remain low and are often subject to extensive delay, it is therefore critical that sports organisations are not over-reliant on DBS checks and instead conduct additional safeguarding due diligence checks.

### *3.8 Data Protection and Safeguarding Records*

Finally, when sports bodies investigate safeguarding concerns, they handle a lot of sensitive personal data such as medical records and incident reports which must be managed carefully. The Data Protection Act 2018[35] and UK General Data Protection Regulation (GDPR)[36] govern the safe collection, use, storage and sharing of personal and sensitive data.

Given that many sports organisations are dealing with high volumes of both non-recent and recent disclosures of abuse, they must have a clear understanding of what information to share and when to share it with outside agencies. Mishandling data or suffering a data breach can seriously harm those involved and even undermine the investigation itself. Good data management procedures should therefore be seen as a key part of effective safeguarding in sport, helping to protect the rights and wellbeing of everyone involved.

## *4. Key Players and Sports Governance Developments*

Sport in the UK is funded, governed and organised by a combination of government agencies, non-departmental public bodies, and sport-specific governing bodies – some operating at a national level and some at a devolved level. This section describes some of the key players in the UK sporting ecosystem and how they have translated the laws and statutory guidance discussed above into the sporting context, with an overview of the latest developments.

### *4.1 The Key Players*

The Department for Culture, Media and Sport (DCMS) is the government department responsible for sport policy in England and for overarching support for

[34] Centre for Sport and Human Rights, *Inter-agency Misconduct Disclosure Scheme*, December 2018, available at *https://static1.squarespace.com/static/57ffc65ed482e9b6838607bc/t/5c1a6df3cd836607357e9ebb/1545235956565/Inter-agency+Misconduct+Disclosure +Scheme+FINAL.+Dec+2018.pdf.*

[35] Data Protection Act 2018, c.12, available at *https://www.legislation.gov.uk/ukpga/2018/12/contents.*

[36] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation), available at *https://www.legislation.gov.uk/eur/2016/679/contents.*

sport in the UK. DCMS occasionally holds evidence sessions and publishes reports on matters relevant to safeguarding in sport, such as racism in cricket.[37] In August 2023, DCMS published its latest sport strategy which recognised that "sports organisations and the government (…) have come under increased scrutiny over recent years, with serious allegations of misconduct [relating to culture and safeguarding] coming to light.[38]

However, DCMS delegates most aspects of safeguarding to two arms-length, non-departmental public bodies: UK Sport and Sport England.

UK Sport is responsible for investing in Olympic and Paralympic sports.[39] Community sport is governed at a devolved level, through Sport England, Sport Wales, Sport Scotland, and Sport Northern Ireland. These five UK sports councils increasingly collaborate to achieve a more unified approach to safeguarding in sport, with Sport England, the largest of the five, leading much of that work.[40]

Neither UK Sport nor Sport England are regulatory bodies, but they are influential stakeholders in sport safeguarding. Sport England supports the development of knowledge through research and insight, and it facilitates education and training in sport. UK Sport has commissioned research into issues such as online abuse, and it is now working to find technological solutions to safeguard athletes and coaches from that form of abuse. However, both UK Sport and Sport England exert their main influence through placing safeguarding and broader governance conditions on funding (see below).

The responsibility for the governance and development of specific sports, and thus for discipline-specific safeguarding, lies with individual NGBs. Some NGBs operate UK-wide (for example British Cycling), while others are structured separately across the devolved nations (for example, the FA is England-only). They organise competitions, develop grassroots pathways, ensure coach education, and enforce rules and discipline and thus are key players in safeguarding.

Other bodies include the Sport and Recreation Alliance, which represents and advocates for NGBs and wider sport organisations. It is part of the Sport Safeguarding Partnership.[41]

---

[37] House of Commons Digital, Culture, Media and Sport Committee, *Racism in Cricket: Second Report of Session 2021–22*, HC 1001, 14 January 2022,available at *https://publications.parliament.uk/pa/cm5802/cmselect/cmcumeds/1001/report.html*.

[38] Department for Culture, Media and Sport, *Get Active: A Strategy for the Future of Sport and Physical Activity*, HM Government, August 2023, available at *https://assets.publishing.service.gov.uk/media/64ef008f13ae15000d6e302c/11187-DCMS-Sports_Strategy_Report_CM_ACCESSIBLE-02.pdf*.

[39] UK Sport, *UK Sport – GOV.UK*, available at *https://www.gov.uk/government/organisations/uk-sport*.

[40] UK Sport, *The Five UK Sports Councils Publish the Safe Sport Report*, *UK Sport* website, 24 June 2025, available at *https://www.uksport.gov.uk/news/2025/06/24/the-five-uk-sports-councils-publish-the-safe-sport-report*.

[41] Sport and Recreation Alliance, *Safeguarding in Sport and Physical Activity*, *Sport and Recreation Alliance* website, 5 July 2023, available at *https://sportandrecreation.org.uk/news/safeguarding-in-sport-and-physical-activity*.

The Chartered Institute for the Management of Sport and Physical Activity (CIMSPA) focusses on workforce development and is part of a joint Workforce Governance project, which "has the objective of supporting, safeguarding and regulating the workforce".[42] CIMSPA's safeguarding role is relevant to, for example, fitness instructors.

Finally, the UK safeguarding landscape has been shaped significantly by several important national civil society organisations. The Child Protection in Sport Unit (CPSU) is a widely respected and influential specialist unit that has played a key role in building a consistent approach to protecting children and young people in sport. The UK has also seen the emergence of several survivor groups in recent years, including the Offside Trust in football, Gymnasts for Change, and Kyniska Advocacy, which have played important roles in governance reform, advocacy campaigns, or support structures.[43]

### *4.2 Key Developments*

#### *4.2.1 The Safe Sport Project*

The Safe Sport Project ("the Project") "emerged from a shared recognition of the challenges faced by [the UK sport] sector in keeping people safe".[44] The Project is supported by Sport England, Sport Northern Ireland, Sport Scotland, Sport Wales and UK Sport, as well as several NGBs. Its Safe Sport Project Report ("the Report"), published in June 2025, calls for "a bold new approach and vision for safe sport in the UK"[45] and makes five key recommendations, including for a clear framework for safe sport across the UK, a new independent safe sport body and an independent complaint and resolution function across the UK.

The Report's call for comprehensive and integrated systems, emphasising person-centred approaches, greater accountability, and increased independence, shows that sport has acknowledged the challenges faced by those impacted by abuse who try to navigate a fragmented and often impenetrable reporting and remedy landscape.

However, these recommendations are yet to be adopted and it is precisely at this stage of detailed operationalisation that sport, globally, has struggled. Gymnasts for Change has flagged "serious omissions" and "blind spots" in the recommendations that could undermine implementation, commenting

---

[42] Chartered Institute for the Management of Sport and Physical Activity (CIMSPA), *Workforce Governance*, available at *https://www.cimspa.co.uk/our-work/workforce-governance/*.

[43] See, for example, Gymnasts for Change, available at *https://www.gymnastsforchange.com/*; and Kyniska Advocacy, *Written Evidence to the DCMS Committee on Safety in Sport*, UK Parliament, 2023, available at *https://committees.parliament.uk/writtenevidence/133983/pdf/*.

[44] Sport England, *Bold New Vision for Safe Sport Unveiled*, *Sport England* website, 24 June 2025, available at *https://www.sportengland.org/news-and-inspiration/bold-new-vision-safe-sport-unveiled*.

[45] Ibid.

that "[s]urvivors deserve more than vision statements, they need urgent, concrete change".[46]

Furthermore, only a month after the Safe Sport Project report, DCMS published a report looking into the possibility of creating a UK Integrity Unit.[47] This opens up another debate about the advantages and disadvantages of incorporating safeguarding into wider integrity matters. While the report therefore gives grounds for cautious optimism, the question remains whether sport will commit the necessary resources and multi-disciplinary expertise to turn these lofty ambitions into actual impact.

### *4.2.2 The Code for Sports Governance*

The Code for Sports Governance ("The Code"), developed jointly by Sport England and UK/ Sport, was launched in April 2017 and reviewed in 2020. Intended as a "Gold Standard for sports governance"[48] it is the UK's first mandatory framework,[49] requiring national governing bodies to meet measurable standards to receive or keep their funding from Sport England and/or UK Sport.[50]

The Code explicitly mandates safeguarding provisions, including policies and procedures, and has thus positioned safeguarding in the broader governance context, making it a central focus for all funded sports bodies. However, the Code remains a funding condition, not law. That means that neither UK Sport nor Sport England can impose legal sanctions or compel compliance beyond withholding or adjusting funding. This drastically limits its impact on bodies that are less dependent on public funding and critics have questioned whether it risks "embedding a tick-box mentality".[51]

---

[46] Gymnasts for Change, *G4CI Respond To The Safe Sport Project Report* available at *https://www.gymnastsforchange.com/blog/g4ci-responds-to-the-safe-sport-project-report-with-a-call-for-urgent-action-and-real-reform*.

[47] Department for Digital, Culture, Media and Sport, *Sport Integrity Systems: An International Comparison*, HM Government, July 2021, available at *https://www.gov.uk/government/publications/research-report-sport-integrity-systems-international-comparison*.

[48] J. Rowland, *Reflecting on a Code for Sports Governance and Comparisons with the Revised UK Corporate Governance Code*, *iTrustSport* blog, 26 July 2023, available at *https://www.itrustsport.com/blog/reflecting-on-a-code-for-sports-governance-and-comparisons-with-the-revised-uk-corporate-governance-code*.

[49] Sports Governance Academy, *The Future of Sports Governance: Beyond Autonomy*, July 2023, available at *https://www.sportsgovernanceacademy.org.uk/media/axdbqjo2/the-future-of-sports-governance-beyond-autonomy.pdf*.

[50] A. Grix, J. García & D. Parnell, *Towards a Model of Safe Sport: Assessing Integrity in Sport Governance*, *Frontiers in Sports and Active Living*, vol. 7, 2025, *https://www.frontiersin.org/articles/10.3389/fspor.2025.1593673/full*.

[51] Sports Governance Academy, *The Future of Sports Governance: Beyond Autonomy,*2023.

### *4.2.3 Response and Remedy Mechanisms*

Sport in the UK, as in many other jurisdictions, has struggled to consistently and effectively respond to and remedy reports of abuse. The DCMS 2023 sport strategy noted a particular lack of confidence in the investigatory and response processes meaning that "misconduct has been allowed to continue unchallenged, causing harm and distress for individuals in the sport".[52] The strategy acknowledged calls for the government to establish a new independent complaint service but stopped short of making any concrete commitment in this regard. However, in July 2025, the DCMS published an independent research report into sport integrity systems.[53] This, and the recommendations in the Safe Sport Project Report, suggest that an independent ombudsman or complaints service remain under consideration. In the meantime, both UK Sport and Sport England have piloted, and in some instances expanded, certain case management and investigatory support services.

In 2019, Sport England launched a Safeguarding Case Management Service, expanded in 2023, offering free support services to NGBs in long-term partnerships with Sport England.[54] The programme, delivered in partnership with Sport Resolutions (a sport dispute resolution service), is designed to complement NGBs' existing safeguarding functions by offering access to expert advice, investigations, and support from a National Safeguarding Panel (NSP) in complex and high-risk cases.[55]

In May 2022, UK Sport launched Sport Integrity, a three-year pilot project developed to support NGBs at the Olympic and Paralympic levels "to deliver their responsibilities for upholding conduct in their sports".[56] The complaint handling service, also delivered by Sport Resolutions, is now mandatory for sports funded by UK Sport.[57] The pilot consists of a confidential reporting line[58] and an investigation service available for athletes and staff on Olympic and Paralympic performance programmes.[59]

---

[52] Department for Culture, Media and Sport, *Get Active: A Strategy for the Future of Sport and Physical Activity*, HM Government, August 2023, available at *https://assets.publishing.service.gov.uk/media/64ef008f13ae15000d6e302c/11187-DCMS-Sports_Strategy_Report_CM_ACCESSIBLE-02.pdf.*

[53] Department for Digital, Culture, Media and Sport, *Sport Integrity Systems: An International Comparison*, HM Government, July 2021, available at *https://www.gov.uk/government/publications/research-report-sport-integrity-systems-international-comparison*.

[54] Sport England, *Safeguarding*, available at *https://www.sportengland.org/guidance-and-support/safeguarding*, accessed 28 July 2025.

[55] Sport Resolutions, *National Safeguarding Panel*, available at *https://www.sportresolutions.com/services/national-safeguarding-panel*, accessed 28 July 2025.

[56] Sport Integrity, *About Sport Integrity*, available at *https://www.sportintegrity.com/about-sport-integrity*, accessed 28 July 2025.

[57] *Get Active: A Strategy for the Future of Sport and Physical Activity*, DCMS, 2023.

[58] UK Sport, *Sport Integrity: A New Independent Disclosure and Complaints Service*, 7 April 2022, available at *https://www.uksport.gov.uk/news/2022/04/07/sport-integrity-a-new-independent-disclosure-and-complaints-service*.

[59] *Sport Integrity*, accessed 28 July 2025, available at *https://www.sportintegrity.com*.

Sport Integrity marks an important milestone in UK safeguarding as an acknowledgment of the need for an independent, clear, external mechanism for addressing serious allegations such as abuse, harassment, and discrimination. However, a detailed review of its Rules of Procedure[60] amended on 1 September 2024[61] raises questions about the person-centred and trauma-informed nature of the service, as well as its true independence. For example, the three-month time limit for lodging a complaint[62] fails to clearly acknowledge the extensive barriers to reporting faced by victims and survivors of abuse. The service also has no independent sanctioning powers,[63] meaning it will remain up to the relevant NGB to determine whether to progress the matter further.

Other response mechanisms such as the Independent Complaint Process (ICP),[64] set up to handle complaints in gymnastics, have attracted similar criticisms, including from legal experts[65] and impacted persons who branded it as "not fit-for-purpose" and "stacked heavily in favour of the coaches".[66] British Gymnastics is now "looking beyond the Independent Complaints Process (ICP), recognising that while it was necessary at the time, its legalistic approach left many individuals hurt and contributed to ongoing mistrusts"[67] and acknowledging that the process was experienced as "unclear, overly formal, and not trauma informed".[68]

These developments suggest that, to date, sports bodies have found greater benefit in these additional support services than victims, survivors and whistleblowers. Further, the lack of a single, centralised process means that the reporting process remains disjointed and difficult to navigate.

The abuse faced by impacted persons in sport, and the secondary harm inflicted by inadequate response and remedy systems, are discussed further in the next section of this chapter. The chapter concludes by reflecting on some of the likely developments on the horizon.

---

[60] Sport Integrity, *How It Works*, Sport Integrity website, 28 July 2025, *https://www.sportintegrity.com/how-it-works*.

[61] Complaints dated between November 2023 and August 2024 were governed by the previous *Rules of Procedure* of Sport Integrity. See Sport Resolutions, *Sport Integrity Service: Rules of Procedure*,1 September 2024, available at *https://www.sportresolutions.com/assets/documents/Sport_Integrity_Service_-Rules_of_Procedure-_1_September_2024.pdf.*

[62] Subject to some discretion to accept the referral where there are just and equitable reasons. See *Sport Integrity Rules of Procedure* (2024), paragraph 2.

[63] *Sport Integrity Rules of Procedure* (2024), Rule 6.

[64] Sport Resolutions, *BG Independent Complaints Process*, available at *https://www.sportresolutions.com/services/bg-independent-complaints-process*, accessed 28 July 2025.

[65] J. Carr, *Lawyer for 40 UK Gymnasts Shares Insights into the Difficulties in Addressing Allegations of Abuse*, *LawInSport*, 8 November 2024, available at *https://www.lawinsport.com/topics/item/lawyer-for-40-uk-gymnasts-shares-insights-into-the-difficulties-in-addressing-allegations-of-abuse4*.

[66] P. MacInnes, *Commission to Hear Abuse Cases in Gymnastics Branded "Not Fit for Purpose*", *The Guardian*, 11 December 2023, available at *https://www.theguardian.com/sport/2023/dec/11/commission-to-hear-abuse-cases-in-gymnastics-branded-not-fit-for-purpose*.

[67] British Gymnastics, *Reform '25: Final Progress Report*, July 2023, available at *https://a.storyblok.com/f/83342/x/93035ab5a8/british-gymnastics-reform-25-final-progress-report.pdf*.

[68] Ibid.

## *5. Reviews, Inquiries, and Independent Investigations*

The last decade has seen an exponential increase in public reporting of abuse across sectors, including in sport. Independent inquiries, sport-specific reviews, and media investigations, drawing on the evidence of courageous victims, survivors and whistleblowers, have consistently highlighted institutional and systemic failures in both preventative and response efforts. These reviews provide essential insights into the challenges faced in UK sport and the evolving national safeguarding discourse. This section lists the UK's major sport safeguarding reviews, inquiries and investigations, and summarises the commonalities in their findings and recommendations.

### *5.1 British Cycling Independent Review (2017)*

The British Cycling Independent Review[69] was commissioned after allegations emerged of discriminatory language and sexist abuse.[70] It investigated British Cycling's World Class Programme in which athletes and staff reported a "culture of fear", intimidation, and discriminatory language from senior staff members. The Review found failings at governance and leadership level, with a lack of oversight from the board. It recommended leadership change, strengthening of the board, and greater external oversight as well as training and development in equality, anti-discrimination. The Review also recommended that UK Sport should strengthen conditionality around funding to enforce better governance and culture.

### *5.2 Duty of Care in Sport Review (2017)*

The Duty of Care in Sport Review,[71] conducted by eleven-time Paralympic gold medalist Baroness Tanni Grey Thompson, was a landmark independent review that criticised the 'win-at-all-cost' culture in UK sport. This culture severely undermined athletes' psychological safety and wellbeing and caused them to feel disempowered and unsupported. The Review also highlighted a lack of diversity awareness and mental health support.

The Review called for a paradigm shift in the culture of high-performance sport and made seven key recommendations, urging NGBs to integrate duty of care into coach education, improve leadership accountability, and establish athlete-centred grievance mechanisms. It included a proposal for a Sports

[69] British Cycling, *British Cycling Publishes the Cycling Independent Review*, *British Cycling* website, 14 June 2017, available at *https://www.britishcycling.org.uk/about/article/20170614-about-bc-news-British-Cycling-publishes-the-cycling-independent-review-0.*

[70] B. Rumsby, *Jess Varnish Claims British Cycling Tried to Blame Her for Missing Rio 2016*, *The Guardian*, 17 May 2016, available at *https://www.theguardian.com/sport/2016/may/17/jess-varnish-british-cycling-olympics-rio-216.*

[71] UK Government, *Duty of Care in Sport Review*, April 2017, available at *https://www.gov.uk/government/publications/duty-of-care-in-sport-review*.

Ombudsman with the power to hold national governing bodies to account for the duty of care they provide.

### *5.3 UK Athletics Independent Safeguarding Review (2020)*

The UK Athletics Independent Safeguarding Review[72] was commissioned following concerns raised to UK Athletics, UK Sport, and in the media about existing safeguarding practices.[73] The Review found a significant lack of safeguarding oversight and a lack of clarity of safeguarding responsibilities, with poor and inconsistent case management. The Review made extensive recommendations aimed at unifying policy, strengthening governance, and the creation of a more centralised safeguarding model with clear roles and accountability to provide consistent safeguarding at all levels. It also called for improved case management. UK Athletics states that it has since made "sweeping changes to policies and procedures" and has launched a new "athlete and people-focussed reporting mechanism".[74]

### *5.4 Report into Non-Recent Child Sexual Abuse Allegations in Football (2021)*

The Report into Non-Recent Child Sexual Abuse Allegations in Football,[75] also known as the Sheldon Review, was commissioned after media reports of abuse in English football.[76] The Review covered the period from 1970 to 2005 and found that the FA only released a comprehensive child protection program in 2000. The Review also identified case management failures including errors in recording and delays in issuing interim suspensions. The Review made extensive recommendations, for example calling for training at all levels, developing a child-centred culture and the publication of an annual safeguarding report.

The Sheldon Review received mixed responses when published and faced criticism for the delay, since it took four years to complete. Survivors commented

---

[72] UK Athletics, *Independent Safeguarding Review: Final Report*, August 2021, available at *http://www.uka.org.uk/wp-content/uploads/2021/08/UKA-Independent-Safeguarding-Review-Final-Report-August-21.pdf.*

[73] S. Gibson, *UK Sport Launches Review into UK Athletics*, *The Guardian*, 11 February 2020, available at *https://www.theguardian.com/sport/2020/feb/11/uk-sport-launches-review-into-uk-athletics.*

[74] UK Athletics, *UK Athletics Publishes Final Independent Safeguarding Report*, 20 August 2021, available at *https://www.uka.org.uk/news/news-and-features/uk-athletics-publishes-final-independent-safeguarding-report/.*

[75] The Football Association, *Clive Sheldon QC Independent Commission Report Released*, 17 March 2021, available at *https://www.thefa.com/news/2021/mar/17/clive-sheldon-qc-independent-commission-report-released-20210317.*

[76] D. Conn, *Andy Woodward: "It Was the Softest Voice You Could Ever Hear – But It Meant the Devil Was Coming*", *The Guardian*, 16 November 2016, available at *https://www.theguardian.com/football/2016/nov/16/andy-woodward.*

that awaiting the outcome of the review was "like playing in the world's longest tournament only to get to the final and be told that the outcome had already been decided years ago".[77] It was also criticised for its limited remit after the FA resisted calls to expand the Review's scope past 2005, even after evidence of abuse cases occurring after that date was submitted.[78]

### *5.5 Independent Inquiry into Child Sexual Abuse (2022)*

The Independent Inquiry into Child Sexual Abuse (IICSA)[79] is one of the most wide-ranging public inquiries undertaken in the UK. Established in 2014 in response to multiple scandals involving child sexual abuse within public and private institutions, it was tasked with investigating how institutions in England and Wales failed to protect children from, and adequately respond to concerns of, sexual abuse. It examined a wide range of institutions, including schools, religious organisations, care homes, local authorities, and sports bodies.

The IICSA conducted both public hearings and a Truth Project,[80] which allowed survivors to share accounts of abuse confidentially. More than 6,000 victims and survivors of child sexual abuse, including hundreds who were abused in sport, shared their experiences.

The IICSA revealed cross-sector institutional and systemic failures to protect children, allowing abuse to go unchallenged and undetected. It identified sport as a high-risk environment, due to close coach-athlete relationships and poor oversight. The IICSA highlighted cultures of denial and minimisation, with many organisations prioritising reputation management over child welfare. The IICSA also noted persistent underreporting of abuse due to fear, mistrust, and lack of support, combined with fragmented and inconsistent data sharing and a lack of effective inter-agency working. Particular attention was also given to the racial disparities in protection and support systems available or offered.

The ICCSA's final report,[81] published in 2022, reinforced the need for clear codes of conduct, independent safeguarding mechanisms, and survivor-led reforms. It highlighted the urgent need for a statutory Child Protection Authority (CPA) and a national case review mechanism. It also recommended mandatory

---

[77] Yorkshire Evening Post, T*he FA, Football Leagues and Top Clubs Didn't Do Enough to Protect Children from Sexual Abuse – Inquiry Findings Explained*, 17 March 2021, available at *https://www.yorkshireeveningpost.co.uk/read-this/the-fa-football-leagues-and-top-clubs-didnt-do-enough-to-protect-children-from-sexual-abuse-inquiry-findings-explained-3170407.*

[78] M. Dunn, *Pressure on Football Association to Expand Abuse Inquiry*, *Daily Mail*, 30 April 2018, available at *https://www.dailymail.co.uk/sport/sportsnews/article-5661915/Pressure-Football-Association-expand-abuse-inquiry.html.*

[79] UK Government, *New Reforms to Support Victims of Child Sexual Abuse*, 12 June 2025, available at *https://www.gov.uk/government/news/new-reforms-to-support-victims-of-child-sexual-abuse.*

[80] Independent Inquiry into Child Sexual Abuse (IICSA), *The Truth Project*, available at *https://www.iicsa.org.uk/victims-and-survivors/truth-project.html*, accessed 28 July 2025.

[81] Independent Inquiry into Child Sexual Abuse (IICSA), *The Final Report*, 20 October 2022, available at *https://www.iicsa.org.uk/final-report.*

professional reporting for sports professionals, a national redress scheme for survivors and for the three-year limit for compensation claims to be removed, enabling victims to come forward when ready. The UK Government's response to the IICSA's many recommendations is discussed further below.

### *5.6 The Whyte Review of Abuse in Gymnastics (2022)*

The Whyte Review[82] was commissioned following widespread allegations of abuse and mistreatment in gymnastics,[83] including the failure by British Gymnastics to deal appropriately with past complaints. It exposed a deeply embedded culture of fear, silence and power imbalances and found that gymnast wellbeing and welfare "has not been at the centre of British Gymnastics' culture". Coaches exercised excessive control, causing athletes to feel unable to report abuse due to a fear of retaliation or not being believed. Safeguarding systems, although in place, were found to be ineffective and the case management process was extensively criticised.

The Review made comprehensive recommendations to strengthen the overall safeguarding governance with independent audits. Other recommendations included mandatory safeguarding training for all coaches and staff, and enhanced transparency of grievance mechanisms using trauma-informed approaches, embedding athletes' voices and developing in a way that promotes the victim/survivor healing process.

In 2023 and in response to the Whyte Review, British Gymnastics launched Reform '25, a 40-point action plan to "create safe, positive and fair experiences for all in gymnastics"[84] which explored ways to develop a more "person-centred, trauma-informed and timely approach".[85] While progress is clearly being made, British Gymnastics is yet to rebuild trust with key stakeholders. In response to the Reform '25 Final Report, Gymnasts for Change released a statement that "survivors continue to be erased from the reform process".[86]

---

[82] A. Whyte, *The Whyte Review: Final Report of Anne Whyte QC*, Sport England, June 2022, available at *https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2022-08/The%20Whyte%20Review%20Final%20Report%20of% 20Anne%20Whyte.pdf.*

[83] T. Hamilton, *Former British Gymnasts Allege Decades of Physical, Psychological Abuse*, *ESPN*, 17 March 2021, available at *https://www.espn.co.uk/olympics/gymnastics/story/_/id/30968329/former-british-gymnasts-allege-decades-physical-psychological-abuse*; BBC Sport, *Gymnastics Abuse: Athletes Reveal Their Stories after Whyte Review*, *BBC Sport*, 17 March 2021.

[84] British Gymnastics, *British Gymnastics Launch Reform '25*, *British Gymnastics* website, 14 December 2022, available at *https://www.british-gymnastics.org/articles/british-gymnastics-launch-reform-25.*

[85] Ibid.

[86] Gymnasts for Change, *G4CI responds to the Wagstaff and Reform '25 Final Report,* available at *https://www.gymnastsforchange.com/blog/g4ci-responds-to-the-wagstaff-and-reform-25-final-report.*

### *5.7 Holding Up A Mirror To Cricket (2023)*

In 2023, the Independent Commission for Equity in Cricket (ICEC) published "Holding Up A Mirror To Cricket",[87] a critical report highlighting how racism, classism, elitism, and misogyny are deeply rooted across all levels of cricket in England and Wales. Players from ethnic minorities and lower-class backgrounds reported excluding, bullying and discriminatory behaviours. When concerns were raised, they were frequently minimised and not appropriately addressed. Alcohol-oriented social norms within clubs also provided excuses for further exclusion and marginalisation of players, promoting toxic, non-inclusive, unsafe cultures. The Report found that "(r)acism, in all its forms, continues to shape the experience of, and opportunities for, many in the game".[88]

The Report made 44 recommendations, including mandatory anti-discrimination training, diversifying leadership, and greater accountability and independent oversight through the establishment of an independent regulator. The Report also recommended "*...that the ECB makes an unqualified public apology for its own failings and (...) acknowledge that racism, sexism, elitism and class-based discrimination have existed, and still exist, in the game, and recognise the impact on victims of discrimination...*".[89]

### *5.8 The Dark Side of Swimming Clubs (2025)*

In May 2025, a BBC Panorama documentary titled "The Dark Side of Swimming Clubs"[90] uncovered serious allegations of abuse and bullying within clubs affiliated with Swim England. The documentary profiled swimmers who developed eating disorders after being bullied about their weight by coaches, and examined the sport's governing body, which was aware of allegations against senior coaches but failed to act.

Swimmers told how coaches created a "toxic training environment".[91] The investigation found that Swim England did not act on a confidential 2012 investigation which ruled that a coach should be suspended after hearing evidence about his behaviour from 17 witnesses.[92] Troublingly, one of the most successful

---

[87] Independent Commission for Equity in Cricket (ICEC), *Holding Up a Mirror to Cricket: Equity in Cricket Report*, England and Wales Cricket Board, 2023, available at *https://resources.ecb.co.uk/ecb/document/2025/05/20/59fdb23b-e1d1-40d2-8db0-5b48154aa8e4/ICEC-Report.pdf.*

[88] Ibid.

[89] Doughty Street Chambers, *ICEC Report Confirms Racism, Sexism and Class-Based Discrimination in Cricket*, *Doughty Street Chambers* website, 27 June 2023, available at *https://www.doughtystreet.co.uk/news/icec-report-confirms-racism-sexism-and-class-based-discrimination-cricket.*

[90] BBC, *Panorama – Sport's Hidden Crisis: The Fight for Safeguarding*, broadcast 24 June 2024, available at *https://www.bbc.co.uk/programmes/m002ch2f.*

[91] BBC News, *Sport's Safeguarding Crisis: "Clubs Ignored Me – It Broke Me"*, 24 June 2024, available at *https://www.bbc.co.uk/news/articles/cn4gmm2zv8no.*

[92] Ibid.

swimmers from this same club was later jailed for raping two girls whom he had met at the club.[93] The BBC reported that his interest in younger girls was well known, and that his status as the club's "golden boy" meant his behaviour was not questioned.[94]

The documentary came over a year after Swim England published the full findings of an independent listening research "commissioned as part of its pledge to create a better future for everyone involved in aquatic sports".[95] However, the BBC investigation highlighted how victims and survivors felt silenced and unable to voice their concerns, and how they were met with institutional resistance when they eventually did so.

Swim England has since committed to a full-scale review of non-recent abuse cases[96] and acknowledged that "individuals within our sporting community have experienced suffering and poor experiences and we recognise the collective ongoing need to do better".[97]

### *5.9 Cross-Cutting Findings and Recommendations*

Five themes emerge across these reviews and investigations relating to culture, governance and accountability, response and remedy, data and oversight, and training and awareness. These are discussed below.

#### *5.9.1 Culture*

Sport has fostered a culture where results are often more important than the safety and wellbeing of athletes. Many victims, survivors and whistleblowers (including athletes and coaches) fear the repercussions of challenging that culture. When concerns are raised they have been dismissed, minimised or mishandled with many sports prioritising reputational management over safety. This has resulted in missed opportunities for sports bodies to intervene early and to prevent further harm. Indeed, most of the reviews above were commissioned only when cases hit the headlines.

Sport must therefore now proactively drive cultural change. Psychological safety should be embedded at every level of the sporting pyramid, to enable early detection and challenge bad practices as they occur. Sports leaders need to be courageous and step away from an entrenched defensiveness that seeks to avoid liability, instead embracing true responsibility. Athletes' wellbeing must be centred,

[93] BBC News, *Sport's Safeguarding Crisis: "This Has Been Going on for Decades"*, 24 June 2024, available at *https://www.bbc.co.uk/news/articles/c4gp7ypd9p1o.*
[94] BBC News, *Sport's Safeguarding Crisis: "Clubs Ignored Me"*, 2024.
[95] Swim England, *Swim England Publishes Listening Report Highlighting Need for Culture Change*, 11 March 2024, available at *https://www.swimming.org/swimengland/listening-report-published.*
[96] Swim England, *Statement Regarding a Review of Historical Cases*, 11 March 2024, available at *https://www.swimming.org/swimengland/statement-regarding-a-review-of-historical-cases.*
[97] BBC News, *Sport's Safeguarding Crisis: "Clubs Ignored Me"*, 2024.

and lived experience and constructive criticism should be welcomed in shaping policies, systems and corrective measures.

### *5.9.2 Governance & Accountability*

Weak and ineffective governance systems in sport frequently contributed to safeguarding failures. A lack of independent oversight, blurred responsibilities, and opaque lines of accountability allowed abusive practices to fester and institutional inertia to set in.

To combat this, sport must clarify roles and responsibilities at national and local levels, increase the diversity of thought and identity in leadership and decision-making roles, and establish truly independent and accountable processes and mechanisms.

### *5.9.3 Response & Remedy*

Many sports bodies in the UK lack the internal expertise and resources to safely and effectively manage cases of abuse. Grievance mechanisms are not transparent, accessible, or informed by survivors' experiences. Retaliation against impacted persons is a huge deterrent to reporting. Operationalising safe and effective response and remedy mechanisms has proven difficult.

Sport must therefore commit the necessary effort and resources to designing transparent and accessible grievance mechanisms, staffed by a multi-disciplinary team of experts and using trauma-informed approaches, embedding athletes' voices and developed in a way that promotes healing. Taking accountability for failings and offering apologies is also key.

### *5.9.4 Data & oversights*

Sport operates in a fragmented system which must get better at adequately capturing and appropriately sharing data. There is often a lack of effective interagency cooperation. Sport should collaborate across disciplines to centralise safeguarding data and monitoring mechanisms and facilitate independent audits.

### *5.9.5 Training & Awareness*

Safeguarding remains a relatively unfamiliar topic for many who work in sport. A central theme across all reviews was the need to mainstream greater awareness and understanding of key safeguarding issues and practices across all stakeholders.

Sport must implement mandatory targeted training, including in diversity, equity and inclusion, for all roles. It must ensure that everyone in sport understands abuse in all its manifestations to avoid minimisation of certain forms of abuse. Sport must invest in specialist case management training, including how to conduct

trauma-informed and person-centred investigations, and how to manage multi-jurisdictional and non-recent cases.

## 6. Developments to Watch and Concluding Thoughts

Safeguarding in sport is a rapidly evolving field. This chapter concludes by outlining eight key developments to watch.

### 6.1 Legal Developments

The lack of a single sport-specific safeguarding law in the UK means safeguarding professionals need to continue to carefully monitor broader legal developments.

In January 2025, the Home Secretary announced that the government will introduce mandatory reporting of child sexual abuse in England for certain professionals and volunteers working with children, through the Crime and Policing Bill. However, the proposals have already been criticised as "inadequate" and "weak" by experts:[98] the proposed "duty to report" only applies if the mandated reporter witnesses abuse happening, if the child or abuser reports it, or if the reporter sees or hears an image or recording of abuse. Any other evidence, no matter how compelling, does not trigger the duty. Given the pernicious nature of abuse, critics argue that these mandatory reporting provisions will not offer adequate protection to children at risk.

In April 2025 the UK Government published its *Tackling Child Sexual Abuse – Progress Update*[99] reiterating the government's commitment to act on key IICSA recommendations. This included confirmation of the removal of the three-year limitation for personal injury claims brought by victims of child sexual abuse, described as a "watershed moment" by the National Association for People Abused in Childhood.[100] The government also indicated that it intends to change the Law of the Apologies to "encourage" employers to apologise for the actions of former and current employees.[101]

---

[98] M. Pearson, *The Law Is Failing Grooming Victims*, *The Critic*, 25 March 2024, available *at https://thecritic.co.uk/the-law-is-failing-grooming-victims.*

[99] UK Government, *Tackling Child Sexual Abuse: Progress Update*, February 2024, available at *https://assets.publishing.service.gov.uk/media/67f6177e563cc9c84bacc39a/Tackling_Child_Sexual_Abuse_-Progress_Update-_FINAL_FOR_PUBLICATION.pdf.*

[100] Law Society Gazette, *Three-Year Time Limit to Be Removed for Child Sexual Abuse Claims*, *Law Gazette*, 5 March 2024, available at *https://www.lawgazette.co.uk/news/three-year-time-limit-to-be-removed-for-child-sexual-abuse-claims/5122248.article.*

[101] UK Government, *New Reforms to Support Victims of Child Sexual Abuse*, *GOV.UK*, 5 March 2024, available at *https://www.gov.uk/government/news/new-reforms-to-support-victims-of-child-sexual-abuse.*

### *6.2 Independent Oversight and Grievance Mechanisms*

The call for an independent oversight mechanism in sport has now been repeatedly echoed by sports bodies and independent reviews. Athlete- and survivor-led movements have similarly called for integrated athlete-centred and trauma-informed grievance mechanisms that are independent from sports bodies. This, coupled with the critique of mechanisms such as the ICP, make the creation of a National Safe Sport Authority or Ombudsman increasingly likely.

### *6.3 Increased Sector Scrutiny and Stakeholder Engagement*

Closely associated with the potential introduction of an independent mechanism or ombudsman is the broader increased scrutiny of the sport sector, and of its ability to safeguard participants in particular. The UK government has always adopted a non-interventionist approach to sport and does not interfere in its day-to-day regulation,[102] only stepping in when deemed necessary and in the public interest.[103] Sport therefore operates with a high degree of autonomy, and NGBs have largely regulated themselves. However, the multitude of high-profile abuse and integrity scandals have highlighted weaknesses in the self-regulatory system. This has led to increased parliamentary scrutiny and discussion of the need for more independent regulation and oversight of sport.[104] Indeed, when the Code for Sports Governance was first introduced commentators hailed it as "definitively the end of autonomy, at least for funded organisations in the UK, and the introduction in its place of 'earned autonomy'".[105]

### *6.4 Standardisation and Harmonisation of the Sector*

Given the complex sporting landscape, it is no surprise that calls for a clearer and more unified safeguarding approach in sport continue to mount. The recommendations in the Duty of Care Report that sports should collect data about safeguarding issues in a standardised way[106] has been taken up, in part, by the CPSU in collaboration with Loughborough University and a small group of NGBs,

---

[102] Note that if a sports body is also a registered charity they will have to comply with guidance and standards required by the Charity Commission for England and Wales, the Charity Commission for Northern Ireland or The Scottish Charity Regulator.

[103] For example with the Football Spectators Act 1989, which addressed stadium safety.

[104] See, for example, the recent introduction of the Football Governance Act 2025 and the commissioning of an independent review of national sport integrity systems: UK Government, *International Comparisons of National Sport Integrity Systems: Research Report*, 23 May 2024, available at *https://www.gov.uk/government/publications/research-report-sport-integrity-systems-international-comparison/international-comparisons-of-national-sport-integrity-systems.*

[105] Sports Governance Academy, *The Future of Sports Governance: Beyond Autonomy,* 2023.

[106] UK Government, *Duty of Care in Sport Review*, April 2017, available at *https://assets.publishing.service.gov.uk/media/5a81ff3c40f0b62305b91ed9/Duty_of_Care_Review_-_April_2017__2.pdf.*

with their design of a case data collection tool. The standardised tool is intended to help sports organisations develop and review case management systems and assess the impact of safeguarding strategies.[107]

A particular area to watch will be how this push for consistency and coherence is translated into the grassroots sporting context, which is often reliant on volunteers and which has not (yet) benefitted from a significant trickle-down effect from elite level reforms.

### *6.5 Improved Cross-Sector Collaboration*

One of the (perhaps unintended) consequences of the autonomy of sport is that it operates in a regulatory vacuum. In many ways, this is the antithesis of the collaborative, multidisciplinary, multi-agency approach needed to effectively safeguard individuals. Indeed, several reviews have highlighted the need for a more integrated cross-sector approach to safeguarding in sport, aligned with legislation and statutory guidance. The global discourse in sports safeguarding is also placing greater emphasis on multi-stakeholder approaches[108] and thus the trend is increasingly towards greater expectations on sports bodies to collaborate wherever possible.

### *6.6 Better Regulation and Due Diligence of Safeguarding Professionals*

As safeguarding roles and budgets in sports bodies increase, the UK has seen a sharp uptick in self-acclaimed safeguarding experts. Some professionals in this space have years and even decades of relevant experience in child protection, legal case management, and clinical or therapeutic practice, and have proactively acquired further professional training, sector-specific knowledge, and practical safeguarding experience. But unless a safeguarding practitioner is regulated by another professional body, this remains an unregulated space. For the sector to truly professionalise, it will need to become more stringent in terms of the qualifications or certification of safeguarding officers. This may require better regulation, or at least better training and investment in safeguarding expertise, to ensure those advising and delivering the work have the requisite knowledge and multidisciplinary experience.

---

[107] Child Protection in Sport Unit (CPSU), *Case Data Collection Research Project – Full Report*, June 2024, Sports Governance Academy, *https://thecpsu.org.uk/media/1gflh5j1/case-data-research-full-report-final-june241.pdf*; see also project overview at: *Case Data Collection Research Project*, available at *https://thecpsu.org.uk/resource-library/research/case-data-collection-research-project.*

[108] See for example the IOC's Regional Hub Initiative International Olympic Committee (IOC), *Safe Sport Regional Hub Initiative*, available at *https://www.olympics.com/ioc/safe-sport/safe-sport-regional-hub-initiative*, accessed 28 July 2025.

### *6.7 New Types of Harm and Increased Expectations*

As technology and societal expectations evolve, so do sport's safeguarding obligations. New legislation targeting online abuse and workplace harassment is likely to continue to grow. Another important area of development is Esports, with the British Esports Federation contributing to online safety through a variety of educational projects and the launch of the International Safeguards for Children in Esports.[109]

Other areas of sports integrity are also coming under increased safeguarding scrutiny. The intersection of doping and safeguarding is often overlooked, but UK Anti-Doping (UKAD) increasingly recognises a shared duty to protect pressurised athletes, especially young or vulnerable individuals, from coercion, exploitation, and harmful practices involving performance-enhancing drugs.[110] UKAD's clean sport education includes safeguarding elements and affirms "zero tolerance of abuse, harassment, bullying and violence",[111] acknowledging that substance use can intersect with abuse. However, we still need greater integration of safeguarding and improved recognition of the administration of substances under pressure or coercion by authority figures. Increased collaboration between anti-doping and safeguarding bodies would ensure that harm is prevented, and responsibility is properly assigned to adults in positions of trust.

### *6.8 Contextualised Approaches to Safeguarding*

The UK's devolved powers present plenty of complications for safeguarding, but they also present opportunities. There is a growing recognition in sport that safeguarding is not a one-size-fits-all practice. Instead, there is a need for contextualisation and localisation. This applies to the UK as well as the international context and, as the sector moves towards a unified approach, sport should not forget to also accommodate cultural and regional particularities.

### *6.9 Concluding Remarks*

Safeguarding in sport is a relatively new and rapidly developing field. Recent years have seen significant efforts from stakeholders across the sporting ecosystem – from athletes and survivors to sports bodies and government – to effectively

---

[109] Safe in Sport, *International Safeguards for Children in Esports*, available at *https://culture.safeinsport.org/resource-uploads/International%20Safeguards%20for%20Children%20in%20Esports.pdf*, accessed 28 July 2025.

[110] N. Sapstead, *UK Anti-Doping Recognises "Collective Responsibility" to Support Pressurised Athletes*, *insidethegames.biz*, 20 November 2018, available at *https://www.insidethegames.biz/articles/1072584/nicole-sapstead-uk-anti-doping-recognises-collective-responsibility-to-support-pressurised-athletes*.

[111] UK Anti-Doping (UKAD), *Clean Sport Hub*, accessed 28 July 2025, available at *https://www.ukad.org.uk/cleansporthub*.

integrate the UK's complex patchwork of legal provisions into its fragmented sports governance system.

It is important to acknowledge this deep work and commitment, while simultaneously recognising that time is running out to fix a system that was never designed to prioritise safety and inclusion. Sport in the UK is at an inflection point: it must continue to drive meaningful governance and structural reform to enable the accountability needed to move beyond mere compliance towards a genuine culture of care. This will be challenging, but the alternative is unconscionable and the evidence incontrovertible: if we do not change, people will continue to be harmed.

Fortunately sport in the UK and beyond has always had the power to surprise and delight. As the UK sports sector evolves, we have seen new and diverse leadership show great courage and humility, a willingness to learn from those impacted by abuse, and the confidence to embrace greater scrutiny. If sport can lean into this, and commit adequate investment to deliver genuine solutions, the UK may yet emerge as a leader on and off the field of play.

# SAFE SPORT IN THE UNITED STATES OF AMERICA

by *Hannah Hinton*,[*] *Hilary Nemchik*,[**] *Jessica Perrill*,[***] *and Monica Rivera*[****]

SUMMARY: Introduction – 1. Origins of Safeguarding Structures in the U.S. – 1.1 Safe Sport Authorization Act of 2017 – 1.2 Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 – 2. U.S. Center for SafeSport Activities – 2.1 USCSS Response and Resolution – 2.1.1 SafeSport Code – 2.1.2 Preponderance of Evidence Standard – 2.1.3 "Due Process" vs USCSS Process – 2.1.4 Lack of Subpoena Power – 2.1.5 Applicability of Sanctions – 2.1.6 Protections from Retaliation, Interference, and Abuse of Process – 2.2 USCSS Organisational Development and Compliance – 2.3 USCSS Education and Outreach – 2.4 Safeguarding Officers at the USOPC and NGBs – 3. State of Play: Athlete Safety Activities in Practise – 3.1 Athlete Engagement – 3.2 Rapid Growth in Report Volume – 3.3 No Statute of Limitations on Sexual Abuse and Misconduct Allegations – 3.4 Refining Categories of Case Closure – 3.5 Who Exactly is a Participant in "the Movement?" – 4. The Road Ahead for Athlete Safeguarding in the U.S. – 4.1 2024 Congressional Commission Report – 4.2 Accountability Enhanced by Independent Oversight – Conclusions

## *INTRODUCTION*

An extensive framework for safeguarding in sports has developed in the United States (U.S.) over the past decade. This framework is underpinned by federal legislation and was stoked by highly publicized cases of abuse of hundreds of athletes in the U.S. Olympic and Paralympic Movement, sparking widespread clamor for change. This safeguarding framework is anchored by the U.S. Center for SafeSport (USCSS), an organisation founded in 2017 to receive and respond to reports of abuse or misconduct in the Olympic Movement. The USCSS also audits organizations to verify and monitor their compliance with abuse-prevention standards, and provides training and education to reduce the future prevalence of athlete abuse and misconduct.

[*] Vice President, Organizational Development & Compliance, U.S. Center for SafeSport.
[**] Vice President, External Affairs, U.S. Center for SafeSport.
[***] Vice President, Response & Resolution & General Counsel, U.S. Center for SafeSport.
[****] Vice President, Research & Education, U.S. Center for SafeSport.

## 1. Origins of Safeguarding Structures in the U.S.

The sport landscape in the United States is administratively diffuse, with professional sports leagues, a national collegiate sport authority, autonomous local recreation organisations, and various amateur and club authorities. Among the most robust – and the one most linked with federal mandates and oversight – is the U.S. Olympic and Paralympic Committee (USOPC). This chapter will focus primarily on circumstances within the U.S. Olympic and Paralympic Movement, though it will touch upon the broader sport safeguarding landscape.

The USOPC was established by the Ted Stevens Olympic and Amateur Sports Act of 1978,[1] which granted it exclusive jurisdiction over U.S. participation in the Olympic Games and over National Governing Bodies (NGBs) for each Olympic sport. Today, the USOPC's authority extends to more than 50 NGBs encompassing approximately 11 million individuals at elite and grassroots levels. The Ted Stevens Act provided important rights and legal protections across this broad cohort of athletes, coaches, and others (a cohort that we will hereinafter describe as the Movement).

Until 2017, authorities and responsibilities for safeguarding resided with the USOPC and individual NGBs; the USOPC hired a director of safe sport in 2011 and established an athlete safety programme in 2012.[2] As of the mid-2010s, several NGBs had personnel in safeguarding roles as well as safeguarding policies and practises. However, these were inconsistent across the Movement; many NGBs had no explicit safeguarding policies or activities. While criminal statutes covered extreme cases of athlete abuse such as rape, inappropriate acts of sexual, physical, and emotional abuse and misconduct typically fell below the level of criminal statute, and could not be addressed appropriately or consistently. Cultural mores of sport, in which coaches or trainers often have unfettered power over athletes, sometimes inhibited reporting of misconduct by athletes who were intimidated or who feared being subject to retaliation for filing a report. NGBs generally lacked consistent or effective methods for filing a report, investigating it, adjudicating it, and applying and communicating sanctions.

It became clear in the mid-2010s that these safeguarding shortcomings were more than just theoretical, as severe cases of abuse began to receive international publicity. Most prominent was the case of USA Gymnastics team doctor Larry Nassar, against whom more than 265[3] women reported sexual abuse, including Olympic medalists. While substantial sanction was ultimately levied against him by courts in the State of Michigan (which sentenced him to up to 175 years in prison),[4] his case highlighted egregious flaws, concealments, and conflicts of interest

[1] Available at *https://uscode.house.gov/view.xhtml?path=/prelim@title36/subtitle2/partB/chapter2205&edition=prelim.*

[2] Referenced at *https://usagym.org/usoc-announces-formation-of-safesport-working-group/.*

[3] See *https://nbcnews.com/news/us-news/larry-nassar-accuser-count-265-judge-says-n843316.*

[4] See *https://www.nytimes.com/2018/01/24/sports/larry-nassar-sentencing.html.*

in the handling of abuse allegations by USA Gymnastics, the USOPC, Michigan State University, and agencies such as the Federal Bureau of Investigation.

A 2018 USOPC-commissioned report[5] by consultants Ropes & Gray concluded, "*While Nassar bears ultimate responsibility for his decades-long abuse of women, he did not operate in a vacuum. Instead, he acted within an ecosystem that facilitated his criminal acts*" (pp 2-3). The choices the USOPC and USA Gymnastics made to adopt self-limiting governance structures, the report concluded, "*led to a marked disconnect at both institutions between adopted policies and effective action. This disconnect in turn permitted the unchecked growth of policies, practises, and cultural norms that were not reflective of a child-first approach and led to the absence of effective, on-the-ground measures. The effects of the USOPC's self-limiting governance structure extended beyond USA Gymnastics and likewise permitted other NGBs to implement policies and practises that failed to adequately address the risk of athlete abuse, resulting in patterns of deficiencies in complaint processes across Olympic sports*".

The Nassar case played out across a nationwide backdrop of increased attention to sexual misconduct and its continual presence in workplaces and other power-influenced cultures. Other prominent cases of sexual assault during the period, against celebrities such as film producer Harvey Weinstein, contributed to a cultural #MeToo movement and a milieu in which the U.S. Congress and the USOPC took action.

### *1.1 Safe Sport Authorization Act of 2017*

In March 2017, the U.S. Center for SafeSport (USCSS) began operations explicitly to address abuse and misconduct in the Movement. It developed in parallel with its linchpin federal legislation – the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017,[6] which was passed by the 115th Congress and signed into law in February 2018.

This enshrinement of the Safe Sport Authorization Act (technically an amendment to the Ted Stevens Act of 1978) and the establishment of USCSS marked a sea change in the address of abuse and misconduct throughout the Movement.

This 2017 Act:

– Expanded the purposes of the USOPC to include promoting an environment free of abuse for amateur athletes.

---

[5] Ropes & Gray LLP, *Independent Investigation: The Constellation of Failures that Enabled Larry Nassar's Abuse*, 10 December 2018, available at *https://ropesgray.com/-/media/files/usoc/ropes-gray-full-report.pdf.*

[6] Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017, Pub. L. No. 115–126, 132 Stat. 318 (2018), available at *https://www.congress.gov/bill/115th-congress/senate-bill/534/text.*

– Designated USCSS as the independent national safe sport organization for the United States.

– Granted USCSS jurisdiction over the USOPC and its member NGBs, in regard to safeguarding athletes against emotional, physical, and sexual abuse.

– Required NGB-sanctioned amateur sports organisations holding international amateur athletic competitions to implement and comply with policies and procedures to prevent abuse.

– Stipulated that the USCSS should maintain an office of education and outreach that would establish training, oversight practises, policies, and procedures to prevent abuse.

– Stipulated that the USCSS should maintain an office of response and resolutions to establish mechanisms that allow the reporting, investigation, and resolution of alleged sexual abuse (later, these office functions would be broadened to reflect an already-existing office encompassing audit and compliance activities).

– Specified that the USCSS could develop policies and procedures (that would apply to individuals associated with the Movement) to prevent abuse and resolve abuse and misconduct allegations, and outlined conditions in which a case could be neutrally arbitrated by parties found to be in violation of the SafeSport Code.

- Indemnified USCSS against civil actions arising from their activities (except in cases of actual malice).

Not addressed in the 2017 Act was a funding mechanism for the USCSS that would sustain it in perpetuity. While two primary revenue sources – USOPC fees and revenue from a federal Department of Justice grant[7] – grew significantly during the USCSS' first few years (from $6.1 million, to $11 million, to $16.5 million between 2018 and 2020), neither revenue source was reliable and projectable for future years.

This Act was the primary federal legislation guiding the USCSS until 2020.

### *1.2 Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020*

While the Safe Sport Authorization Act was largely considered to provide robust operating premises for USCSS and the USOPC during its initial years, stakeholders recommended several areas for modification. The 116th U.S. Congress passed the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020[8] (it, too, a revision of the Ted Stevens Act of 1978) to update existing federal stipulations regarding safeguarding. This Act was signed into law on 30 October 2020.

[7] The *Keep Young Athletes Safe* grant program is administered by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) in the Department of Justice: see *https://smart.ojp.gov*.

[8] Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020, Pub. L. No. 116–189, 134 Stat. 943. Available at *https://congress.gov/bill/116th-congress/senate-bill/2330/text.*

The Act:

– Strengthened Congressional oversight of the USOPC and mandatory reporting of abuse reports involving a minor to law enforcement.

– Added protections against investigation interference by NGBs and in relation to retaliation based on abuse or misconduct reports.

– Codified the Audit and Compliance Department as a primary function along with Education and Outreach and Response and Resolution.

– Required that the USCSS formally report its activities and progress annually to Congress. (The USCSS also is annually reviewed by the U.S. General Accountability Office to certify its freedom from undue influence).

While the 2020 Act included other provisions impacting the athlete safety landscape in modest ways, a crucial element of this Act related to funding. Starting in 2021, the USOPC was annually required to pay the USCSS $20 million (to which NGBs contribute) to fund its operations. This would increase the amount and stability of USCSS' annual operational budget (approximately $25.2 million in 2024[9]) but has led to varied impacts that will be addressed later.

The federal mandate underlying these aforementioned acts contributes substantially to the robustness and structural alignment of U.S. Olympic Movement safeguarding activities. While the Movement encompasses millions of athletes (whose safeguarding the U.S. government has a stake in), it represents just 3% of the U.S. population of approximately 340 million. Though overtures have been made to extend USCSS' jurisdiction, policies, and practises to other sport authorities (notably the National Collegiate Athletic Association (NCAA)), and valuable safeguarding education and evolutions have occurred in the larger U.S. sport culture, the structures and oversights mentioned from here apply to a relatively small proportion of U.S. sport participants.

As of this writing, the 2020 Act is the most recent federal mandate affecting U.S. athlete safeguarding. One other provision of this Act was to establish the Commission on the State of U.S. Olympics and Paralympics to study matters relating to the state of U.S. participation in the Olympic and Paralympic Games. We will return to this Commission later.

### *2. U.S. Center for SafeSport Activities*

Since 2017, the USCSS has developed a stable suite of standardized activities to support safeguarding throughout (and in select cases, beyond) the Movement. The USCSS and its bylaws are overseen by a volunteer board of directors composed of experts (many with athlete experience) in sport administration, ethics, compliance, and related fields. Board members must be independent of the USOPC and NGBs to be free of meaningful conflicts of interest.[10]

---

[9] See 2024 Financial Statements at *https://uscenterforsafesport.org/wp-content/uploads/2025/06/2024-Financial-Statements_v1.pdf.*

[10] Per Article 2.2(a)(i) of bylaws; see *https://uscenterforsafesport.org/wp-content/uploads/2024/09/Sixth-Amended-and-Restated-Bylaws-FINAL81.pdf.*

Three primary USCSS units work in an integrated fashion to achieve the organisation's mission – *To make athlete well-being the centrepiece of our nation's sports culture through abuse prevention, education, and accountability* – and to fulfill its vision of ensuring that every athlete will be safe, supported, and strengthened through sport. Although each of the three core departments possesses unique expertise and pursues critical objectives, it is through their strategic collaboration that the mission to eradicate abuse in sports is most powerfully realized. These units will each be outlined in the sections that follow.

### *2.1 USCSS Response and Resolution*

The USCSS Response and Resolution office oversees functions that include:

– Accepting reports of sexual, emotional, or physical abuse or misconduct against individuals within the Movement. Anyone, not only athletes or members of the Movement, may make a report to the USCSS via website, phone, and text. Individuals may also directly report abuse or misconduct to the NGB in their sport.

– Resolving reports of abuse and misconduct, through either investigation or another administrative adjudication. This process also includes assessment of appropriate jurisdiction, determining whether a report is better resolved by a relevant NGB (as is sometimes true of emotional or physical misconduct reports; the USCSS resolves all reports of a sexual nature) and working with local, state, or federal law enforcement entities on reports that may have criminal implication.

– Administering appropriate sanctions if there is a finding that abuse or misconduct has occurred. These sanctions may include contact prohibitions, suspensions, and in severe cases lifetime ineligibility from USOPC-sanctioned sport activities. Sometimes, in cases of present risk, an individual may receive a temporary restriction until a case is resolved.

– Publishing a first-of-its-kind Centralized Disciplinary Database[11] of individuals in the Movement who have been restricted from sport participation. As of this writing, this database lists approximately 2,400 individuals (restricted or sanctioned by the USCSS, as well as certain eligibility decisions made by NGBs or the USOPC, some predating the existence of the USCSS). Sanctioned individuals are removed from the public database if and when their sanction term has concluded.

USCSS Response and Resolution activities are guided by the SafeSport Code, which applies to all participants in the Movement.

[11] See *https://uscenterforsafesport.org/wp-content/uploads/2024/09/Sixth-Amended-and-Restated-Bylaws-FINAL81.pdf.*

### *2.1.1 SafeSport Code*

The SafeSport Code:[12]

– Establishes the USCSS' jurisdiction and enforcement authority (as underpinned by the federal acts described earlier), and outlines terms of jurisdiction of abuse reports and enforcement of sanctions related to the USOPC and its NGBs.

– Guides the USCSS' administration of the Code.

– Defines crucial individuals and terms relevant to abuse and misconduct circumstances and cases. These definitions are often critical determinants in the appropriate resolution of a report. For example: While the SafeSport Code applies to all participants in the Movement, the Code's criteria for Participant are nuanced (and more fully detailed later). The Code allocates nearly 700 words to the definition of Consent,[13] another nuanced but crucial term in determining the legitimacy of sexual activity, and one historically overlooked or insufficiently defined.

– Defines categories of prohibited behaviour. This includes by default abuse and misconduct already prohibited under criminal law, such as rape or child abuse. It also includes many behaviours that may, under some circumstances, be technically legal but that contribute to an unsafe or unsound sport culture. This includes bullying, hazing, and harassment, as well as intimate relationships between individuals for whom a power imbalance exists. It also includes the aiding and abetting of prohibited behaviour, retaliation, and abuses of the USCSS investigative process.

– Outlines the process for the resolution of a report, the rights of individuals involved in a matter, and ways in which a report can be resolved.

– Articulates the independent arbitration process through which an abuse or misconduct finding may be appealed through a neutral arbitrator.

While the USCSS adjudicates all reports of sexual abuse and misconduct, it also works in parallel with individuals at NGBs who accept and process certain cases (in accordance with the SafeSport Code) of emotional and physical misconduct on their end.

The SafeSport Code's administrative adjudication process and standards differ from those of U.S. criminal judicial systems in many important ways. This chapter cannot enumerate every difference, but key distinctions include the following:

---

[12] See *https://uscenterforsafesport.org/response-and-resolution/safesport-code/.*

[13] Consent is (a) informed (knowing), (b) voluntary (freely given), and (c) active (not passive). Consent must be demonstrated by clear words or actions, indicating that a person who is legally and functionally competent has indicated permission to engage in mutually agreed-upon sexual activity. Consent to any one form of sexual activity does not automatically imply Consent for any other forms of sexual activity. Previous relationships or prior Consent does not imply Consent to future sexual activity. Once given, Consent can be withdrawn through clear words or actions. Consent cannot be obtained: (a) by force, (b) by taking advantage of the Incapacitation of another, when the person initiating sexual activity knew or reasonably should have known that the other was Incapacitated, (c) from someone who lacks legal capacity, (d) when a Power Imbalance exists. The definition then elaborates further on definitions of Force, Legal Capacity, and Incapacitation.

### *2.1.2 Preponderance of Evidence Standard*

The U.S. judicial system employs a legal standard of "beyond a reasonable doubt" when assessing guilt. This substantial burden of proof is based on a principle that a person is presumed innocent until proven guilty.[14]

In contrast, the USCSS uses a "preponderance of evidence" standard when determining a finding of abuse or misconduct. This means the USCSS must meet the standard of whether an action is more likely to have occurred than not: a lower threshold than "beyond a reasonable doubt". The term "guilt" does not apply to an individual who is found to have committed a violation of the SafeSport Code. This preponderance of evidence standard is commonly used in U.S. civil cases[15] and other administrative settings, particularly in cases of sexual, physical, and emotional misconduct. It also is a topic of frequent misunderstanding for some observers who surmise that the higher evidentiary threshold applies (or should apply) to USCSS.

### *2.1.3 "Due Process" vs. USCSS Process*

A bedrock principle in U.S. jurisprudence, outlined in the U.S. Constitution's Fifth[16] and Fourteenth[17] Amendments, is the notion of *due process*: intended to prevent the government from depriving individuals of life, liberty, or property without appropriate legal procedures. Among other things, due process affords defendants in U.S. criminal cases the right to confront one's accuser: this is frequently done through cross-examination or deposition.

As a nonprofit administrative entity (rather than a federal or state governmental actor), the USCSS faithfully adheres to the statutory requirements of *procedural due process*,[18] in giving all Respondents (as individuals subject to an abuse or misconduct report are called) a written notice of allegation, a right to be represented by counsel, an unbiased decision-maker, and an opportunity to be heard during investigation, among other rights. However, the USCSS does not and need not meet the standard of *substantive due process* commonly used in statutory criminal settings.

### *2.1.4 Lack of Subpoena Power*

In U.S. civil and criminal judicial proceedings, a court has the power to compel an individual to submit testimony or evidence through a formal written court order known as a *subpoena*. Law enforcement agencies querying an individual suspected

[14] See *https://scholarship.law.edu/cgi/viewcontent.cgi?article=1169&context=scholar.*
[15] See *https://justia.com/trials-litigation/lawsuits-and-the-court-process/evidentiary-standards-and-burdens-of-proof/.*
[16] See *https://constitution.congress.gov/browse/essay/amdt5-5-1/ALDE_00013721/.*
[17] See *https://constitution.congress.gov/browse/essay/amdt14-S1-3/ALDE_00013743/.*
[18] See *https://constitution.congress.gov/browse/essay/amdt14-S1-5-1/ALDE_00013747.*

of sexual assault can petition a court (if certain criteria are met) for power of subpoena to require that the individual consent to an interview, court testimony, or provision of documents or physical evidence.

The USCSS has no such power. Though they sometimes can and do refer reports to law enforcement (who then can theoretically pursue subpoena to compel information), the USCSS cannot require an individual to comply with a request for interview, nor to produce documentary or physical evidence. This can inhibit the Response and Resolution team from collecting evidence of an individual's potential culpability or exoneration, and in circumstances of non-response can prolong case timelines.

### *2.1.5 Applicability of Sanctions*

USCSS penalties are distinct from criminal penalties in that while they apply throughout the Movement, they have no legal application beyond USCSS jurisdiction. Because of the diffuseness of U.S. sport systems, enforcement of these sanctions outside the USCSS is variable and inconsistent. Some USCSS-sanctioned individuals do continue their sport participation in other jurisdictions, such as other countries or other sport organisations. While many university sport programmes consider SafeSport sanctions in their hiring decisions, the NCAA does not require them to do so.

However, since the USOPC and NGBs manage all Olympic and Paralympic activities and most organised activities in many sports (particularly those that are less independently commercially viable), a USCSS sanction is a formidable consequence for most competitive athletes, coaches, and others in an Olympic sport.

### *2.1.6 Protections from Retaliation, Interference, and Abuse of Process*

U.S. criminal courts take seriously acts of retaliation against individuals who provide testimony or evidence in a case, interference with investigative activities (such as threatening potential witnesses), and abuse of process (such as tampering with or destroying evidence). Violations of this nature often elicit criminal charges of their own.

Similarly, the USCSS's SafeSport Code also includes stipulations that prohibit a broad range of retaliation and abuse of process activities, articulated on pages 25 and 26 of the Code. Because of the power that NGB decision-makers often can wield over their members – and the power-dynamic inequalities that often contribute to abuse and misconduct – the SafeSport Code prohibitions can extend to acts of discouragement or dissuasion from an NGB leader toward an athlete's pursuit of an abuse claim. Further, the 2020 Empowering Athletes Act explicitly states that the USOPC and NGBs "shall not interfere in, or attempt to influence the outcome of…" a USCSS investigation. The Act further obligates

USCSS to report to Congress, within 72 hours, any actions of the USOPC or a NGB that might constitute an attempt to interfere in or influence a Center investigation.

### *2.2 USCSS Organisational Development and Compliance*

The USCSS Organisational Development and Compliance team ensures that the USOPC and its more than 50 affiliated NGB adhere to consistent and rigorous policies and procedures for preventing and responding to sexual, physical, and emotional abuse and misconduct.

The foundations for this compliance and accountability work are the Minor Athlete Abuse and Prevention Policies (MAAPP),[19] which limit one-on-one interactions between adults and minors, and set standards for training and sport settings that prevent abuse and misconduct.

All Movement organisations and participants must adhere to the MAAPP, just as they must adhere to the SafeSport Code. But while the Code's reporting and sanctions apply only within the Movement, MAAPP policies are framed and recommended for sport and recreational organisations beyond the Movement as well. Some non-Movement organisations have chosen to adopt the MAAPP and its best practises and principles.

Adherence to the MAAPP is formally assessed through annual USCSS audits of the USOPC and each NGB. USCSS has administered two types of audits:[20]

– Administrative audits, which assess an NGB's athlete safety structure and whether its own policies and procedures meet USCSS standards and requirements.
– Event audits, which assess how athlete safety policies and procedures are implemented in settings that range from elite competitions, to grassroots practices, to seasonal camps.

Audit reports are published on the USCSS website to support public transparency. Athlete safety corrective actions required by audits are recorded publicly and followed up by USCSS to promote eventual compliance. NGBs can be subject to various penalties for lack of compliance, including in severe cases decertification by the USOPC. Safeguarding deficiencies were among factors that led to the decertification of USA Skateboarding in 2022.[21]

Some elements of MAAPP guidance represent concepts that are new to many sport stakeholders. For example, the MAAPP prohibits adult participants and minors from being alone one-on-one during practice and competitive activities, at therapeutic visits, in locker rooms, during travel, and in other sport circumstances. It also extends to electronic communication by requiring open and transparent communication related to adult one-on-one email or social media interactions with

[19] See *https://maapp.uscenterforsafesport.org*.
[20] See *https://uscenterforsafesport.org/audit-and-compliance/.*
[21] See *https://espn.com/olympics/story/_/id/34380452/usopc-moves-decertify-usa-skateboarding.*

minor athletes. For instance, a coach would need to include an adult family member on a text thread with a minor athlete to comply with this requirement.

USCSS' Organisational Development and Compliance unit develops resources and communications to help NGBs and their members understand and adhere to MAAPP requirements and athlete safety principles. They also conduct pre-audit site visits to help organisations understand how to comply with audit requirements in event settings. The ultimate goal extends far beyond compliance – it's about empowering NGBs to embrace their responsibility to actively apply preventative policies that maximize safety of environments and forestall opportunities for abuse before they ever arise.

As noted earlier, the USCSS is independent of the USOPC and its NGBs, as underscored in USCSS bylaws, so as to maintain the integrity of investigations and audits. That said, the USCSS also must (and does) build relationships and execute systematic two-way communications with these same parties, so that NGBs can represent and enforce safeguarding principles in ways aligned with the SafeSport Code and the MAAPP. USCSS actively engages in NGB relations and promotes this alignment through trainings, communications, and summits. Each NGB has a primary SafeSport liaison (more on these in section 2.4) responsible for promoting athlete safety regulations and activities on behalf of that sport organisation.

While the USCSS in early years dedicated much attention toward helping central NGB offices and elite athletes understand required safeguarding policies and principles, a more recent imperative and challenge has been working to ensure that NGBs' Local Affiliated Organisations (LAOs) – the clubs and associations that manage the sport's activities closer to grassroots levels – have consistent guidance and policy compliance. Many reports of abuse and misconduct received by the Center originate at the grassroots level of sport. For this reason, the Center has expanded its audits of NGBs to include deeper scrutiny of the lower levels of sport under its oversight.

### *2.3 USCSS Education and Outreach*

The goal of the USCSS is not only to ensure compliance with rules, but to change America's sport culture so that sexual misconduct and harmful traditions (such as hazing and other abuses traditionally purported to promote "toughness" or "cohesion") are abolished, and so that respectful behaviour and positive sport environments become commonplace. Doing so helps inspire children to participate and persist in sport, particularly those who are historically underrepresented in their sport due to exclusionary cultures or practises.

The USCSS' Education and Outreach department produces numerous online training courses[22] and resources to inform sport stakeholders not only what

[22] See *https://uscenterforsafesport.org/training-and-education/safesport-courses-for-all/.*

they must do, but *why* they should do it. Some of these training courses – specifically, the *SafeSport Trained Core* course, and shorter refresher modules to be taken annually – are mandatory for participants in the Movement, and also available for a small fee to anyone who might want to take them.

Other courses are oriented toward select cohorts including athletes, parents, volunteers, health professionals, and those working with athletes with disabilities. Age-appropriate youth courses are available for children beginning at age 5. These courses, and most all education and outreach activities, are oriented not only toward the Movement, but to sport constituents of any jurisdiction. Many of these are available free of charge online. More than 4,800 organisations outside the Movement have offered SafeSport courses to their constituents, and the USCSS markets courses to external entities who pay a fee to take them. These fees alone total approximately $1.4 million in annual revenue for USCSS; it is the most significant year-to-year revenue driver the USCSS can currently influence.

The Education and Outreach department also established a specialized unit in 2024 that focuses on helping parties in USCSS investigations understand what to expect at every stage of the process. This education was developed by subject matter experts in the neurobiology of trauma, theory of learning, and other best practices in education.

SafeSport courses and resources are informed by data and research regarding abuse, youth, and social dynamics, and are reviewed by experts in related fields before they are completed. In particular, they emphasize how inherent power imbalances in sport can affect the prevalence of abuse, and how prior traumas can influence actions and reactions in unexpected ways. They also emphasize ways in which coaches, parents, and administrators can develop positive sport environments to not only reduce the prevalence of abuse, but to instill a child's enthusiasm, comfort and satisfaction with sport. By the end of 2024, 7,420,569 SafeSport® online courses had been delivered to 3,629,621 individuals. The Center is federally mandated to update its education every three years.

### *2.4 Safeguarding Officers at the USOPC and NGBs*

As mentioned earlier, the USOPC and some NGBs had athlete-safety officers before the USCSS was established. Oversight and conflict-of-interest flaws in that governance model were illuminated in circumstances such as the *Nassar* case.

After the USCSS was established, the USOPC and its NGBs were required to designate a Safe Sport liaison (for smaller NGBs, this role may not be their only responsibility). This individual is a primary contact for managing USCSS policy and process compliance at the sport level. Responsibilities of the NGB now include but are not limited to:

– Ensuring that NGBs provide standardized means (by web and phone) for accepting abuse and misconduct reports.

– Ensuring that reports they receive of sexual abuse or misconduct are transferred to USCSS for them to follow up on.

– Ensuring that reports they receive of emotional or physical misconduct, if they choose to adjudicate them themselves (as they may), are resolved in alignment with the SafeSport Code.

– Ensuring that visitors to their website can access the Centralized Disciplinary Database, the SafeSport Code, the MAAPP, and other compulsory USCSS resources and language.

– Ensuring that USCSS sanctions of individuals are adhered to at every level of their organisation.

While the USCSS establishes minimum baselines that the USOPC and NGBs must adhere to, these organisations can and often do implement policy provisions, trainings, and other athlete-safety activities that exceed USCSS standards, reflecting proactive recognition of and support for athlete safeguarding. One NGB chooses to enforce the MAAPP's one-on-one contact requirements not only for adult/minor interactions, but for interactions of individuals of any age. Many NGBs provide guidance that is tailored toward their sport's circumstances, beyond what is outlined in the MAAPP. The USCSS hopes in the future to provide tailored trainings that account for some sport setting and culture variances, but for now these trainings cover all sports in a general fashion.

### *3. State of Play: Athlete Safety Activities in Practise*

Developing this new safeguarding ecosystem for the Movement, with USCSS as its anchor, is aptly captured by the phrase "building the plane while you are flying it." While considerable groundwork, dialogue, and collabouration went into USCSS' genesis and its dynamic with the USOPC and NGBs, its implementation has provoked considerations, including criticisms, both expected and unexpected. This section covers several topics related to the continuing evolution of this dynamic.

#### *3.1 Athlete Engagement*

No safety initiative can be successful without the engagement and perspectives of the very people that the initiative seeks to safeguard. In films such as *Athlete A*, testimony in cases such as Larry Nassar's, and columns for leading news organisations, athletes have expressed their safeguarding imperatives and priorities. Their perspectives suggest both a strong general philosophical alignment between athletes and the USCSS, and also periodic tensions and disagreements as administrators and athletes work to optimize approaches toward ending abuse and misconduct.

Athletes have played an important consultative role to help USCSS policies, practises, and trainings keep athletes at the forefront. The USCSS' Board of Directors has included athletes since the outset, and today at least one-third of the

board (chaired as of 2025 by Paralympic gold medalist April Holmes) must be athletes who have participated at a national level in their sport. A SafeSport Athlete Advisory Team[23] meets regularly and provides critical counsel and ideas to guide USCSS initiatives. In recognition of the need for increased athlete input, the USCSS expanded engagement with athletes and other stakeholders starting in late 2023 as it updated its Code and implemented improvements to its Response and Resolution process.[24]

Just as USCSS wants to hear athlete perspectives on safeguarding operations, they are also deeply invested in hearing athletes' lived experiences related to abuse and misconduct, and in hearing whether they believe athlete safety culture is changing for the better. In 2024, the USCSS published its second Athlete Culture and Climate Survey,[25] with substantial inputs by nearly 4,000 individuals representing 67 sports.

While more than 72% of 2024 Athlete Culture and Climate Survey respondents agreed strongly that sport had a positive impact on their lives, nearly 11% of athletes indicated that they had experienced unwanted sexual contact or sexually explicit behaviours. Only 10.7% of athletes who experienced unwanted sexual behaviour submitted a formal complaint or report. (Notably, more than 30% of surveyed athletes in the Movement had not heard of USCSS before taking the survey.)

### *3.2 Rapid Growth in Report Volume*

The USCSS received roughly 30 monthly reports of abuse or misconduct in 2017, its first year of existence. This report volume has grown dramatically nearly each year since then, and by 2024, monthly reports exceeded 675, an increase of more than 2,200 percent.

This dramatic increase can be seen in a positive light: more survivors are aware of new mechanisms for reporting their abuse or misconduct, and are taking actions to address it and to hold abusers accountable. The Center accepts reports of abuse through an online portal and via telephone during business hours. Anonymous reports are accepted, but anonymity may limit USCSS' ability to investigate and respond to a report.[26] While the USCSS believes this increase in reports shows progress toward sport culture change, evaluating each report and resolving every case in a timely manner has provoked a formidable resourcing challenge.

---

[23] See *https://uscenterforsafesport.org/saat/.*

[24] See *https://uscenterforsafesport.org/wp-content/uploads/2024/04/Process-Improvement-4-5-24.pdf.*

[25] See *https://uscenterforsafesport.org/culture-and-climate-survey/.*

[26] See Report a Concern | U.S. Center for SafeSport at *https://uscenterforsafesport.org/report-a-concern/.*

In the first few years, with report volume far outpacing USCSS staff growth, case backlogs were an issue, with some cases taking multiple years to resolve, frustrating reporters of abuse and others. While the 2020 Empowering Athletes Act stipulated that the USOPC would provide $20 million annually to the USCSS (at least half to be spent on Response and Resolution activities), this funding amount is fixed and unindexed for inflation, even as report volumes continue to increase.

### *3.3 No Statute of Limitations on Sexual Abuse and Misconduct Allegations*

It is important to note that reports of sexual abuse or misconduct made to the USCSS have no statute of limitation, unlike in some criminal contexts, in which allegations cannot be pursued beyond a specified interval.[27] The rationale for USCSS' lack of statute of limitations has been that many sexual abuse survivors may take years or even decades to disclose their experiences, have been pressured or shamed into silence, or may have felt unable to make a report without facing retribution from powerful stakeholders. With no statute of limitations for reports of sexual misconduct, individuals can be held accountable for inappropriate actions occurring during previous times when cultures of silence were more persistent, and no appropriate accountability mechanisms were available.

As a result of this lack of statutory limitation, the USCSS has received reports of incidents that dated back decades. Provoking substantial attention was the case of George Morris, whom the *New York Times* called "the godfather of equestrian sport," and who was permanently banned from participating in U.S. Equestrian Federation activities due to findings of sexual misconduct involving a minor that dated back to the 1970s.[28] This and other circumstances involving equestrian athletes roiled the sport's establishment in the early 2020s,[29] with some feeling that eminent figures were unfairly tarnished for activity occurring nearly 50 years earlier, and others expressing relief that enduring power imbalances in the sport's culture were finally being confronted.

Investigating cases involving historic allegations often proves challenging as the SafeSport Code was not in effect until 2017 and cannot be applied retroactively, there may not have been policies or community standards in place at the time of the alleged misconduct that can be applied today, and evidence from years ago may be limited and difficult to obtain.

---

[27] See *https://justice.gov/archives/jm/criminal-resource-manual-649-statute-limitations-defenses.*
[28] See *https://nytimes.com/2019/11/19/sports/George-Morris-sexual-abuse.html.*
[29] See *https://horseillustrated.com/safesport-equestrian-sports.*

### *3.4 Refining Categories of Case Closure*

While annual abuse and misconduct report volumes now exceed 8,000,[30] this does not equate to 8,000+ annual cases that are resolved with conclusive findings of violation or no violation. A high proportion of cases have been closed, held, or transferred back to NGBs for various administrative reasons, such as inappropriate jurisdiction, multiple similar allegations being merged into a single case, insufficient information, lack of victim participation, or otherwise.

This has led to public concerns about shortage of transparency or opacity of USCSS processes. In 2024, USCSS began to redefine and categorize these case closures in more nuanced and transparent fashion,[31] in balance with process integrity and appropriate discretion related to sensitive information.

### *3.5 Who Exactly is a Participant in "the Movement?"*

USCSS fundamentally has jurisdiction over individuals associated with the U.S Olympic and Paralympic Movement. However, NGB membership rosters alone do not neatly define who is subject to USCSS oversight and mandatory training requirements.

According to the MAAPP, an Adult Participant is anyone 18 years or older who is:

1) A member or license holder of an NGB, LAO or USOPC,
2) An employee or board member of an NGB, LAO, or USOPC,
3) Within the governance or disciplinary jurisdiction of an NGB, LAO, or USOPC,
4) Authorized, approved, or appointed by an NGB, LAO, or USOPC to have regular contact with or authority over minor athletes.

Who qualifies as under "governance or disciplinary jurisdiction" is determined by individual NGBs and varies by each sport. It has at times been a challenge for the USCSS to confirm jurisdiction over an individual, as there is no universal membership database or system, and the USCSS is entirely reliant on the NGB to make each determination.

NGBs have varying structures related to membership and personnel. For instance, certain individuals – therapists and volunteers at NGB-sanctioned events, children at small-town swim meets far removed from Olympic glory, may be subject to USOPC requirements and USCSS oversight, even if they do not self-identify as part of the "Olympic Movement." Meanwhile, some athletes under age 18 who have won Olympic medals may not be required to take SafeSport training if they do not have regular contact with or authority over minor athletes.

[30] 8,090 in 2024, according to 2024 Annual Report | U.S. Center for SafeSport at *https://uscenterforsafesport.org/2024-annual-report/*.
[31] See *https://uscenterforsafesport.org/process-improvements/*.

Many individuals meet these criteria for some portions of their careers, yet do not for other portions.

This question of jurisdiction highlights inherent difficulties due to the diffuseness of U.S. sporting structures, and due to federal legislation being applied to certain jurisdictions, yet not others, in order to address a universal problem. This jurisdictional consideration can lead to administrative and communications challenges, as well as public misunderstandings about who is and is not subject to USCSS policies.

### *4. The Road Ahead for Athlete Safeguarding in the U.S.*

As the USCSS continues to evolve to best serve its federal mandates and safeguarding mission, so too do conditions evolve across sport, as does public regard for safeguarding imperatives, as does the federal governmental landscape. This section outlines some recent factors that may impact athlete safeguarding in the U.S. in the years ahead.

#### *4.1 2024 Congressional Commission Report*

As mentioned earlier, U.S. Congress designated a commission to study issues surrounding the Olympic and Paralympic Movement, including safeguarding. The Commission's 2024 report, *Passing the Torch: Modernizing Olympic, Paralympic, and Grassroots Sports in America*,[32] delivered on this mandate to outline numerous findings and recommendations, including several that relate to athlete safeguarding.

The report asserted that USCSS had lost the trust of many athletes, though some reasons cited (such as heavy case backlog) were largely beyond USCSS control. One issue in particular – the appearance of conflict of interest with the USOPC because of its requirement to pay the USCSS $20 million annually to fund its operations – would in fact be impossible to resolve without alternative sources of funding. The USCSS disputes the notion of a conflict, as this funding is mandated by federal law[33] and the USOPC cannot base the funding on any desired outcome. Additionally, the USCSS conducts annual audits of all NGBs, including the USOPC, for compliance with USCSS policies and procedures, further solidifying its independence.

The report suggests a broad desire among stakeholders to see USCSS strengthened, and that with proper reforms and support from Congress it should be successful in the future and should reinvigorate the trust of athletes. It also asserted that the USOPC's dual mandates – to develop a high-performance talent pipeline and to grow sport at youth and grassroots levels – were at odds with each

[32] See *https://csusop.org* for final report.

[33] Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020, Pub. L. No. 116–189, 134 Stat. 943. Available at *https://congress.gov/bill/116th-congress/senate-bill/2330/text.*

other, and in practise have led too often to the prioritization of money and medals over athlete welfare.

Several recommendations in the report would, if implemented, have some impact on safeguarding and organisations' ability to support it. The report most directly fixated on safeguarding in Recommendation #3 that stated, "Congress should reform certain USCSS practises and reimagine how USCSS operates at the youth and grassroots level".

That recommendation touched upon several issues discussed previously in this chapter, including coordination with the NCAA to prevent sanctioned individuals from finding safe haven in college sports, and alternate ways to handle cases at youth and grassroots levels. The recommendation began with the phrase "Congress must ensure that USCSS has the resources it needs to clear its growing case backlog and no longer has a financial incentive to dismiss cases administratively." It also critiqued the USOPC's processes for determining how each NGB should contribute to its required $20 million annual distribution to USCSS.

By the time the report was published, the USCSS already had been working to implement its own process improvements informed by athletes and other stakeholders, including more transparent reporting of data and broadening the use of trauma-informed approaches in investigations and constituent communications. However, many report findings would require Congressional action to effectively implement.

Reform of the USCSS' funding mechanism would arguably have the strongest impact on the organization's financial independence and report-resolution capacity constraints. Whether additional funds continue to come through the USOPC, as mandated by statute, or directly from Congressional appropriations, the USCSS has made clear its need for additional funds for three key reasons: 1) the required annual funding from the USOPC is fixed and unindexed for inflation; 2) report volume continues to grow year-over-year; and 3) the number of participants within NGBs is growing, while new governing bodies and sports – such as USA Football – are slated to join the Movement, bringing an unknown number of additional participants under USCSS jurisdiction.

In December 2024, a congressional bill[34] was introduced that would have had the federal government allocate $10 million in restricted grant funding (in addition to the USOPC's current $20 million in funding) to the USCSS under certain stipulations.

This proposal has not made measurable progress toward becoming law as of this writing, and no further federal legislation has been proposed to address funding nor other report recommendations. Meanwhile, federal priorities sharply shifted following the 2024 presidential election, with apparent de-emphasis on federal spending toward many U.S. social programmes, leaving the near-term likelihood of substantive federal legislation to remain an open question.

[34] See *https://ross.house.gov/2024/12/u-s-center-for-safesport-added-funding-of-10-million-and-faster-decisions-proposed-in-reform-bill-introduced-in-u-s-house.*

In 2024, the Center built out a development team for the first time to help increase philanthropic support as an additional revenue source.

### *4.2 Accountability Enhanced by Independent Oversight*

Since the USCSS stood up the Centralized Disciplinary Database in 2017, it has grown to incorporate more than 2,400 individuals who have been restricted from sport in some fashion, thereby reducing threat and risk for millions of American athletes. And the breadth of associated safeguarding systems have led to substantive increases in accountability across the Movement, yielding benefits that have outweighed the challenges inherent in developing a new framework for athlete safety.

Many NGBs have made significant strides toward prioritizing athlete safety and shifting culture within their own sports. Some U.S. Olympic and Paralympic Movement participants and observers have even raised periodic questions over the years about why an independent athlete safety arbiter is necessary, when many NGBs are capable of significant safeguarding operations under their own management. One strong response to this question relates to the very fact that they *are* under NGBs' own management. Safeguarding and accountability lapses have occurred at high levels within NGBs, affirming skepticism about whether these organisations can police themselves. In one case, a CEO was suspended by the USCSS for five years in 2024 for interference and retaliation in the reporting of a case of sexual misconduct. Additionally, the USCSS continually hears from athletes who say they fear retribution for making reports directly to the NGBs that have control over their athletic careers, and who believe an independent body is a necessary safeguard from retaliation. Meanwhile, parents, athletes, and others in sport communities now can have greater confidence that leaders in sport face increased scrutiny and accountability as a result of the existence of USCSS.

## *Conclusions*

The United States has been at the international vanguard of athlete safeguarding, having established a robust administrative framework for responding to reports of athlete abuse and misconduct, for increasing the accountability of sport organizations governing millions of athletes, and for growing public support for safeguarding imperatives. The USCSS' enshrinement in federal law gives it an important measure of authority, jurisdictional scope, and notional stability. Growing pains aside, the USCSS is now well enough established and respected to effectively carry forward its safeguarding activities, grow in recognition and influence across the U.S. Olympic and Paralympic Movement, and be a workable model for other nations and non-Olympic sporting organisations to replicate.

This positive momentum should increase as appropriate behaviors and risk mitigations further permeate America's fields, courts, pool, and tracks, and as fundamental values of safety and mutual respect are broadly instilled across sport settings, regardless of the competitive stakes. U.S. sport is not a monoculture: some of its most popular and powerful organisations remain beyond USCSS jurisdiction, including the National Football League, the National Basketball Association, NASCAR, the NCAA, and the Ultimate Fighting Championship, as well a vast decentralized network of local recreation entities. More work and collaboration across American society will be crucial to fully realising a sport ecosystem in which every athlete, to echo the vision of the USCSS, feels safe, supported, and strengthened.

# PART III

## *TOWARDS A MORE CULTURAL ORIENTED SAFEGUARDING POLICY*

# CREATING A PSYCHOLOGICAL SAFETY NET: THE IMPORTANCE OF PSYCHOLOGICAL SAFETY FOR SAFEGUARDING AND MENTAL HEALTH

by *Erin Prior*,[*] *Thayz Carina Sousa de Figueiredo*[**] and *Daniel J. A. Rhind*[***]

SUMMARY: 1. Introduction – 2. What is Psychological Safety? – 3. Psychological Safety in Sport – 4. Psychological Safety and Safeguarding in Sport – 5. Psychological Safety and Mental Health in Sport – 6. Case Study – Where Do You Draw the Line? – 7. Applied Recommendations – 8. Conclusion

## 1. INTRODUCTION

A series of high-profile cases, investigations, and empirical evidence has powerfully illustrated the impact for athletes of an environment which lacks psychological safety.[1-2] For example, allegations related to British Gymnastics described a toxic culture characterized by fear. One gymnast explained:

> '*Mental and physical abuse was entirely the norm. Our coach mimicked the most extreme abuse as if it were a training method. We were taught to be more scared of our coach than of the skill we were attempting and that that was the only way to achieve it*'.[3]

---

[*] Erin Prior is a Lecturer in Psychology at Loughborough University (UK) and a practicing sport psychologist. Erin's research focuses on athlete mental health and illness and mental health service provision within elite sport settings.

[**] Thayz C. S. de Figueiredo is a Doctoral Researcher at Loughborough University (UK) and a sport psychologist for the Brazilian National Sport Climbing Team. Her research focuses on safeguarding and mental health in elite women's sport.

[***] Daniel Rhind is a Professor of Safeguarding at Loughborough University (UK), he is a member of Safe Sport International's Research Group, and his research underpins the International Safeguards for Children and Adults in Sport.

The views expressed in this article are solely those of the authors and do not reflect the position of any affiliated institution and association.

[1] E. J. KAVANAGH, D. LOCK, A. ADAMS, C. STEWART, J. CLELLAND, *Managing abuse in sport: An introduction to the special issue*, Sport Management Review, 2020, 21, 1-7, available at *https://doi.org/10.1016/j.smr.2019.12.002*.

[2] A. PHELPS, J. KELLY, S. LANCASTER, J. MEHRZAD, A. PANTER, *Report of the independent review panel into the climate and culture of the world class programme in British cycling. UK Sport*, 2017.

[3] SKY SPORTS NEWS. *British Gymnastics: Claims athletes were beaten into submission amid culture of fear.* 2020. Available at *https://www.skysports.com/olympics/news/15234/12022573/british-gymnastics-claims-athletes-beaten-into-submission-amid-culture-of-fear*.

This was also identified as a key issue within grey literature focusing on athlete welfare, stating: '*recent media reports and anecdotal evidence from across a range of sports has led to questions about whether welfare and safety really are being given the priority they deserve in elite sport. At a time of success for British sport in terms of medals, championships, and profile, this raises challenging questions about whether the current balance between welfare and winning is right and what we are prepared to accept as a nation*'.[4]

Fundamentally, the report emphasised that "*putting people – their safety, wellbeing and welfare – at the centre of what sport does*" is what is required to ensure that sports organisations fulfil their duty of care.[5] A critical aspect of this philosophy is the creation and maintenance of environments characterised by psychological safety. This leads to questions regarding how we can conceptualise psychological safety, what this means in the context of sport and how it is associated with other key topics, including safeguarding and mental health. This chapter will address these issues and make recommendations to inform research, policy and practice.

## 2. *What is Psychological Safety?*

The term *psychological safety* was first defined as "*a shared belief by members of a team that the team is safe for interpersonal risk taking*".[6] Later this definition was expanded, describing psychological safety as "*a belief that neither the formal nor informal consequences of interpersonal risks, like asking for help or admitting a failure, will be punitive*".[7] In other words, in psychologically safe environments, individuals feel confident that their vulnerability, such as making a mistake, asking for help, or disagreeing with others, will not result in negative judgment, social exclusion, or punishment.

Rooted in organisational psychology, the concept of psychological safety was originally developed to understand team dynamics in professional and corporate settings. It has since become a central component in discussions about effective teamwork, leadership, learning, and innovation across a wide range of group environments and has been further conceptualised as a multifaceted construct involving trust, mutual respect, and the absence of interpersonal threat or harm, including the promotion of risk taking behaviours, positive interpersonal relationships, and supportive emotional climates, all of which help individuals feel comfortable being themselves and engaging fully in collaborative settings.[8]

---

[4] T. Grey-Thompson, *Duty of Care in Sport: Independent Report to Government. HMSO, 2017,* Accessed at *https://www.gov.uk/government/publications/duty-of-care-in-sport-review*.

[5] Ibid., 5.

[6] A. Edmondson, *Psychological safety and learning behavior in work teams. Adm Sci* Q.;44(2)1999, 350–83.

[7] A. Edmondson, *The fearless organization: creating psychological safety in the workplace for learning, innovation, and growth.* Wiley, 2018.

[8] C. Bean, M. Harlow, A. Mosher, J. Fraser-Thomas, T. Forneris, *Assessing differences in athlete-reported outcomes between high and low-quality youth sport programs. Journal of Applied Sport*

The following model outlines the progressive development of psychological safety across four stages.[9]

1. Inclusion Safety – Individuals feel accepted as part of the group. They are comfortable being present, do not fear exclusion, and have a sense that their presence is acknowledged and appreciated.

2. Learner Safety – Individuals feel able to engage in the learning process by asking questions, seeking feedback, and admitting mistakes. There is confidence that such actions will not lead to negative judgment, allowing space for experimentation and growth.

3. Contributor Safety – Individuals feel safe to offer their own ideas and perspectives. Although sharing personal input can involve vulnerability, especially in group settings, they trust that their contributions will be heard and treated with respect.

4. Challenger Safety – Individuals feel confident to question or challenge existing practices, including those proposed by authority figures. They can raise concerns or suggest alternative approaches without fear of backlash or social penalty.

This layered framework highlights that psychological safety is not a static condition, but a dynamic and relational climate. It is increasingly recognised as essential for learning, innovation, inclusion, and well-being across a wide range of performance settings.

### *3. Psychological Safety in Sport*

Growing attention has been given to psychological safety in sporting environments. Sport shares many of the relational and structural dynamics found in corporate and institutional settings, such as teamwork, leadership hierarchies, and goal-oriented pressure, but also presents unique challenges. The visibility of performance outcomes, intense competition for selection, and enduring cultural norms around toughness and resilience create an atmosphere in which psychological safety may be fragile, yet critically important.

Within sport, psychological safety has been defined in multiple ways. A sport-specific working definition describes it as "*the perception that one is protected from, or unlikely to be at risk of, psychological harm within the sport environment*".[10] In this context, psychological safety refers to an atmosphere

*Psychology*, 30(4),2018, 456–472. Available at *https://doi.org/10.1080/10413200.2017.1413019*. A. Newman, R. Donohue, N. Eva, *Psychological safety: A systematic review of the literature. Human Resource Management Review*, 27(3), 2017, 521–535. Available at *https://doi.org/10.1016/j.hrmr.2017. 01.001.*

[9] T. R. Clark, *The 4 stages of psychological safety: defining the path to inclusion and innovation*. San Francisco: Berrett-Koehler Publishers, 2020.

[10] S.A. Vella, E. Mayland, M. J. Schweickle, J. T. Sutcliffe, D. Mcewan & C. Swann, *Psychological safety in sport: a systematic review and concept analysis*, *International Review of Sport and Exercise Psychology*, 17:1, 2024, 516-539. doi: 10.1080/1750984X.2022.2028306.

in which athletes feel able to speak up, share information, or acknowledge mistakes without fear of embarrassment, punishment, or exclusion. A psychologically safe environment is seen as essential for personal development, mental health, motivation, and team effectiveness, and can be supported by factors such as supportive coaching behaviours, positive interpersonal relationships, and a strong sense of belonging.[11]

## *4. Psychological safety and safeguarding in sport*

The concept of psychological safety can come under the broader umbrella concept of safe sport, which is defined as "*an athletic environment that is respectful, equitable, and free from all forms of non-accidental violence to athletes*".[12] As a result, safeguarding as an approach can provide helpful frameworks and models to inform how psychological safety can be facilitated. For example, the International Safeguards for Children and Adults in Sport[13-14] are comprised of 8 key safeguarding strategies. Their potential role in creating and maintaining psychologically safe environments are outlined in Table 1.

[11] C. Bean & T. Forneris, *Examining the importance of intentionally structuring the youth sport context to facilitate positive youth development*. *Journal of Applied Sport Psychology*, 28 (4), 2016, 410–425. Available at *https://doi.org/10.1080/10413200.2016.1164764*, L. Strachan, J. Côté & J. Deakin, *"Specializers" versus "samplers" in youth sport: Comparing experiences and outcomes*. *The Sport Psychologist*, 23(1), 2009, 77–92. Available at *https://doi.org/10.1123/tsp.23.1. 77*/.

[12] M. Mountjoy, D. J. A. Rhind, A. Tiivas, & M. Leglise, *Safeguarding the child athlete in sport: A review, a framework and recommendations for the IOC youth athlete development model*. *British Journal of Sports Medicine, 49*, 2015, 883-886, available at http://dx.doi.org/10.1136/bjsports-2015-094619.

[13] D.J.A. Rhind & F. Owusu-Sekyere, *International Safeguards for Children in Sport: Developing and embedding a safeguarding culture*. London: Routledge. 2020.

[14] D.J.A. Rhind & F. Owusu-Sekyere, *Evaluating the impacts of working towards the International Safeguards for Children in Sport*. *Sport Management Review, 23,* 2019, 104-116.

Table 1: Applying the International Safeguards to facilitate psychological safety

| Safeguard | Description | Facilitating Psychological Safety |
|---|---|---|
| 1. Developing Your Policy | Any organisation providing or with responsibility for sports activities should have a safeguarding policy. This is a statement of intent that demonstrates a commitment to safeguard all participants from harm and provides the framework within which procedures are developed. | The policy should clearly define psychological safety as well as other related terms, such as harassment or abuse. The policy should explain why psychological safety is important and how it is aligned with the vision, mission and values of the organisation. |
| 2. Procedures for Responding to Safeguarding Concerns | Procedures describe the operational processes required to implement organisational policy and provide clear step-by-step guidance for each stage of the safeguarding process, from recognition and reporting through to responding and remedy. They clarify roles and responsibilities, and lines of communication. | Psychological safety may be facilitated by people knowing that effective procedures are in place and that they have been, or would be, applied effectively. |
| 3. Advice and Support | Arrangements made to provide essential information and support to those responsible for safeguarding within an organisation. Everyone is advised on where to access help and support. | This advice and support should cover the concept of psychological safety, what it means and how it can be facilitated in the given setting. |
| 4. Minimising Risks | This concerns the processes which are in place to identify, assess and mitigate any risks to athlete well-being. | These processes should include considerations of any risks to psychological safety. This may include factors related to individuals, relationships, groups or communities which could be associated with lower levels of psychological safety. |
| 5. Guidelines for Behaviour | Codes of conduct to describe what an acceptable standard of behaviour is and promote current best practice. | These guidelines should identify behaviours which help to facilitate psychological safety. |
| 6. Recruiting, Training and Communicating | Recruiting appropriate members of staff, creating opportunities to develop and maintain the necessary skills and communicating regarding safeguarding. | Everyone has a role to play to facilitate psychological safety. This could be considered within recruitment procedures as well as through on-going communication and training which is tailored to a person's role. They can only do so confidently and effectively if they are aware, have the necessary understanding of, and the opportunity to develop, practice and implement key skills. |
| 7. Working with Partners | Action taken by the organisation to influence and promote the adoption and implementation of safeguarding measures by partner organisations. | Where organisational partnership, membership, funding or commissioning relationships exist or develop with other organisations, the organisation should use its influence to promote the implementation of measures to facilitate psychological safety across this network. |
| 8. Monitoring and Evaluating | This concerns the on-going collation, analysis and interpretation of data related to safe sport. | Measures could be implemented to assess people's experiences of psychological safety within an organisation, identify any influencing factors and enable the tracking of progress over time. |

These eight International Safeguards provide strategies that organisations can use to facilitate psychologically safe environments. It is important to emphasise, however, that safe sport is broader than a set of independent actions. Instead, these safeguards should interact to create a safeguarding culture. The Safeguarding Culture Model is comprised of three core influencing factors: the Safety Management System, Stakeholder Engagement and Leadership Commitment.[15]

The Safety Management System relates to the structural environment within an organisation and could include the policies, procedures and systems related to safety. It could also relate to communication channels and the approach to risk assessment and the monitoring of safeguarding within the organisation (e.g., case management, whether people have appropriate training, background checks etc.). All these Safety Management systems should also consider issues related to psychological safety. In other words, does the policy cover psychological safety, are threats to psychological safety managed effectively by the procedures and are the levels of psychological safety effectively monitored across the organisation?

The second factor concerns engaging stakeholders. This refers to all activities through which stakeholders can engage with the safeguarding culture. This could be through consultations to inform the development, implementation and evaluation of safeguarding strategies. It is also indicated by the extent to which people feel equipped and able to speak up when they do have a concern. With reference to psychological safety in particular, an organisation can engage with stakeholders to understand their experiences and perspectives to co-produce shared strategies. For example, asking people what makes them feel psychologically safe or unsafe and coming to a shared agreement regarding which strategies should be put in place. This can facilitate a sense of ownership, and buy-in which ensures that stakeholders can be more supportive when a safeguard is being implemented.

The third influencing factor is leadership commitment. Leaders can demonstrate their commitment to creating environments in which people feel psychologically safe in a variety of ways. For example, it could be through how much time and resource they invest into roles and strategies to promote psychological safety. Additionally, how they and the system rewards or punishes certain behaviours aligned to creating safe sport. Are people rewarded if those around them are experiencing psychological safety or are rewards based on other driving factors? How does a leader respond to concerns raised about the environment? What does this tell us about their genuine priorities? Leaders' commitment can also be seen through their own behaviours, such as in the extent to which they facilitate psychological safety amongst those with whom they work.

These influencing factors are then shaped by a diverse array of other contextual factors. Internal factors can be related to the type of sport, the physical context, the funding environment and the mission and vision of the organisation.

[15] F. Owusu-Sekyere, D. J. A. Rhind & L. Hills, *Safeguarding Culture: Towards a new approach to preventing child maltreatment in sport. Sport Management review,* 2021, 1-23.

External factors could include relevant legislation, language, social norms and the influence of other organisations such as governing bodies, sponsors or the media. As such, to effectively foster a psychologically safe environment, it is important to adopt a holistic approach so that all stakeholders are working towards this common goal.

## 5. PSYCHOLOGICAL SAFETY AND MENTAL HEALTH IN SPORT

Elite athletes are as likely – and sometimes more likely – than the general population to experience mental health concerns,[16] with coaches and support staff also increasingly recognised as at risk for developing mental health issues.[17] In addition to structural factors (e.g., performance pressures, financial insecurity), relational dynamics and cultures within elite sport contexts must be considered in the development of such mental health issues.[18] Thus, supporting mental health in sport must move beyond the individual and examine broader socioecological factors contributing to the development and/or maintenance of mental health concerns.[19] In contemplating a socioecological approach to supporting mental health, sport psychology literature has turned to the concept of psychological safety, highlighting its importance in both reducing the likelihood of mental health issues and supporting those with existing mental health concerns.[20]

Psychological safety is considered an environmental protective factor for mental ill health.[21] However, elite sport's tendency for a "*win-at-all-costs*"

---

[16] M. MARTINSEN & J. SUNDGOT-BORGEN, *Higher prevalence of eating disorders among adolescent elite athletes than controls*. *Medicine & Science in Sports & Exercise*, *45*(6), 2013, 1188-1197. M. K. TORSTVEIT, J. H. ROSENVINGE & J. SUNDGOT BORGEN, *Prevalence of eating disorders and the predictive power of risk models in female elite athletes: a controlled study*. *Scandinavian journal of medicine & science in sports*, *18*(1), 2008, 108-118.

[17] V. PILKINGTON, S.M. RICE, C.C. WALTON, K. GWYTHER, L. OLIVE, M. BUTTERWORTH, & R. PURCELL, *Prevalence and correlates of mental health symptoms and well-being among elite sport coaches and high-performance support staff*. *Sports medicine-open*, *8*(1), 2022, 89. C. ÅKESDOTTER, G. KENTTÄ, S. ELORANTA, A. HÄKANSSON & J. FRANCK, *Prevalence and comorbidity of psychiatric disorders among treatment-seeking elite athletes and high performance coaches*, *BMJ Open Sport & Exercise Medicine*, *8*(1), 2022.

[18] N.B. FEDDERSEN, R. MORRIS, M. A. LITTLEWOOD, & D.J. RICHARDSON, *The emergence and perpetuation of a destructive culture in an elite sport in the United Kingdom*. *Sport in Society*, *23*(6), 2020, 1004-1022.

[19] A. KÜTTEL & C. H. LARSEN, *Factors affecting elite athletes' mental health: A systematic review*. In *15th European congress of sport & Exercise psychology (FEPSAC)*, 2019. R. PURCELL, V. PILKINGTON, S. CARBERRY, D. REID, K. GWYTHER, K. HALL & S. RICE, *An evidence-informed framework to promote mental wellbeing in elite sport*. *Frontiers in Psychology*, *13*, 2022, 780359.

[20] K. HENRIKSEN, R. SCHINKE, K. MOESCH, S. MCCANN, W. D. PARHAM, C. H. LARSEN & P. TERRY, *Consensus statement on improving the mental health of high-performance athletes*. *International journal of sport and exercise psychology*, *18*(5), 2020, 553-560.

[21] S. RICE, C. C. WALTON, V. PILKINGTON, K. GWYTHER, L. S. OLIVE, M. LLOYD, & R. PURCELL, *Psychological safety in elite sport settings: a psychometric study of the Sport Psychological Safety Inventory*. *BMJ open sport & exercise medicine*, *8*(2), 2022.

mentality can contribute to environments where psychological safety is absent and mental health is compromised. Athletes in these settings often "*wear a mask*" to hide vulnerability, driven by the social expectation that mental toughness and self-sufficiency equate to athletic competence and that these traits are incompatible with mental health challenges.[22] Low perceived psychological safety means athletes in high-performance contexts are often concerned that speaking openly about mental health issues may lead to negative career-related repercussions (e.g., deselection) and being judged as lacking in mental toughness.[23] Thus, athletes are discouraged from seeking help for their mental health concerns, limiting their access to social and professional support.[24] This contributes to a cycle of unaddressed mental health difficulties, often exacerbated by isolation, internalised stigma, and performance pressure.[25]

Elite sport presents clear markers for success or failure, with the latter presenting the potential for judgement from others, deselection, and (social) media scrutiny.[26] These features of elite sport may threaten psychological safety for some and detrimentally impact their mental health. However, these sport-related stressors are somewhat unavoidable. Thus, there is a need for a nuanced understanding of how psychological safety can be promoted in the face of the realities of the elite sport environment. Leaders in sport should work collaboratively with sport psychologists and other support staff to consider how to create an environment that offers high levels of support so individuals can manage high levels of challenge. Alongside this, there must be a commitment to normalising and supporting the mental health needs of both staff and athletes. It is important to emphasise that creating a psychologically safe environment is not striving to remove all challenge. Rather it is ensuring appropriate support is in place, with athletes and staff able to show up authentically and seek help when necessary.

## 6. *Case Study – Where do you draw the line?*

In high-performance sport, the line between discipline and mistreatment can sometimes become blurred. The following first-person account from a young athlete

[22] C.C. Walton, R. Purcell, V. Pilkington, K. Hall, G. Kenttä, S. Vella & S.M. Rice, *Psychological safety for mental health in elite sport: A theoretically informed model*. *Sports medicine*, *54*(3), 2024, 557-564.

[23] S. Rice, C.C. Walton, V. Pilkington, K. Gwyther, L.S. Olive, M. Lloyd, & R. Purcell, *Psychological safety in elite sport settings: a psychometric study of the Sport Psychological Safety Inventory*. *BMJ open sport & exercise medicine*, *8*(2), 2022. K.L. Crawford, B. Wilson, L. Hurd & M. R. Beauchamp, *Reaching out: help-seeking among professional male ice hockey athletes*. *Qualitative Research in Sport, Exercise and Health*, *15*(3), 2023, 364-381.

[24] P.W. Corrigan & D. Rao, *On the self-stigma of mental illness: Stages, disclosure, and strategies for change*. *The Canadian Journal of Psychiatry*, *57*(8), 2012, 464-469.

[25] C.C. Walton, R. Purcell, V. Pilkington, K. Hall, G. Kenttä, S. Vella & S.M. Rice, *Psychological safety for mental health in elite sport: A theoretically informed model*. *Sports medicine*, *54*(3), 2024, 557-564.

[26] Ibid.

invites us to reflect critically on the role of the coach and the impact of their behaviour on athlete well-being.[27]

Amy, aged 14:

'*I started swimming when I was 4 and absolutely loved it, I was a natural. Now, I train twice a day, 6 days a week and swimming is my only passion. My local swimming club is home to one of the best national coaches in the country, so I know how lucky I am to be part of her [coach] team. Regularly, she can be completely crazy and will order me to get out of 'her practice' for no reason at all. Her voice completely changes when she shouts, it's got such a scary tone. She is really unpredictable, so I never know what to expect. Sometimes, she will single me out and tell the other swimmers my faults. It's so embarrassing, and it makes me feel like I'm not as good as everyone else and that I don't deserve to be there. Her criticisms are really negative and sometimes pretty spiteful, and she very rarely explains what she has said. I can never talk to her about it after the session because she will think I am questioning her knowledge as a coach, and I don't want that. I just won the national junior championships with a personal best time and so I know that she is a great coach*'.

Having read the case study, reflect on the following questions and suggested reflections:

– *Is the coach's behaviour acceptable?*

There are several examples of behaviours which could be viewed as unacceptable. These include 'regularly, she can be completely crazy and will order me to get out of 'her practice' for no reason at all', and 'her criticisms are really negative and sometimes pretty spiteful, and she very rarely explains what she has said'. Psychological safety is defined as 'the perception that one is protected from, or unlikely to be at risk of, psychological harm within the sport environment'.[28] Based on the information in this case study, it would suggest that the environment is not psychologically safe for Amy.

– *Is it having an impact on performance?*

The case indicates that the coach has a very good reputation as she is 'one of the best national coaches in the country'. Amy also says, 'I just won the national junior championships with a personal best time and so I know that she is a great coach'. However, it is very important to avoid making causal inferences and thus assuming that the coach's behaviours have resulted in the elite performance. Indeed, the elite performance may well be despite the psychologically unsafe environment and the coach's behaviours rather than because of them.

---

[27] M. Gervis, D.J.A. Rhind & A. Luzar, *Factors influencing perceptions of emotional abuse in the coach-child athlete relationship*. *International Journal of Sports Science and Coaching, 11*, 2016, 772-779.

[28] S.A. Vella, E. Mayland, M.J. Schweickle, J.T. Sutcliffe, D. Mcewan & C. Swann. *Psychological safety in sport: a systematic review and concept analysis*, *International Review of Sport and Exercise Psychology*, 17:1, 2024, 516-539. doi: 10.1080/1750984X.2022.2028306.

*– Is it having an impact on the athlete's wellbeing?*
Amy describes how the coach's behaviour is scary, unpredictable, and spiteful. This is likely to create a psychologically unsafe environment which could jeopardise Amy's well-being and mental health.
*– Would your answers be different if we changed the age of the athlete? (e.g., 8, 18 or 28) or the competitive level (e.g., recreational, regional, or Olympic)?*
Research suggests that certain behaviours are viewed as being more acceptable for athletes performing at higher competitive levels.[29] However, all athletes deserve psychologically safe environments, irrespective of their age or competitive level.

## 7. *Applied Recommendations*

The IOC consensus statement on interpersonal violence and safeguarding in sport[30] proposed five recommendations for creating safe sport. These provide a useful framework when considering how to promote psychological safety:

1. Address safe sport as everybody's responsibility – everyone has a role to help create psychologically safe environments and it is not solely the role of a Safeguarding Officer, coach or athlete.
2. Recognise that safe sport is for all within the sports ecosystem – everyone should feel psychologically safe regardless of their role, personal characteristics, or competitive level.
3. Encourage awareness, adoption and implementation of current scientific knowledge on safeguarding in sport – bridge the gap between empirical evidence and practice such that evidence-based strategies for creating psychologically safe environments are effectively disseminated and embedded within education programmes.
4. Encourage sport that is athlete-centred, emphasising mutual care and respect – adopt a trauma-informed approach to practice and create cultures in which athletes are empowered to have a voice which is heard and acted upon.
5. Outreach to unheard voices and integrate global perspectives into safe sport – engage with diverse settings and perspectives to deepen our collective understanding of psychological safety in sport.

Additionally, we present our own recommendations based on mental health literature:

---

[29] M. Gervis, D. J. A. Rhind & A. Luzar, *Factors influencing perceptions of emotional abuse in the coach-child athlete relationship*. *International Journal of Sports Science and Coaching*, *11*, 2016, 772-779.

[30] Y.A. Tuakli-Wosornu, K. Burrows, K. Fasting, M. Hartill, K. Hodge, K. Kaufman, E. Kavanagh, S.L. Kirby, J.G. Macleod, M. Mountjoy, S. Parent, M. Tak, T. Vertommen & D.J.A. Rhind, *IOC consensus statement: interpersonal violence and safeguarding in sport*. British Journal of Sports Medicine.58 (22), 2024, 1322-1344. DOI:10.1136/bjsports-2024-108766, available at *https://hdl.handle.net/2134/28233782.*

– Key stakeholders should seek opportunities to improve their mental health literacy to help reduce stigma, normalise mental health issues, and increase confidence and intentions to help others.[31]

– Leaders must allocate appropriate time and funding to the development of sporting staff, equipping them to deal with disclosures of mental health concerns.[32]

– Psychological safety is reinforced by easy access to mental health support and appropriate and supportive responses to disclosures. Sporting organisations should develop systems and environments that support safe, confidential disclosures and effective management of mental health difficulties.[33]

## *8. Conclusion*

This chapter has considered the concept of psychological safety, what this means for sport and how it relates to safeguarding and mental health. Creating sporting contexts which promote psychological safety is likely to facilitate the achievement of many of the other goals which are targeted in sport. Whether the focus is on improving performance, facilitating athletic development or growing participation numbers and preventing drop-out from sport, psychological safety may well prove to be the gateway through which all these goals can be realised. Through ensuring that everyone feels included and able to learn, contribute and challenge, we can create an environment which represents a psychological safety net for everyone.

Psychological safety is a foundational element for wellbeing, learning, and performance in sport. When athletes feel psychologically safe, they are more likely to engage openly, take interpersonal risks, and access support. To fully understand its significance, it is important to acknowledge the realities of environments where psychological safety is absent. Within these environments, athletes may experience relational dynamics and cultural norms that discourage vulnerability and help seeking, and that silence emotional expression, making them feel compelled to hide their authentic selves, including their emotional struggles or mental health concerns, due to fear of negative consequences. Over time, this fosters silence, stigma, and cycles of unaddressed distress. Psychological harms may also become normalised, especially in cultures where harmful behaviours are overlooked in the name of competitive success. The lack of clear, confidential, and trusted pathways to support further reduces the likelihood of disclosure and reinforces conditions that compromise wellbeing.

---

[31] G. Breslin, S. Shannon, T. Haughey, P. Donnelly & G. Leavey, *A systematic review of interventions to increase awareness of mental health and well-being in athletes, coaches and officials*. *Systematic reviews*, *6*, 2017, 1-15.

[32] E. Prior, A. Papathomas, & D. J. A. Rhind. *Navigating athlete mental health: Perspectives from performance directors within elite sport*. *Psychology of Sport and Exercise*, *73*, 2024, 102661.

[33] S. Rice, C. C. Walton, V. Pilkington, K. Gwyther, L. S. Olive, M. Lloyd, & R. Purcell, *Psychological safety in elite sport settings: a psychometric study of the Sport Psychological Safety Inventory*. *BMJ open sport & exercise medicine*, *8*(2), 2022.

These dynamics highlight that psychological safety is a necessary condition for safeguarding and mental health. A safeguarding culture must be embedded in everyday practices, relationships, and leadership behaviours. Athletes must feel safe to raise concerns, confident that they will be heard, and assured that they will be supported, not silenced. In this sense, psychological safety is an outcome of safeguarding, and a prerequisite for it. To move forward, positioning psychological safety at the centre of sport requires leadership that prioritises care alongside performance, and a systemic commitment to safeguarding as an everyday practice. Reframing psychological safety as a condition for ethical and sustainable sport reinforces its role as a cornerstone of safeguarding, and a standard to which all sporting environments should be held.

# SAFEGUARDING IN SPORT: TOWARDS A PEDAGOGY OF PREVENTION, PROTECTION, AND EMPOWERMENT

by *Emanuele Isidori*[*]

SUMMARY: 1. Safeguarding in Sport: From a Culture of Prevention to a Pedagogical Ethos – 2. The very essence of safeguarding as educational prevention and personal attitude – 3. Promoting a Culture of Respect, Consent, and Accountability – 4. The Culture of Loyalty, Fear of Retaliation, and Reluctance to Challenge Authority – 5. Safeguarding and the Culture of Prevention as a Proactive Educational Process – 6. The "Toxic Culture" of Winning at All Costs – 7. Community Engagement and the Promotion of Safeguarding in Sport – 8. Educational Programmes for Safeguarding in Sport: Pedagogical Principles and Methodological Strategies

## 1. *Safeguarding in Sport: From a Culture of Prevention to a Pedagogical Ethos*

Safeguarding in sport, as a contemporary concept and practice, is deeply rooted in the broader culture of prevention. Its emergence reflects the progressive evolution of prevention strategies from reactive measures into proactive, ethically grounded educational commitments. The notion of prevention is a polysemous and multidimensional construct encompassing a variety of strategies, actions, and interventions aimed at reducing risks and averting harmful events across multiple domains – health, environment, society, and education.[1]

In traditional terms, prevention includes primary (pre-emptive), secondary (early intervention), and tertiary (damage mitigation) levels. These stratifications demonstrate that prevention is not a monolithic concept but one that operates across temporal and structural dimensions, requiring integration across disciplines. In educational contexts, however, prevention transcends risk avoidance. It becomes a transformative practice designed to foster environments conducive to human development and social cohesion.[2]

[*] Full professor in General, Social, and Sport Pedagogy at the University of Rome "Foro Italico", Italy. E-mail: emanuele.isidori@uniroma4.it.

[1] G. Vico, *Educazione e devianza*, Brescia, La Scuola, 1996.

[2] S. Bonino, E. Cattelino, *La prevenzione in adolescenza. Percorsi psicoeducativi di intervento sul rischio e la salute*, Trento, Erickson, 2008.

It is precisely within this pedagogical frame that safeguarding in sport must be situated.

While prevention aims to reduce the likelihood of harm, safeguarding concerns explicitly the protection of individuals – particularly children, adolescents, and vulnerable persons – from abuse, neglect, and exploitation within institutional and interpersonal contexts. The two concepts are closely connected: safeguarding emerges from the preventive tradition but extends its meaning to include legal, ethical, and relational responsibilities. What distinguishes safeguarding is its intentional pedagogical dimension – a commitment to building nurturing, inclusive, and morally attentive environments that go beyond safety to promote flourishing.[3]

Safeguarding in sport thus implies more than merely complying with protocols or responding reactively to incidents. It is an educational ethos grounded in responsibility, attentiveness to human vulnerability, and the cultivation of relational ethics. The pedagogical matrix of safeguarding requires coaches, educators, and institutions to recognize their roles not merely as transmitters of technical knowledge but as moral agents who shape the emotional, cognitive, and social development of athletes.[4] Safeguarding becomes a proactive educational approach to cultivating character, trust, and respectful relationships.

The broader culture of prevention provides the groundwork upon which safeguarding is built. In everyday life, this culture is reflected in shared community values and educational practices that foster awareness, responsibility, and resilience. In sport, such a culture includes training on healthy practices, peer support structures, and mechanisms for identifying and responding to early signs of harm. Importantly, this prevention-based culture is dynamic: it must evolve with technological and social shifts, responding to new risks such as cyberbullying, digital exploitation, or emotional manipulation in athletic environments.[5]

Safeguarding, therefore, is not an isolated or bureaucratic practice; it is an educational responsibility embedded in the broader goal of forming conscious, autonomous, and ethically grounded individuals. It embodies a pedagogical philosophy where protection, participation, and prevention coalesce into an integrated vision of care. This approach aligns safeguarding with the historical legacy of preventive pedagogy rooted in classical thought and carried forward, for example, by educational reformers like Don Bosco, who emphasized the importance of presence, vigilance, and relational trust in educational settings.[6]

Moreover, safeguarding in sport must be understood as the educational heir of prevention – a step beyond risk avoidance toward the active promotion of

[3] S.A. Rossetti, *La prevenzione educativa*, Roma, Carocci, 2009.

[4] G. Contessa, *La prevenzione. Teorie e modelli di psicosociologia e psicologia di comunità*, Milano, Città Studi, 1994.

[5] T. Mangarella, *La costruzione della cultura della prevenzione in preadolescenza e adolescenza*, A. Sannella e F. Toniolo (a cura di), *Le sfide della società italiana tra crisi strutturali e social innovation*, Venezia, Edizioni Ca' Foscari, 2015, 203.

[6] P. Ruffinatto, *Don Bosco e la prevenzione educativa nel e oltre il suo tempo*, *Riv. Sci. Educ.*, vol. 53, 2015, 82.

ethical, inclusive, and developmentally supportive environments. Its pedagogical matrix invites not only vigilance against harm but also intentional action to cultivate communities where respect, empathy, and justice are lived realities.

## 2. *The very essence of safeguarding as educational prevention and personal attitude*

The ancient Greeks developed a rich and nuanced vocabulary to express various dimensions of prevention, revealing a sophisticated understanding of health, education, and moral development. Reflecting on these terms allows us to reconstruct a coherent pedagogical model of prevention that remains highly relevant to contemporary educational and safeguarding practices. Four core concepts – *prophylaxis*, *diaita*, *hygieia*, and *askesis* – capture this ancient wisdom and continue to offer valuable guidance today.

1. Prophylaxis (προφύλαξις). Derived from the Greek verb meaning "to guard in advance," prophylaxis is perhaps the term most closely aligned with the modern idea of prevention. In Hippocratic medicine, it referred to proactive measures – such as balanced nutrition, regular physical activity, and lifestyle regulation – intended to maintain bodily harmony and prevent the onset of illness. Beyond the medical sphere, however, prophylaxis conveyed a broader philosophical orientation: the capacity to anticipate potential dangers, not only to the individual but to the community, and to mitigate them through thoughtful preparation and awareness.

2. Diaita (δίαιτα). Often mistranslated today as "diet" in the narrow sense of nutrition, *diaita* encompassed a holistic way of life. For the Greeks, it implied a balanced regimen that integrated food, sleep, physical activity, and one's relationship with both the social and natural environments. This comprehensive lifestyle model was considered essential for maintaining physical and psychological equilibrium. Diaita embodies the idea that sustained health, and ethical stability is achieved not through isolated interventions but through a continuous, harmonious alignment of daily habits and values.

3. Hygieia (ὑγίεια). Named after the goddess of health, hygieia signified not merely cleanliness or bodily hygiene but a broader state of physical and mental purity. It involved practices that promoted both individual and collective well-being – such as sanitation, environmental care, and social responsibility. In this sense, hygieia anticipates today's public health strategies and highlights the importance of contextual, community-based approaches to prevention.

4. Askesis (ἄσκησις). Meaning "exercise" or "training," askesis referred not only to physical conditioning but also to the cultivation of self-discipline and moral virtue. It embodied the notion that consistent effort and moderation are necessary to prevent excess, disorder, and internal imbalance. For the Greeks, askesis was a lifelong practice aimed at developing resilience, ethical clarity, and personal mastery – qualities that remain essential in contemporary education and safeguarding work.

These concepts, deeply embedded in the cultural fabric of ancient paideia, still provide valuable insights for the design of modern educational and preventive systems. Their relevance is not merely historical; they inform a conceptual framework that continues to shape best practices in both pedagogy and policy. Contemporary safeguarding and prevention efforts – particularly within sport – can draw from these ancient principles to articulate a comprehensive and culturally grounded approach to well-being. This approach rests on several key pillars.

– Holistic Integration: Greek viewed health as the result of balance across physical, emotional, social, and ethical dimensions. This perspective urges modern preventive models – especially in education and sport – to move beyond biomedical paradigms and address the social determinants of well-being within supportive environments.

– Embeddedness in Daily Life: the concept of Diaita reminds us that effective prevention must be sustained through everyday practices. This has implications for both public health policy and safeguarding strategies, which should promote consistent, inclusive lifestyle education accessible to all populations.

– Educational Foundations: the emphasis on Hygieia underscores the centrality of health education in fostering preventive cultures. Integrating health literacy, emotional education, and social responsibility into school curricula from an early age is crucial for cultivating lifelong protective behaviours.

– Moral Self-Regulation: Askesis underscores the role of personal ethics in maintaining well-being. This is particularly relevant in safeguarding, where internalized values and self-discipline play a crucial role in resisting harmful dynamics and fostering respectful interactions.

– Personalized Preventive Strategies: Aristotle's doctrine of causality emphasized that understanding the origins of problems is crucial for preventing them effectively. Today, this principle is reflected in personalized medicine and education, where preventive interventions are tailored to individual needs and contexts.

– Community-Centered Ethics: Ultimately, Plato's connection between civic health and individual virtue underscores the importance of collective well-being. Modern safeguarding must be understood not only as a matter of individual protection but also as a community-wide responsibility rooted in equity, participation, and shared values.

The ancient Greek lexicon of prevention provides more than semantic richness; it offers a foundational paradigm that integrates ethics, education, and care. By reinterpreting these concepts within contemporary frameworks, we can shape safeguarding practices that are not only more effective but also more culturally resonant and pedagogically robust.

## 3. *Promoting a Culture of Respect, Consent, and Accountability*

Promoting a safeguarding culture in sport requires more than the mere application of protective protocols; it demands a profound educational transformation grounded

in the interrelated values of respect, consent, and accountability.[7] These concepts, though often used interchangeably in everyday discourse, each possess distinct ethical, relational, and pedagogical meanings that must be clearly articulated to inform safeguarding practices effectively. Respect is the foundational ethical attitude that acknowledges the intrinsic dignity, rights, and subjectivity of every individual. In the sporting context, this translates into recognizing athletes – not merely as performers or recipients of coaching – but as full-fledged individuals with emotional, physical, and moral needs. Respect is expressed through listening, inclusivity, and the rejection of hierarchical or abusive dynamics. It entails cultivating an environment where athletes feel safe to express themselves, one that embraces diversity, and where power is exercised responsibly and transparently.

Consent, though grounded in respect, extends further as a relational and communicative practice. It involves an explicit, voluntary, and informed agreement to participate in an activity or interaction. In sport, consent goes beyond legal or formal documentation – it is about ensuring that athletes, especially minors and vulnerable individuals, understand the implications of their participation and feel genuinely free to say "no" without fear of retaliation or loss of opportunity. That requires fostering a culture where consent is continually negotiated, not presumed, where questioning authority is normalized and where athletes are empowered to define and defend their boundaries. The pedagogical significance of consent lies in teaching individuals not only to protect themselves but also to engage with others in ethically sound, mutually respectful relationships. It challenges traditional paradigms of obedience and compliance that have long dominated sporting cultures, especially in high-performance environments.

Accountability, in turn, is the ethical counterpart to both respect and consent. It refers to the willingness and obligation to take responsibility for one's actions and their effects on others. Accountability in safeguarding means that coaches, staff, and institutions must not only comply with rules but also embody a deeper moral awareness of their roles as educators and caretakers. It requires mechanisms of transparency, feedback, and redress, ensuring that harmful behaviours are neither hidden nor tolerated. Crucially, accountability is not only reactive – responding to misconduct – but proactive: fostering ongoing critical reflection, continuous improvement, and a commitment to uphold ethical standards even in the absence of oversight. From a pedagogical standpoint, it represents the cultivation of moral agency: the capacity to act with integrity, accept consequences, and engage in processes of repair and transformation when harm occurs.

Although interdependent, these three concepts – respect, consent, and accountability – each occupy a specific position within the ethical architecture of safeguarding. Respect is the recognition of the other, consent is the negotiation of shared action, and accountability is the moral answerability for those actions and their outcomes. Together, they form the backbone of a sports culture that prioritizes

[7] P. Montesano, *Valenza educativa e preventiva dell'educazione fisica e sportiva*, *Formaz. Insegn.*, vol. 18, 2019, 157.

human dignity over performance metrics, care over control, and ethical development over blind adherence to discipline. Promoting such a culture requires not only formal policies but also educational strategies that embed these values into daily practices, relationships, and institutional structures. It means training coaches not only in technique but also in emotional intelligence, designing spaces that invite participation and dialogue, and building systems that centre the voices and experiences of those most at risk. In doing so, sport can reclaim its potential as a powerful site of human formation – a place not only to win but to grow.

## 4. *The Culture of Loyalty, Fear of Retaliation, and Reluctance to Challenge Authority*

One of the most insidious cultural barriers to effective safeguarding in sport is the intertwined presence of loyalty, fear of retaliation, and a deep-seated reluctance to challenge authority figures. Loyalty often celebrated as a virtue within teams and organizations, can become problematic when it demands unquestioning allegiance and silence. In many sporting environments, athletes are socialized from a young age to be loyal not only to their team but also, especially, to their coaches and managers – figures who are frequently positioned as mentors, gatekeepers of success, and even parental surrogates. This asymmetry of power can breed dependency, and loyalty becomes a form of currency: something athletes feel they must demonstrate to secure playing time, maintain their status, or access future opportunities.

However, this loyalty can easily become weaponized. When athletes witness or experience abusive behaviours, they may remain silent – not because they do not recognize the harm but because speaking out is framed as a betrayal. The fear of losing favour, being ostracised by teammates, or jeopardizing one's career often outweighs the perceived benefit of reporting wrongdoing. This climate of fear is sustained by organisational cultures that implicitly or explicitly punish dissenting views. Whistleblowers are seen as disloyal, and those who challenge authority may be accused of disrupting team unity or lacking resilience.

As we mentioned previously, the principles developed by the ancient Greeks influenced their integrated and holistic model of prevention. This model balanced individual and collective needs, promoting a vision of health based on balance, education, and social responsibility. This model provides a useful summary of the guidelines for prevention in sport.

Contemporary sports science adopts a holistic approach to athlete health, reflecting the educational principles of prevention that were integrated into the daily lives of the ancient Greeks. This approach focuses not only on physical fitness but also considers mental and social well-being essential for injury prevention and performance maintenance. Training routines are structured to integrate warm-ups, stretching, balanced nutrition, hydration, and rest, all of which are key elements in preventing injury. At the same time, emphasis is placed on health education, teaching athletes' proper movement techniques and the

appropriate use of training machines so they recognise the signs of overload and prevent injury.

Another key aspect of safeguarding in sport is the development of mental discipline and resilience to cope with stress and pressure. Mindfulness techniques and mental coaching help maintain mental and physical balance.[8] The preventive approach is also increasingly personalised thanks to new technologies, which analyse movement and provide biometric data helpful in tailoring training to the specific needs of each athlete. Ultimately, in the context of team sports, collective well-being and support among team members create a positive environment that promotes individual health and reduces stress.

The combination of ancient knowledge and modern tools demonstrates how prevention, applied in a targeted and integrated manner, is essential to protect the health of athletes, prevent injuries, forms of depression, and burnout, and optimise their performance. This protection also comes through the development and implementation of safeguarding practices.

Safeguarding in sport encompasses a set of practices and measures designed to ensure the safety, well-being, and protection of athletes, with a particular focus on minors and vulnerable adults.[9] This approach aims to prevent any form of abuse, exploitation, or neglect by creating safe and respectful environments in which athletes can grow and develop their potential. Fundamental in this context is the education of coaches, managers, and staff involved so that they can recognise signs of distress or danger and intervene promptly. Safeguarding is not limited to prevention alone but also includes clear and transparent procedures for handling any reports of abuse or inappropriate behaviour.[10]

In recent years, safeguarding has become a central issue internationally, supported by organizations such as the International Olympic Committee, which promotes ethical standards and safety protocols. This commitment not only protects the physical and psychological integrity of athletes but also helps to foster a sports culture based on respect, inclusion, and the value of the individual. Ultimately, safeguarding is a crucial tool for protecting the rights of athletes and maintaining the credibility of sport as a training and educational environment.[11]

One of the most insidious cultural obstacles to effective safeguarding in sport is the deeply entrenched culture of loyalty, which often coexists with an unspoken fear of retaliation. Loyalty, in itself, is not inherently harmful – it can foster team cohesion, mutual commitment, and perseverance. However, when loyalty becomes absolute or unquestioning, it can transform into a mechanism of

[8] M.D. Granquist, J.J. Hamson-Utley, L.J. Kenow, J. Stiller-Ostrowski, *Psychosocial strategies for athletic training*, Philadelphia (PA), F.A. Davis Company, 2014.

[9] D. Rhind, T. Kay, L. Hills, F. Owusu-Sekyere, *Building a system to safeguard children in sport*, *J. Sport Soc. Issues*, vol. 41, 2017, 151.

[10] M. Mountjoy, D. Rhind, A. Tiivas E M. Léglise, *Safeguarding the child athlete in sport: a review, a framework and recommendations for the IOC youth athlete development model*, *Br. J. Sports Med.*, vol. 49, 2015, 883.

[11] A. Hedges, *Safeguarding in sport*, *Sport Soc.*, vol. 18, 2015, 614.

silence and complicity. In many sporting contexts, athletes – particularly young or elite competitors – are socialized to demonstrate unwavering allegiance to their coaches, clubs, and institutions. This loyalty is often reinforced by emotional dependence, career incentives, or implicit expectations of gratitude, especially when athletes feel their identity, success, or future opportunities are tied to the approval of authority figures.

The problem arises when loyalty is weaponised to suppress criticism, discourage reporting, or normalise harmful behaviours. Athletes may fear that speaking out about abuse, mistreatment, or ethical concerns will not only label them as disloyal but also threaten their position on the team, access to resources, or even their safety. This climate of fear – whether rooted in formal power dynamics or informal group pressure – creates an environment in which safeguarding violations can persist unchecked. Whistleblowing is often framed as betrayal, while silence is rewarded as a sign of commitment and resilience.

Moreover, fear of retaliation is not confined to athletes alone. Coaches, staff members, and even parents may hesitate to report safeguarding concerns if they believe doing so could result in professional consequences, social ostracism, or institutional backlash. This dynamic is particularly pervasive in high-performance and hierarchical systems where authority is concentrated, transparency is limited, and success is prioritised above well-being.

Addressing this cultural barrier requires a profound shift in values. Safeguarding must be redefined not as a threat to team unity but as an essential expression of ethical integrity and care. Loyalty should not demand silence in the face of harm but rather the courage to protect others and challenge unjust systems. Educational efforts must, therefore, focus on redefining the meaning of loyalty – emphasising critical allegiance over blind obedience – and on creating reporting mechanisms that are confidential, supportive, and free from punitive consequences.

Ultimately, dismantling the culture of fear and silence is not only about protecting individuals but about transforming the moral fabric of sport itself. A truly safeguarding environment is one in which the well-being of all participants is valued more than reputation, results, or institutional preservation – and where speaking out is seen not as a betrayal but as an act of loyalty to the very principles sport claims to uphold.

One of the most insidious cultural barriers to effective safeguarding in sport is the intertwined presence of loyalty, fear of retaliation, and a deep-seated reluctance to challenge authority figures. Loyalty often celebrated as a virtue within teams and organizations, can become problematic when it demands unquestioning allegiance and silence. In many sporting environments, athletes are socialised from a young age to be loyal not only to their team but also, especially, to their coaches and managers – figures who are frequently positioned as mentors, gatekeepers of success, and even parental surrogates. This asymmetry of power can breed dependency, and loyalty becomes a form of currency: something athletes feel they must demonstrate to secure playing time, maintain their status, or access future opportunities.

However, this loyalty can easily become weaponized when athletes witness or experience abusive behaviours; they may remain silent – not because they do not recognize the harm, but because speaking out is framed as a betrayal. The fear of losing favour, being ostracised by teammates, or jeopardising one's career often outweighs the perceived benefit of reporting wrongdoing. This climate of fear is sustained by organisational cultures that implicitly or explicitly punish dissenting views. Whistleblowers are seen as disloyal, and those who challenge authority may be accused of disrupting team unity or lacking resilience.

Closely linked to this phenomenon is a broader cultural reluctance to question authority figures – especially in traditions where hierarchical relationships are considered normative and even desirable. In sport, coaches and senior staff are frequently revered as unquestionable experts. This reverence, reinforced by success narratives and institutional power structures, makes it difficult for athletes, especially minors or those from marginalized backgrounds to express concerns or report misconduct. Challenging a coach's behaviour is not merely a logistical risk – it often entails a moral and cultural transgression. Many athletes are taught to "respect the hierarchy", internalising the idea that obedience equals professionalism, while critical reflection or resistance signals immaturity or entitlement.

This reluctance is not limited to athletes alone. Parents, assistant coaches, and other staff may also avoid confronting authority figures out of fear of retribution, reputational damage, or institutional backlash. The result is a culture of silence in which safeguarding violations can go unnoticed, unreported, or, worse still, normalised.

To effectively counter these dynamics, safeguarding must include a cultural re-education process. This involves redefining loyalty as an ethical responsibility rather than submission and reframing respect for authority as compatible with accountability. Coaches and leaders must be trained not only in safeguarding procedures but also in humility, relational ethics, and reflexivity. Athletes must be empowered to understand their rights, voice their experiences, and be heard without fear of retribution. Most importantly, institutions must create safe, confidential, and credible systems for reporting – mechanisms that not only protect whistleblowers but affirm their courage as aligned with the deepest values of sport.

Only by dismantling these harmful cultural norms can sport become an environment where integrity is valued above silence and where safeguarding is recognised not as a threat to authority but as its ethical foundation.[12]

[12] C. Gomez E L. Schoch, *Safeguarding in Sport: The Performative Compliance of International Sports Federations*, *Curr. Issues Sport Sci.*, 2025.

## 5. Safeguarding and the Culture of Prevention as a Proactive Educational Process

Within the broader framework of safeguarding in sport, the culture of prevention represents an essential and proactive foundation. Rather than functioning solely as a set of defensive strategies or compliance mechanisms, prevention – conceived in educational terms – embodies a pedagogical philosophy that anticipates risk by cultivating environments of safety, ethical awareness, and mutual responsibility. This holistic vision frames safeguarding not simply as the absence of harm but as the presence of conditions that promote human dignity and development.

The philosophy of prevention in education is thus best understood as an anticipatory and transformative process. It is not limited to managing problematic situations after they emerge but aims to prevent them by equipping individuals with transversal competencies and life skills – such as empathy, resilience, and critical thinking – that enable them to navigate social and moral complexities.[13] In the context of sport, this involves empowering athletes to recognize signs of discomfort, articulate their boundaries, and seek help without fear of stigma or retaliation. It also entails preparing coaches and educators to detect early signs of distress, misuse of power, or structural imbalances that may lead to safeguarding violations.

Recent interdisciplinary studies confirm that educational programmes that integrate themes such as emotional literacy, physical safety, and constructive conflict management foster inclusive environments that reduce vulnerabilities and enhance psychological safety, particularly among adolescents and young athletes.[14] However, these effects are only fully realised when prevention is understood not as a technical or regulatory task but as a dynamic and participatory pedagogical process. That means engaging learners as active subjects – capable of co-constructing knowledge, relationships, and protective norms – rather than as passive recipients of rules or moral prescriptions.[15]

Active methodologies, such as peer workshops, simulations, and reflective dialogue, are central to this paradigm. Through them, participants learn not only to identify risk factors and articulate their experiences but also to take ownership of ethical norms and co-create a culture of safeguarding. In sports settings, this might take the form of athlete-led charters, inclusive team-building activities, or open forums for discussing values and expectations. Such practices shift the focus from externally imposed compliance to internally driven commitment, enhancing both individual agency and collective accountability.

---

[13] M. Bertini, P. Braibanti, M.P. Gagliardi, *Skills for life*, Milano, Franco Angeli, 2006.

[14] H. Ch. A. Chang, *Dalla prevenzione all'educazione. La sfida della cultura della prevenzione e della salute*, *Riv. Sci. Educ.*, vol. 63, 2015, 45.

[15] E. Isidori, *La pedagogia critica dello sport per la prevenzione del rischio e della dispersione scolastica*, G. Liverano (a cura di), *La dispersione scolastica come criticità educativa di sistema: tra prevenzione e intervento*, Lecce, Pensa MultiMedia, 2023, 41.

The culture of prevention, when applied to safeguarding in sport, also requires adaptability and responsiveness to emerging risks in digital, cultural, and institutional contexts. The rise of new technologies, changing family dynamics, and evolving norms of identity and expression all necessitate an educational model that is both rooted in core ethical values and capable of evolving with the times.[16] Prevention is not static; it is a living culture of awareness, co-responsibility, and pedagogical engagement that must be renewed through critical reflection and collective action.

Ultimately, safeguarding and prevention converge in a shared aim: to create inclusive, respectful, and empowering environments in which individuals – especially the young and vulnerable – can participate fully and safely. This objective cannot be achieved solely through regulation; it requires a cultural shift rooted in educational intentionality. By recovering the pedagogical roots of prevention and aligning them with contemporary safeguarding practices, sport can become not just a site of performance but a laboratory for ethical development and social transformation.

### *6. The "Toxic Culture" of Winning at All Costs*

A critical dimension of safeguarding in sport lies in confronting the pervasive and often unspoken influence of the "toxic culture" of winning at all costs. This culture, widely internalised across competitive levels, is not merely about striving for excellence or achieving high performance – it is about the absolutisation of victory as the sole criterion for value, recognition, and legitimacy. When winning becomes the ultimate and exclusive goal, every other dimension of sport – learning, development, enjoyment, inclusion, ethical growth – is subordinated or erased. This mindset not only distorts the purpose of sport but actively undermines the educational, moral, and social functions it is meant to serve.

The toxic culture of winning is deeply intertwined with the mechanisms of silence, loyalty, and authority described earlier. Athletes are often encouraged – explicitly or implicitly – to endure harm, ignore misconduct, and suppress discomfort if these sacrifices are believed to serve the cause of team success. Coaches and institutions may rationalize harmful behaviour or neglect safeguarding obligations in the name of competitiveness or results. In such environments, the athlete's worth is measured solely by performance, while well-being, integrity, and relational dynamics are rendered invisible. This utilitarian logic creates fertile ground for abuse, as it legitimises legitimisation, overtraining, manipulation, and emotional degradation as necessary or even virtuous components of a "winning mentality".

From a pedagogical perspective, this culture represents a fundamental failure. Education, especially in the context of sport, should be concerned with the process of becoming – not merely the outcome of competing. A truly educational

[16] S. Bekker, A. Posbergh, *Safeguarding in sports settings: unpacking a conflicting identity*, *Qual. Res. Sport Exerc. Health*, vol. 14, 2021, 181.

approach fosters patience, reflection, and resilience, emphasizing that growth occurs through effort, failure, and the development of inner resources. In contrast, a results-obsessed culture teaches that losing is shameful, weakness is intolerable, and worth is conditional. That is profoundly antithetical to any educational model grounded in human dignity and moral responsibility.

The ethical consequences of this mindset are severe. Athletes may internalize a distorted sense of self-worth, experience chronic anxiety, or adopt unethical behaviours – such as cheating, doping, or harming others – to maintain their standing. The normalisation of psychological pressure and emotional abuse becomes framed as "toughening up" or "building character", masking the reality of long-term harm. Ethically, this promotes an instrumental view of others, where teammates, coaches, and even oneself are valued not as individuals but as means to achieve external goals. Such a worldview erodes empathy, fosters individualism, and detaches competition from its social and civic responsibilities.

Moreover, the consequences are deeply antisocial. The obsession with winning can produce environments that are exclusionary, aggressive, and hostile to diversity. Athletes who do not conform – because of their ability, identity, or circumstances – are marginalised or excluded. Group cohesion becomes conditional on performance, not solidarity. In the long term, this cultivates a social model in which value is assigned hierarchically, cooperation is sacrificed for domination, and ethical pluralism is replaced by moral relativism centred on success.

To counter this trajectory, sport must reclaim its pedagogical vocation through what might be called a pedagogy of losing. That does not mean celebrating defeat but rather recognising it as an essential moment for learning, humility, and ethical development. Losing teaches patience, perspective, and respect for others. It dismantles the illusion of omnipotence and fosters resilience not as blind endurance but as thoughtful recovery and growth. A pedagogy focused on the process – on effort, improvement, and reflection – helps athletes understand that the actual value of sport lies not in medals but in the cultivation of character and the quality of relationships formed through shared practice.

In safeguarding terms, promoting a culture that values learning over winning is not ancillary – it is essential. It affirms the athlete as a person, not a product. It creates environments where questioning, vulnerability, and mutual care are possible. Moreover, it transforms sport into a space of ethical formation rather than a space of psychological risk. In doing so, it resists the toxic culture of results and lays the foundation for a truly humanizing and sustainable sporting practice.

## 7. *Community Engagement and the Promotion of Safeguarding in Sport*

The promotion of safeguarding in sport cannot be reduced to the implementation of internal policies or isolated educational efforts within clubs or federations. Instead, it requires a broader cultural shift, one that positions safeguarding as a shared ethical responsibility rooted in the values, structures, and relationships of the wider

community. In this context, community engagement emerges as a crucial strategy for integrating safeguarding practices into the social fabric surrounding sport. It offers a powerful means of prevention, awareness-raising, and accountability while fostering a climate of collective care and vigilance.[17]

Community engagement refers to the active and sustained involvement of all stakeholders – families, schools, local organizations, cultural and religious institutions, social services, and the athletes themselves – in the co-construction of safe sporting environments. It is based on the principle that safeguarding is not merely the task of specialists or governing bodies but a communal duty that transcends formal roles and permeates daily interactions. When the broader community is informed, involved, and empowered, safeguarding becomes a lived culture rather than an imposed regulation.

First and foremost, community engagement plays a preventive role by promoting a shared language of protection. Through workshops, public campaigns, and community dialogue, it can demystify the language of safeguarding, making it accessible and relevant across age groups and cultural backgrounds. That is particularly important in multicultural contexts, where differing norms around authority, discipline, and privacy may obscure or normalize abusive behaviour. By fostering open discussions, community engagement helps clarify boundaries, raise awareness about risk factors, and encourage early intervention.

Second, community involvement strengthens protective networks. When parents, teachers, youth workers, and peers are all engaged in promoting well-being, the likelihood of undetected harm significantly decreases. Athletes, especially children and adolescents, are more likely to disclose concerns when they trust that a broad network of adults is attuned to their needs and responsive to their voices. Involving communities in the design and evaluation of safeguarding policies ensures that interventions are context-sensitive, culturally competent, and better aligned with the lived realities of young people.

Moreover, community engagement counters the culture of silence that often surrounds safeguarding violations. As discussed in previous chapters, fear of retaliation, misplaced loyalty, and reluctance to challenge authority can inhibit reporting. A strong community presence can mitigate these dynamics by creating multiple entry points for disclosure – beyond the immediate coach-athlete relationship – and reinforcing the legitimacy of speaking up. Communities can also apply external pressure on sporting institutions to act with transparency and accountability, thus breaking cycles of institutional complicity.

From a pedagogical perspective, community engagement supports the development of civic responsibility and ethical awareness. It encourages athletes to see themselves not only as members of a team but as participants in a broader

[17] A. Gillard, M. Mountjoy, T. Vertommen, S. Radziszewski, V. Boudreault, N. Durand-Bush, S. Parent, *The role, readiness to change and training needs of the Athlete Health and Performance team members to safeguard athletes from interpersonal violence in sport: a mini review*, *Front. Sports Act. Living*, vol. 6, 2024.

moral community. This expanded view fosters solidarity, empathy, and a sense of interconnectedness – qualities that are foundational to safeguarding cultures. Initiatives such as intergenerational dialogues, mentorship programs, and participatory policy-making processes cultivate a shared ethical imagination in which the protection of others is seen as a collective achievement rather than an individual burden.

Importantly, community engagement also provides critical support systems for survivors. A well-informed and compassionate community can provide emotional support, legal advocacy, and practical assistance to those who experience harm, thereby reducing isolation and promoting recovery. In this sense, community-based approaches complement institutional protocols by emphasizing human connection and relational healing.

However, for community engagement to be effective, it must be sustained, inclusive, and reciprocal. Tokenistic involvement or top-down communication will fail to produce meaningful change. Instead, safeguarding initiatives must be co-developed with the community, incorporating diverse voices and honouring local knowledge. This requires investment in trust-building, long-term partnerships, and capacity development at all levels of the organization.

Community engagement is not an optional supplement to safeguarding – it is an essential foundation for safeguarding. By rooting safeguarding in communal relationships, shared values, and participatory practices, it transforms sport from a closed system into a vibrant, ethical ecosystem. In doing so, it empowers all participants – not just to prevent harm but to actively cultivate environments where every individual feels seen, heard, and protected.[18]

## 8. *Educational Programmes for Safeguarding in Sport: Pedagogical Principles and Methodological Strategies*

Developing effective educational programmes for safeguarding in sport requires far more than the delivery of information or the enforcement of compliance. It calls for a deeply pedagogical approach – grounded in humanistic, ethical, and developmental principles – that recognizes a transformative process rather than a transactional intervention. Such programmes must be designed not simply to raise awareness but to cultivate attitudes, competencies, and relationships that actively sustain a culture of safety, inclusion, and respect. At the heart of this process lies a rethinking of sport not merely as a performance arena but as a learning space – a microcosm of society where young people form their values, test their identities, and negotiate their place in the world.

An effective safeguarding curriculum in sport must begin with a learner-centred pedagogy, one that values the lived experience of athletes and seeks to empower them as critical, reflective, and active agents of their protection.

[18] M. Piffaretti, B. Carr, M. Hindi, *Online Group Intervention with High-Performance Youth Athletes for Mental Skills and Safeguarding*, *Sports Exerc. Med. Switz.*, 2024.

That involves creating spaces where young people can articulate their concerns, share their perspectives, and co-construct knowledge about risk, rights, and responsibility. Such spaces must be emotionally safe and dialogical, supported by educators who are not only technically trained but also relationally and ethically competent. Coaches and staff must be re-educated not only in safeguarding policy but also in pedagogical posture – learning to listen, build trust, and model respectful, transparent, and equitable relationships.[19]

A second key principle is the integration of safeguarding into the everyday educational fabric of sport. Rather than treating safeguarding as an add-on or occasional workshop, programmes should be embedded in daily routines, team activities, and institutional cultures. This calls for the use of experiential methodologies – such as role-playing, scenario-based learning, critical incident analysis, and reflective group discussions – that enable participants to explore complex ethical situations in a concrete and embodied way. Athletes and coaches must learn not only to identify abuse or misconduct but also to practice ethical decision-making, emotional literacy, and assertive communication. In this way, safeguarding becomes a lived and practised skill rather than just a cognitive acquisition.

Moreover, safeguarding education must be inclusive and intersectional, taking into account differences in age, gender, race, ability, sexual orientation, and socio-economic background. Programmes must address the specific vulnerabilities faced by marginalized groups while also challenging the dominant cultural narratives that normalize power imbalances and silence dissent. Pedagogically, this means moving from a "one-size-fits-all" model to differentiated instruction and culturally responsive teaching. It requires educators to interrogate their own biases critically and to foster learning environments that are accessible, representative, and affirming of all identities.

Another foundational strategy is the use of participatory and democratic methodologies. Athletes, parents, and local communities should not be passive recipients of safeguarding education but active co-creators of content, tools, and policies. Participatory action research, peer-education models, and community-based co-design processes can significantly increase the relevance, legitimacy, and sustainability of safeguarding programmes. In particular, peer-led workshops and youth advisory boards offer young people not only voice but power – transforming them from objects of protection into agents of change.

Finally, safeguarding education must be guided by a long-term and developmental vision. It is not a one-off intervention but a lifelong process of ethical formation that evolves alongside the athlete's journey. Educational programmes should be age-appropriate, scaffolded across developmental stages,

[19] J. Mcmahon, M. Lang, C. Zehntner, K.R. Mcgannon, *Athlete and coach-led education that teaches about abuse: an overview of education theory and design considerations*, *Sport Educ. Soc.*, vol. 28, 2022, 855.

and accompanied by ongoing evaluation and adaptation.[20] Continuous professional development for coaches and staff is equally vital, ensuring that safeguarding is not treated as static knowledge but as a dynamic field that responds to emerging risks, technological changes, and evolving social norms.

In sum, pedagogically sound safeguarding programmes in sport must be holistic, relational, process-oriented, and justice-driven. They must rest on trust, dialogue, and ethical clarity, aiming not only to prevent harm but also to create spaces of flourishing dignity and moral growth. When rooted in a robust educational philosophy and implemented with care, these programmes have the power to transform sport into what it was always meant to be: a field of human formation, not domination.

[20] J. Mcmahon, K.R. Mcgannon, C. Zehntner, L. Werbicki, E. Stephenson E K. Martin, *Trauma-informed abuse education in sport: engaging athlete abuse survivors as educators and facilitating a community of care*, *Sport Educ. Soc.*, vol. 28, 2022, 958.

# ORGANIZATIONAL POLICIES AND PROCEDURES

by *Marcella Leonard*[*]

SUMMARY: Introduction – 1. Risk Assessment – 2. Safeguarding Training – 3. Clear Reporting Mechanisms – 4. Whistleblowing Policy – 5. Incident Response Plan – 6. Monitoring and Evaluation – 7. Regular Updates and Audits – Conclusion

## *INTRODUCTION*

Organizational policies and procedures in sport play a pivotal role in establishing a safe, fair, and inclusive environment for all participants, including athletes, coaches, staff, support personnel, volunteers and spectators. These frameworks serve as the foundation for governance, outlining the expectations and responsibilities of all stakeholders involved in the sporting community. Policies related to safeguarding, anti-discrimination, equity, and health and safety not only protect individuals, but also promote ethical practices and integrity within sports organizations. As the landscape of sport continues to evolve, driven by increasing awareness of safeguarding for all and the need for accountability, the development and implementation of comprehensive policies and procedures become more critical than ever. Focusing mainly in child, adult and public safeguarding and protection globally and across multiple sectors including sports, this chapter considers the complexities of risk assessment, safeguarding training, clear reporting mechanisms, whistleblowing, incident response plan, monitoring and evaluation and finally regular updates and audits. Considering the research and theory, this chapter provides an insight to how these inform safeguarding policies, procedures and lead to a competency of practice which promotes and strives to have children and adults engage in sport, at whatever level, in whichever role, safely.

[*] Marcella Leonard MBE is the Director Leonard Consultancy & Associates specialising in child, adult and public protection. Marcella is a social worker, psychosexual therapist and specialist in assessing sexual, violent, domestic violence and interpersonal risk. She is an Associate of Safe Sport International, a tutor on the IOC Certificate: Safeguarding Officer in Sport program and external safeguarding Consultant to sports bodies. She is the Chair of the Northern Ireland Safeguarding in Sport Strategic Group.

## 1. Risk Assessment

Risk assessment of abuse in sport is a crucial aspect of safeguarding measures aimed at protecting athletes, particularly vulnerable populations such as children and young adults. This process involves identifying potential risks of physical, emotional, and sexual abuse within sports environments and implementing strategies to mitigate these risks.[1] Ensuring a safe sporting environment requires organizations to conduct thorough assessments that include evaluating the behaviour of coaches, staff, and other adults involved in sports, as well as the policies and practices that govern athlete interactions.[2] This assessment of behaviour must also include recognition of concerns regarding athlete behaviour, peer on peer abuse and that of children under 18 years.

Effective risk assessment tools in this context often involve background checks, training programs on abuse prevention, and establishing clear reporting mechanisms for suspected abuse.[3] Furthermore, fostering a culture of openness and support encourages athletes to speak out about their experiences, thereby enhancing the effectiveness of abuse prevention strategies.[4] Continuous monitoring and reassessment of policies and practices are necessary to adapt to emerging risks and ensure that safeguarding measures are robust and effective. Ultimately, a proactive approach to risk assessment of abuse in sport not only protects athletes but also promotes their overall well-being and trust in the sporting system.

In recognizing the challenges for any victim disclosing the abuse they are being/were subjected to, from a trauma-informed perspective it is reasonable that many victims, may initially disclose only part of their experiences, due to various contextual and psychological reasons. This can be due to a fear of disbelief, shame and a sense of pressure to protect themselves and/or others. Also, victims may start by sharing less sensitive, less traumatic aspects of their experience to gauge the reaction of the listener before revealing more traumatic details.[5] Overall, understanding the dynamics of partial disclosure is essential for creating supportive environments that encourage victims to share their experiences fully. Providing a safe and non-judgmental space, along with assurance of confidentiality and support, can help victims feel empowered to disclose more of their experiences over time.

To therefore fully integrate a trauma informed knowledge of the psychological impact leading to partial disclosure, there is a need to ensure

[1] C. Brackenridge, *Spoilsports: Understanding and preventing sexual exploitation in sport*, *The International Journal of Sports Psychology*, 2001, 32(4), 407-417.
[2] S. Lindsay, *The role of sport in child protection: A critical review of the literature*, *International Review for the Sociology of Sport*, 2010, 45(2), 219-238.
[3] K.E. Gilbert, D. Tripp, *Safeguarding children in sport: A review of the literature*, *Child Abuse Review*, 2016, 25(4), 295-307.
[4] N.L.Holt, K.A. Tamminen, L.N. Tink, The role of coaching in safeguarding children in sport. *International Journal of Sport Policy and Politics*, 2017, 9(1), 121-136.
[5] S.E.Ullman, *Talking about sexual assault: The role of social reactions in women's disclosure*, *Psychology of Women Quarterly*, 2007, 31(1), 69-81.

safeguarding policies and procedures allow for the risk assessment of persons, not only investigation of an incident/complaint. Many reporting and management of concerns procedures are based on investigation of the complaint/incident however greater insight into the modus operandi of persons who commit interpersonal harm such as sexual, physical and/or emotional abuse requires greater analysis of the person, not only the reported incident.

Risk assessment of persons of concern must be a core aspect of safeguarding policy and procedures as well as an organization's investigation and disciplinary processes. Assessing the risk of perpetrators of sexual and physical abuse involves a systematic and multi-faceted approach that considers various factors contributing to the likelihood of reoffending. This assessment typically includes evaluating individual characteristics, behavioural patterns, and situational factors that may increase the risk of abusive behaviour.[6] Therefore, assessing the risk a person poses goes beyond the investigation of an incident. Risk assessments of those who commit interpersonal harm/violence must be grounded not only in the assessor having the clinical expertise in these assessments but undertaken with objectivity and evidenced based.

Persons who commit interpersonal abuse are not a homogenous group and therefore each will have developed their own unique manner in how they harmed. Finkelhor[7] developed a 4 stage process to aid the understanding of how a sex offender commits sexual abuse against children which involves Stage 1: the development of motivation, Stage 2: the overcoming of internal inhibitors (conscience), Stage 3: the overcoming of external inhibitors (the manipulation of potential protectors/guardians) and Stage 4: the overcoming of the victim's resistance (gaining compliance and preventing disclosure). This 4 stage process is equally applicable to adults.

In considering this model in the scenario of how a person sexually abuses: *Stage 1* is the initial motivation behind why the person sexually abuses; there are multiple pathways as to what leads and informs the reasoning behind sexual abusive behaviour. Consideration of early negative sexual experiences, culture identity, religion or faith perceptions, gender role expectations, sense of attachment, and the management of sexuality in adolescence through to adulthood.[8] These life experience pathways are then interlinked with personality traits of control, power and a need to have sexual needs met regardless of the harm to another person. Finally, there is the sexual deviancy aspect of committing sexual behaviour with another person against their consent. Critically, and fundamentally, it is about gaining insight into how the person was able to perform sexually with a person against that person's consent. Essential to understanding the level of deviancy with persons

[6] G.T. HARRIS, M.E. RICE, *Sexual predator legislation: A critical review of the evidence, Criminal Justice and Behavior*, 2006, 33(5), 616-631.

[7] D. FINKELHOR, *Child Sexual Abuse: new theory and research*, 1984, New York, NY. Free Press.

[8] M. LEONARD, M. DONATHY, *Understanding Normal Sexual Functioning*, In *Working with Sex Offenders: A Guide for Practitioners*, 2017,Wilcox, D et al.

who commit sexual abuse is gaining insight into how they were cognitively and sexually able to overcome victim distress, upset, possibly being physically pushed away, as well as overcoming visual stimuli such as seeing the victim upset and crying.[9] Once they have developed the physical ability, sexual interest and sexual drive to have their sexual needs met through the non-consent of others, the sense of power and control motivates them to repeat the sexual abuse on others. This sense of power is further enhanced when the perpetrator observes the victims' efforts at disclosure of the abuse to others being ignored, not acknowledged, not believed, or the signs and symptoms not understood enables the perpetrator to develop a repetitive cycle of sexually abusing until they are stopped. Once in their cycle of abuse the perpetrator's motivation is driven by the sexual pleasure they gain from sexual abuse of others, regardless of the distress, physical pain and emotional harm experienced by the victim and by the fact the other persons who should be alert to their risk behaviour are not hearing the victims disclosures or not identifying signs the victim is being abused means they will continue to abuse until they are stopped.

*Stage 2* addresses how the perpetrator has overcome the expected societal norms, their own internal inhibitors or their conscience to sexually abuse another person. Cognitive distortions enable them to minimise the impact on their victim, minimise the reality of the harm they are doing. Other forms of offence-supportive cognition include entitlement thinking,[10] hostile grievance thinking[11] and suspiciousness of women.[12] Within a sports context, if the perpetrator observes a lack of respect for adherence to codes of conduct, safeguarding poor practice, dismissive or inconsistent attitudes towards incidents of interpersonal abuse/harm, this can reinforce their beliefs and give themselves 'permission' to target someone and harm them.

*Stage 3* address how the perpetrator has overcome the external inhibitors (the manipulation of the potential protectors/guardians) to sexually abuse without these person/s challenging their behaviour. The modus operandi is the unique way an individual circumnavigated the physical environment, the routines of the system in which they abused in, the personnel within that system who should and could question any unusual or concerning behaviour and including the support network of the targeted victims. This is commonly known as grooming, which is often perceived to be applied only to victims but when the sexual abuse takes place within a sports organisation, staff, athletes and family support networks the grooming is extended to them. The grooming of these persons means they do not perceive the perpetrator to be a risk because of either their position of trust/influence in the

[9] M. Leonard, M. Donathy, *Understanding Normal Sexual Functioning*, *Working with Sex Offenders: A Guide for Practitioners.* Wilcox, D et al , 2017.

[10] R.K. Hanson, R. Gizzarelli, H. Scott, *The attitudes of incest offenders: Sexual entitlement and acceptance of sex with children*, *Criminal Justice and Behaviour*, 1994, 21, 187-202.

[11] R.E. Mann, *An investigation of the purpose, nature and influence of cognitive schemas in sexual offending* (unpublished doctoral dissertation), 2005, University of Leicester.

[12] N.M. Malamuth, L.M. Brown, *Sexually aggressive men's perceptions of women's communications: Testing three explanations*, *Journal of Personality and Social Psychology*, 1994, 67, 699-712.

sport or through fear of challenging them on their behaviour. Additionally, the personality and character of the individual perpetrator is core to how others perceive them as to whether they are someone people think could cause harm to others. In other words, the perpetrator is often someone who presents to others as someone of such good character that there is no suspicion by others they could engage in such harmful behaviour. This can be presented as having strong value base, religious beliefs, kind, helpful, caring, and hardworking and therefore not someone perceived to be antisocial and capable of causing harm. Or, their personality/behaviour is a concern, but their position of influence is a barrier to being challenged.

*Stage 4* addresses how the perpetrator has overcome the victim's resistance/ gained compliance whether that is initially through their targeting of specific persons due to their vulnerability, the gender and age of those victims. Gaining victim's compliance/overcoming victims' resistance is how they behaved directly against the victims in order to sexually abuse them, such as threatening the victim of additional harm if they do not comply or treating the victim in a manner different to others which makes the victim feel they are special and will then comply in the belief the abusive behaviour is what they must accept. Within the sports context, the victim may fear losing their place on a team, being sidelined and/or worry of the impact on other athletes if they disclose the abuse. The manner of how the victims' compliance/overcoming victims' resistance is gained causes significant additional psychological, physical and emotional harm to the victims alongside the sexual harm they will have suffered. Once the perpetrator has committed their first sexual abuse of a victim, have observed any verbal or physical or behavioural attempts to disclose to staff / family / residents not being successful and their behaviour is not questioned, especially in front of the victim, the perpetrator will gain confidence in their ability to continue to harm.

By applying the Finkelhor Four Stage Model to risk assessment, sports organizations can create a comprehensive understanding of the factors contributing to the risk of abuse. This model not only helps in identifying potential perpetrators but also aids in developing targeted prevention and intervention strategies to protect vulnerable populations Ultimately, addressing each stage of the model can enhance safeguarding efforts and promote a culture of safety and accountability.

Additional within this 4-stage process Eck[13] refers to 'crime controllers' and used the term 'guardian' to refer to the first type of controller are those persons with the responsibility, commitment and capacity to protect the potential victim. In sports organizations this responsibility should be embedded in the culture of governance in international federations through to the governance in grass roots sports clubs. The second type of controller is a 'handler' such as a parent, teacher, friend and work colleague who can exert a positive influence on the potential perpetrator and within sports this is where having a safeguarding culture, owned by everyone ensures a positive approach to safe sport is practised by all thereby

[13] J.E. Eck, *Police problems: the complexity of problem theory, research and evaluation*, *Crime Prevention Studies*, 2003, 15, 79-113.

deterring anyone seeking to harm. The third type are 'place managers' who are responsible for supervising and maintaining good conduct in the environment, within sports having a Code of Conduct and a zero tolerance for poor practice will ensure safeguarding concerns are identified and managed sooner. If these 'crime controllers' are not alert to the signs and symptoms of interpersonal abuse, then a person with the motivation to harm will be enabled by the system.

This complexity and uniqueness of how someone abuses requires individualised risk assessments of the person beyond investigation of the incident/initial complaint in cases of interpersonal harm. Incident investigations rely on victims to provide a comprehensive account which does not allow for the traumatic complexity of disclosure, so risk assessment of the person of concern enables exploration of whether the person poses a risk.

Finally, in the case where the risk assessment is of children who perpetrate harm organizations must ensure their policies, procedures, assessments and interventions are applicable and suitable for these children alongside their safeguarding personnel having the required specialist training to manage such disclosures appropriately.

Risk assessments of a person of concern must be undertaken by suitably qualified professionals who have expertise in assessing interpersonal harm as well as trauma informed training in understanding the impact of abuse. It is therefore essential for sports organizations to either invest in having staff completed such specialist training or externally commission these risk assessments but have rigorous governance over the recruitment of external professionals and their qualifications to undertake such assessments.

### *2. Safeguarding Training*

Safeguarding training in sport is essential for ensuring the safety and well-being of athletes, particularly children and vulnerable individuals. This training equips coaches, staff, and volunteers with the necessary skills to recognize, prevent, and respond to abuse and neglect within sporting environments. Key components of effective safeguarding training include understanding various forms of abuse, recognizing signs of distress, and knowing how to report concerns appropriately.[14] Additionally, training emphasizes the importance of creating a culture of trust and communication, which encourages athletes to speak up about any issues they face.[15] International Olympic Committee (IOC) and national governing bodies have established guidelines and frameworks to promote safeguarding practices, highlighting that such training is not just a legal requirement but a moral obligation to protect athletes from harm.[16] By implementing comprehensive safeguarding

[14] Sport England, *Safeguarding and Protecting Children in Sport*, 2020.

[15] K.E.Gilbert, D. Tripp, *Safeguarding children in sport: A review of the literature*, *Child Abuse Review*, 2016, 25(4), 295-307.

[16] IOC (*IOC Consensus Statement on Sexual Harassment and Abuse in Sport*. International Olympic

training, sports organizations can foster a safer environment, ultimately enhancing the overall sporting experience for all participants. The FIFA Guardians safeguarding training program equips sports organizations with essential tools and knowledge to protect all participants, emphasizing the importance of creating a safe and inclusive environment in football.[17]

Effective training in an organisation is underpinned by those with overall governance and oversight giving investment to:

- the policies and procedures being in place for their sport,
- recruiting appropriately qualified and experienced safeguarding personnel,
- providing safeguarding personnel with the resources to deliver their role,
- safeguarding personnel having time to develop training resources,
- safeguarding personnel having access to their own professional development and training to assist them in training others,
- role modelling that safeguarding training is for everyone, including those with strategic oversight,
- supporting safeguarding training being mandatory,
- having safeguarding on the strategic agenda including training delivery evaluation and analysis

Investment in training, requires investment in the personnel who develop and deliver the training and this not being perceived as 'part of the safeguarding job' but requiring additional skills and knowledge to educate others on behalf of an organization. To ensure effective safeguarding training, it is essential to have trainers who possess a deep working understanding of child and adult protection principles, relevant legislation, and best practices in safeguarding. Good safeguarding trainers should also have experience in working with diverse populations and be skilled in creating an inclusive and engaging learning environment. They must be able to communicate complex concepts clearly and effectively, tailoring their approach to meet the needs of different audiences. Additionally, trainers should stay updated on the latest research and trends in safeguarding, enabling them to provide current and relevant information. Finally, effective safeguarding trainers should foster an atmosphere of trust and openness, encouraging participants to share their experiences and concerns, thereby enhancing the overall impact of the training.

Case supervision and support for safeguarding personnel are essential components in fostering a robust safeguarding framework within sports organizations. Effective case supervision ensures that safeguarding personnel receive guidance and oversight in their roles, helping them navigate complex situations and make informed decisions regarding the welfare of participants. According to Kadushin and Harkness,[18] supervision in social work not only enhances professional development but also provides a space for reflection, which

Committee, 2016, and International Olympic Committee (IOC), *Safeguarding in Sport: A Guide for the Olympic Movement*, 2024.

[17] FIFA, *FIFA Guardians: Safeguarding in Football*, 2020.

[18] A. Kadushin, D. Harkness, *Supervision in Social Work*. Columbia University Press, 2014.

is crucial for maintaining ethical practice. Regular supervision meetings allow staff to discuss challenges, share experiences, and reflect on their practices, thereby enhancing their skills and confidence in handling safeguarding issues.

Moreover, ongoing training and professional development are vital for keeping safeguarding personnel informed about the latest policies, legal requirements, and best practices. The *Social Work Policy Institute* emphasizes that effective supervision includes fostering a supportive environment where staff can express concerns and seek guidance, ultimately benefiting both the personnel and the individuals they serve.[19] Additionally, support mechanisms such as access to counselling services or peer support groups can help personnel manage the emotional toll of safeguarding work, ensuring their well-being and effectiveness. By prioritizing supervision and support, organizations create a culture of safety and vigilance, empowering safeguarding personnel to uphold the highest standards of protection for all participants.

Many individuals are triggered to recall their own abuse experiences when attending safeguarding training and so effectively managing disclosures during safeguarding training requires a specific set of skills to ensure that individuals feel safe, supported, and understood. First and foremost, trainers must possess strong active listening skills, allowing them to fully comprehend the concerns and emotions expressed by the disclosing individual. Empathy is crucial, as it helps trainers create a supportive atmosphere where participants feel validated and respected. According to *The Army of Survivors*, a trauma-informed approach is essential in these contexts, emphasizing the importance of understanding the impact of trauma on individuals and creating an environment that promotes safety and empowerment.[20]

Additionally, trainers should be adept at maintaining confidentiality and explaining the limits of confidentiality to participants, ensuring they understand how their information will be handled. Clear communication skills are essential for guiding the conversation, allowing trainers to ask open-ended questions that encourage further sharing while avoiding leading or judgmental remarks. Moreover, trainers should be knowledgeable about the appropriate protocols for reporting disclosures, ensuring they can provide participants with the necessary information on how to seek further help or support.

In their work, victim athletes often highlight the significance of trauma-informed practices, which recognize the pervasive effects of trauma and prioritize building trust and resilience.[21] Finally, emotional resilience is vital, as managing disclosures can be emotionally taxing; trainers must practice self-care and have access to regular supervision and support to maintain their well-being

[19] Social Work Policy Institute (SWPI), *The Importance of Supervision in Social Work Practice*, 2013, available at *https://www.socialworkpolicy.org*.

[20] The Army of Survivors, *Creating a Trauma-Informed Response*, 2020, available at *www.thearmyofsurvivors.org*.

[21] B.J. King, 2021, *All In: An Autobiography.* Random House LLC US.

while supporting others. By developing these skills and incorporating trauma-informed principles, trainers can enhance the effectiveness of safeguarding training and create a safe environment for all participants.

Training, however, needs to empower people and not create a sense of fear, anxiety or a sense of this being too much and affect people's commitment to the sport, especially volunteers. Training should have a range of interactive training methods, such as workshops, role-playing, and case studies, can significantly enhance engagement and retention of information. These approaches allow participants to practice responding to real-life scenarios, thereby increasing their confidence and preparedness to act if a situation arises.[22] Additionally, ongoing training and regular updates are essential to keep staff informed about changes in laws, policies, and best practices. This ensures that safeguarding measures remain relevant and effective in addressing emerging risks.[23] Safeguarding training should be also delivered specifically for events to reinforce the knowledge of what a concern looks like at an event, the specific reporting procedures for the event and named safeguarding personnel.

Incorporating feedback mechanisms allows participants to share their experiences and suggestions for improvement, thereby continuously enhancing the training program. By addressing these elements, safeguarding training in sport can be more effective in protecting athletes and creating a safe, supportive environment.

Safeguarding is not the sole responsibility of the organisation, so extending training to parents/guardians empowers them to recognise and respond to any concerns their child/family member may bring to their attention but also if they notice behaviours of concern, they will know how to report.

Finally, and of utmost importance, is safeguarding training which is designed specifically for athletes with sport specific examples of how they could be harmed/exploited in their own sport, so they can recognise the signs, feel confident to report concerns and know their rights in the sport. This includes child athletes being empowered through bespoke training to disclose peer abuse and that examples in the training are not limited to adult perpetrating harm on children but addresses all potential configurations of age, gender, roles, positions of influence and forms of abuse.

### *3. Clear Reporting Mechanisms*

Having comprehensive safeguarding policies in sports is fundamental to safe sport but it is the translation of these policies into practice by the procedures and reporting mechanisms the organization puts in place which makes safeguarding work in practice.

---

[22] K.E. Gilbert, D.Tripp, *Safeguarding children in sport: A review of the literature*, *Child Abuse Review*, 2016, 25(4), 295-307

[23] IOC, *IOC Consensus Statement on Sexual Harassment and Abuse in Sport*. International Olympic Committee, 2016.

Clear reporting mechanisms are essential to ensure that concerns about abuse, poor practice or misconduct are addressed promptly and effectively. These mechanisms provide a structured process for athletes, coaches, staff, volunteers, parents/guardians and the public to report suspicions or allegations of abuse, which promotes a culture of safety and accountability.

Additionally, organizations must ensure that all stakeholders are aware of these mechanisms through comprehensive training and regular communication, reinforcing the importance of reporting concerns.[24] Internationally, frameworks such as the United Nations Convention on the Rights of the Child (UNCRC)[25] emphasize the importance of safeguarding children in all environments, including sports, and call for clear reporting systems to protect children's rights.[26] Safe Sport International also highlights the importance of effective reporting mechanisms in their guidelines, emphasizing that organizations must create environments where individuals feel safe to report concerns without fear.[27]

Reporting mechanisms should be trauma informed to ensure the process of reporting abuse/concerns does not in itself cause further emotional harm. Reporting processes need to be clear, accessible for all ages/languages, offering several options including anonymity as well as having open lines of communication back to the referrer so a concern raised is not lost in a vacuum of uncertainty.

Reporting mechanisms for events must be well-defined and known to all persons prior to an event. Having named designated safeguarding personnel, reporting and recording mechanisms which are accessible to the referrer whilst responsive to the event timetabling. Inadequate reporting and management processes at events may affect a victim raising a concern if they are hindered in their competing due to delays in their concern being addressed. Utilising technology such as accessible QR codes, anonymous reporting through email/texting as well as in person and having an event responsive safeguarding case management approach.

By implementing clear and accessible reporting mechanisms including for events, sports organizations can encourage prompt action on safeguarding issues, ultimately protecting vulnerable individuals and promoting a culture of safety and respect within the sporting community.

### *4. Whistleblowing Policy*

Being made a victim of interpersonal harm creates significant barriers to being able to share what happened with others, close family members, friends regardless of how supportive and empathetic they are. The dynamics of being abused cause

[24] IOC, *IOC Consensus Statement on Sexual Harassment and Abuse in Sport*. 2016.
[25] UNICEF, *United Nations Convention on the Rights of the Child*, 1989, Retrieved from *https://www.unicef.org/child-rights-convention*.
[26] UN, *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*, 2011.
[27] Safe Sport International, *Safe Sport Framework*, 2020, available at *www.safesportinternational.com.*

emotional responses in a victim such as shame, self-blame, anger but also fear which the perpetrator has created by their modus operandi of how they harm. Perpetrators of interpersonal harm are adept at manipulating and exploiting a victim's emotional vulnerability to transfer the guilt about the harm to them. Therefore, to take the courageous step, which carries so much risk, to tell someone about the abuse, for so many victims is a step too far. Sharing their abuse experience brings the risk of not being believed, being blamed, being ostracised and when the perpetrator is someone whom others like, depend on, achieve and succeed from, the risks of telling are even greater.

Most of the interpersonal harm which meets the criteria for a safeguarding threshold such as sexual, physical and emotional abuse tend to be, in most cases, carried out against a person by someone they know. This level of knowledge of that person can range from knowing the person to see, knowing them from their role in the organization through to having daily contact. Therefore, taking the step of disclosing the abuse is fraught with dilemmas of weighing up the risk of telling with the consequences of telling for themselves, others, the organisation and in some cases the wider society.

Often victims may not feel ready or safe to disclose their own abuse but recognise similar patterns of the perpetrator's behaviour towards others and want to protect.

Alongside this, there is also the recognition that people within sports organisations become aware of another person's behaviour, they recognise harmful patterns of behaviour but for multiple reasons feel unsafe directly reporting the concerns within the safeguarding reporting processes. This can be due to the person of concern's status/position of influence in the sport and a fear of consequences in reporting. Therefore, in acknowledging the challenges of disclosing, organisations must have processes in place which enable interpersonal harm/safeguarding concerns to be raised which does not place further risk on the person raising the concerns.

Whistleblowing is a critical mechanism for promoting transparency and accountability within organizations, particularly in cases involving unethical practices, corruption, or violations of laws and regulations but even more so where the harm is interpersonal abuse.

Often characterized as the act of reporting misconduct by individuals within an organization, whistleblowing serves as a vital tool for safeguarding public interest and maintaining ethical standards. The motivations behind whistleblowing can vary, including a sense of moral obligation, a desire to protect others, or the pursuit of justice. However, whistleblowers frequently face significant risks, including retaliation, ostracism, and legal repercussions, which can deter potential informants from coming forward. Various sports organizations and governing bodies have begun to implement policies and frameworks designed to protect whistleblowers who report misconduct, abuse, or unethical behaviour within sports contexts. For example, the International Olympic Committee has established guidelines that

encourage the reporting of abuse and misconduct and emphasizes the importance of safeguarding athletes' rights.[28]

National governing bodies and sports federations have created their own whistleblowing policies which outline clear procedures for reporting concerns, ensure confidentiality, and provide assurances against retaliation for those who come forward. In some jurisdictions, specific laws also support whistleblowing in sports. Additionally, organizations such as Sport England and Sport Australia have developed frameworks to enhance safeguarding measures and promote a culture of openness where athletes and staff feel empowered to report concerns without fear of repercussions.[29] As the conversation around athlete welfare and safeguarding continues to grow, the establishment of robust whistleblowing protections in sport is vital for ensuring accountability and promoting a culture of integrity.

The effectiveness of these protections, however, often depends on the organizational culture and the frameworks in place to support ethical behaviour. As such, fostering an environment that encourages open dialogue and protects whistleblowers is essential for cultivating integrity and trust within sports organizations. Having a whistleblowing policy which protects the whistleblower is essential and works well alongside safeguarding policies and procedures. Ultimately, a positive organizational culture that values ethical behaviour and supports whistleblowing not only increases the likelihood of reporting misconduct but also enhances overall accountability and trust within the organization. This cultural foundation is essential for promoting ethical practices and ensuring that everyone, including athletes, feel confident not only in their ability to raise their concerns but feeling safe in doing so.

### *5. Incident Response Plan*

A sports safeguarding incident response plan is crucial for effectively managing allegations or incidents of abuse or misconduct within sporting environments. Key components of an effective incident response plan include immediate reporting protocols, support for the affected individuals, and confidentiality measures to protect the privacy of all parties involved.[30]

Managing the impact on victims is a critical aspect of the response plan. Organizations should prioritize psychological support for victims, which may involve providing access to counselling services and ensuring they feel safe and supported throughout the investigation process.[31] This approach not only aids in the healing process but also reinforces the organization's commitment to safeguarding and

[28] IOC, *IOC Consensus Statement on Sexual Harassment and Abuse in Sport*, 2016.
[29] See Sport England, *Safeguarding and Protecting Children in Sport*, 2020, and Sport Australia, *Creating a Safe and Inclusive Sport Environment*, 2020.
[30] K.E.Gilbert, D. Tripp, *Safeguarding children in sport: A review of the literature*, *Child Abuse Review*, 2016, 25(4), 295-307.
[31] Safe Sport International, *Safe Sport Framework*, 2020, available at *www.safesportinternational.com.*

the well-being of its participants. Additionally, organizations should consider the potential long-term effects of abuse on victims, including issues related to trust, self-esteem, and participation in sports. Creating a victim-centered environment that emphasizes empathy, understanding, and respect can significantly contribute to their recovery and reintegration into the sporting community.[32]

Equally important is maintaining objectivity regarding the person of concern when designing and implementing an incident response plan. It is essential to ensure that the individual accused of a safeguarding concern/misconduct is treated fairly and given the opportunity to respond to allegations without bias or prejudice.[33] This involves following established procedures for gathering evidence and conducting interviews, ensuring that all parties are heard and that decisions are based on factual information rather than assumptions or emotions. Appointment of external investigators with expertise in interviewing from a trauma-informed perspective ensures the response is measured and objective.

Oversight by a dedicated safeguarding committee is essential for ensuring accountability and effective implementation of the safeguarding policy and procedure within the incident response. This committee should consist of individuals with relevant expertise in safeguarding, legal matters, and child welfare, and it should be tasked with regularly reviewing safeguarding practices, incident response plans, and risk assessments.[34] Having an external independent chair of the committee provides an additional layer of accountability and promotes trust within the sport of its management of safeguarding concerns.

By fostering an environment that values both the protection of victims and the rights of the accused, as well as maintaining rigorous oversight and risk management, sports organizations can uphold a balanced and effective approach to an incident.

Key elements of a robust safeguarding incident response plan include:

*1. Clear Visible, Accessible, Jurisdictionally Legal Reporting Procedures:* Establishing straightforward and accessible pathways for reporting incidents, ensuring that all persons whether athlete, staff, volunteers, public understand how to report concerns safely and confidentially. All procedures must be based on the legal frameworks in the jurisdiction the sport is based and cognizant of any legal differences created by different event locations.

*2. Designated Safeguarding Officer (DSO):* Identifying a trained DSO responsible for overseeing safeguarding matters, managing reports, and coordinating responses to incidents. The DSO must be visible, contactable and have a support team to assist with the role.

*3. Immediate Response Protocols:* Outlining immediate actions to be taken upon receiving a disclosure or report, including ensuring the safety of the affected individual, impact on the person of concern and gathering initial information.

---

[32] R. HUGHES, J. HARGREAVES, *Safeguarding in Sport: A Guide for Coaches*, 2016, Routledge.

[33] UNICEF, United Nations Convention on the Rights of the Child, 1989.

[34] UN, *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*, 2011.

4. *Investigation Procedures:* Detailing the steps for conducting a thorough and impartial investigation, including timelines, responsible parties, and methods for documenting findings. Having resources if necessary to access external investigators, risk assessors and safeguarding specialists.

5. *Support Services:* Providing access to support services for affected individuals, including counselling, legal advice, and advocacy resources, to ensure their well-being throughout the process.

6. *Confidentiality Measures:* Emphasizing the importance of confidentiality for all parties involved in the incident, outlining how information will be shared and protected.

7. *Training and Awareness:* Ensuring that all staff, volunteers, and participants receive regular training on safeguarding policies, incident reporting, and response protocols to foster a culture of safety. Having event specific safeguarding training to include the interface with additional support services such as security, health and safety and events management team to clarify what constitutes a safeguarding concern and how to report.

8. *Review and Evaluation:* Including mechanisms for regularly reviewing and updating the incident response plan to reflect changes in legislation, best practices, and feedback from stakeholders.

9. *Communication Plan:* Establishing a clear communication strategy for informing relevant parties about the incident and the organization's response, while balancing transparency with confidentiality.

10. *Partnerships with External Agencies:* Building relationships with local authorities, law enforcement, and support organizations to ensure a coordinated response and access to additional resources when needed.

By incorporating these key elements, organizations can create a comprehensive safeguarding incident response plan that effectively addresses incidents and promotes a culture of safety and accountability.

Finally, all incident response plans should be developed with the consideration of their applicability and suitability to being used with children under 18 years of age in the situations where they have caused the harm to a peer, older child or adult. Additional considerations are:

– *Understanding child development* to ensure interviews/investigations are age appropriate and consider the child's cognitive and emotional maturity.[35]

– *Trauma-informed approach* as many children who exhibit harmful behaviour have experienced abuse, so a trauma informed approach will assist in understanding the root cause of the behaviour and identify appropriate responses.[36]

– *Restorative practices* to assist the child to understand the impact on others and take accountability.[37]

---

[35] S. Hart, *Child Development and the Impact of Trauma on Behavior*, Journal of Child Psychology, 2019.

[36] M. Leonard, S. Hackett, *The AIM3 Assessment Model: Assessment of Adolescents and Harmful Sexual Behaviour.* The AIM Project.

[37] H. Zehr, *The Little Book of Restorative Justice: Revised and Updated*, 2015, Good Books.

– *Individualized Support Plans* which involve collaboration and engagement with families, mental health professionals and educators.

– *Child Interviewing/Investigative Processes* are undertaken with the knowledge of the legal frameworks applicable to children and their parents/guardians.

– *Specialised training* for safeguarding staff in how to handle disclosures of a child perpetrating harm and how to apply policies, procedures with due recognition of age, stage of development and the rights of the child.

### 6. MONITORING AND EVALUATION

Global guidelines, such as those from the *United Nations Convention on the Rights of the Child*, emphasize the importance of accountability and the need for mechanisms that promote the protection of children in all environments, including sports.[38] The *World Health Organization* (WHO) also advocates for robust safeguarding measures, highlighting the need for effective monitoring systems to prevent and respond to abuse in various settings, including youth sports.[39] Additionally, the *International Safeguards for Children in Sport* framework, developed by a partnership of organisations based on the research led by Dr Daniel Rhind provides a comprehensive approach to safeguarding children in sports, emphasizing the importance of regular evaluation and improvement of safeguarding practices.[40] By prioritizing comprehensive monitoring and evaluation, sports organizations can foster a culture of safety, ensure compliance with safeguarding standards, and ultimately enhance trust among participants and stakeholders.

Evaluation processes should include collecting feedback from stakeholders, such as athletes, coaches, and parents, to gauge their perceptions of the safeguarding environment and the effectiveness of reporting mechanisms.[41] Furthermore, utilizing quantitative data, such as incident reports and training completion rates, can provide valuable insights into the organization's safeguarding performance.[42] Data collection for evaluation and monitoring purposes should be varied, accessible to all, afford opportunity for anonymity through questionnaires/surveys, gained in person through interviews, focus groups as well as direct observation of safeguarding practices.

Incorporating the voices of affected persons in the monitoring and evaluation processes within sports organizations is essential for fostering an inclusive and responsive environment. This participatory approach not only empowers individuals to share their experiences and concerns but also enhances the credibility

[38] UNICEF, *United Nations Convention on the Rights of the Child*, 1989.

[39] World Health Organization, *Global Action Plan on Physical Activity 2018-2030: More Active People for a Healthier World*, 2018.

[40] D. RHIND, F. OWUSU-SEKYERE, *International Safeguards for Children in Sport*: *Developing and Embedding a Safeguarding Culture*, 2017.

[41] Safe Sport International, *Safe Sport Framework*, 2020, available at *www.safesportinternational.com*.

[42] R. HUGHES & J. HARGREAVES, *Safeguarding in Sport: A Guide for Coaches*. Routledge, 2016.

and relevance of the evaluation outcomes. According to *The Army of Survivors*, engaging affected persons in monitoring and evaluation helps ensure that safeguarding practices are tailored to meet the needs of those most impacted, promoting a culture of trust, accountability, and continuous improvement within the sporting community.[43] Ultimately, this engagement is crucial for creating a safe and supportive environment where all participants can thrive. Incorporating a human rights lens into sports safeguarding is essential for creating an inclusive and accountable environment for all participants. The *State of Play: Human Rights in Sport* report by the Centre for Sport and Human Rights emphasizes the importance of aligning safeguarding practices with human rights principles, urging sports organizations to prioritize the voices of affected persons in their policies and practices.[44] By integrating this perspective, organizations can better identify and address potential human rights violations, ensuring that the dignity and rights of all individuals are upheld.

Embedding learning from safeguarding incidents and serious case reviews into the monitoring and evaluation processes within sports organizations is vital for enhancing the effectiveness of safeguarding measures. Such reviews provide critical insights into failures and successes, allowing organizations to identify patterns and implement evidence-based improvements. By systematically analyzing incidents, organizations can develop a deeper understanding of the underlying issues that contribute to safeguarding failures and ensure that lessons learned inform future practices.[45]

By embedding research learning into evaluation and monitoring processes, sports organizations can create a more evidence-based approach that not only enhances the effectiveness of their safeguarding measures but also contributes to the overall improvement of the sporting environment. This commitment to continuous learning and adaptation ensures that organizations remain responsive to the evolving needs of their participants and the broader community.

### 7. *Regular Updates and Audits*

Regular updates and audits in sports safeguarding are essential for ensuring the continuous effectiveness and relevance of safeguarding measures within sports organizations. These processes allow organizations to systematically assess their policies, practices, and compliance with established standards, thereby identifying areas for improvement and mitigating potential risks.[46] According to *Sport Australia*, periodic audits not only enhance accountability but also foster a culture

[43] The Army of Survivors, *Survivor-Centered Approach: Why It Matters in Sport*, 2020, available at *https://thearmyofsurvivors.org.*

[44] Centre for Sport and Human Rights, *State of Play: Human Rights in Sport*, 2021, available at *https://www.sporthumanrights.org.*

[45] Child Protection in Sport Unit, *International Safeguards for Children in Sport*, 2017, available at *https://thecpsu.org.uk.*

[46] Ibid.

of safety and vigilance, ensuring that safeguarding remains a priority at all levels.[47] In Canada, the *Canadian Sport Policy* emphasizes the importance of ongoing evaluations and updates in safeguarding frameworks to protect all participants, particularly children and vulnerable individuals.[48] Similarly, in the United States, the *Safe Sport Act* mandates that national governing bodies implement and maintain effective safeguarding policies, including regular audits to ensure compliance and efficacy.[49] By implementing a robust framework of regular updates and audits, sports organizations can adapt to emerging challenges, integrate feedback from stakeholders, and align their practices with the latest research and best practices in safeguarding, ultimately promoting a safer environment for all participants.[50]

Safeguarding policies and procedures must be regularly reviewed and updated in line with current good practice. Embedding learning from updates and audits into safeguarding training ensures the transfer of learning into practice. This includes maintaining affected persons voices at the centre of audits and updates. Organizations such as *Survivors Network* emphasize that incorporating survivor feedback into audits not only validates their experiences but also empowers them to contribute to systemic change, ensuring that safeguarding practices evolve in line with the real-world challenges they face.[51] Additionally, the *National Sexual Violence Resource Center* advocates for the inclusion of affected persons' voices in the development and review of safeguarding policies as a means of creating more effective and sensitive responses to incidents of abuse.[52] Gaining the trust from affected persons to engage in audits/feedback will require sports organizations to consider the methods used for such data collection so their psychological safety is prioritised.

The adopting of a 'human rights based approach' as a way of working proposed in the State of Play,[53] by sports set the core foundation of ensuring safeguarding policy, procedures, auditing, evaluation and practice is participatory, accountable, non-discriminatory, empowering and legitimate.

## *Conclusion*

Safeguarding requires a systematic response which is owned, resourced and invested in by those with strategic governance and leaders of the sport from

[47] Sport Australia, *National Principles for Child Safe Organisations*, 2020, retrieved from *https://www.sportaus.gov.au.*

[48] Government of Canada, *Canadian Sport Policy 2012*, 2012.

[49] U.S. Congress, *Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act,* 2017, available at *https://www.congress.gov/bill/115th-congress/house-bill/606.*

[50] R. Hughes & J. Hargreaves, *Safeguarding in Sport: A Guide for Coaches*. Routledge, 2016.

[51] Survivors Network, *Empowering Survivors: The Role of Feedback in Safeguarding Policies*, 2019, available at *https://www.survivorsnetwork.org.*

[52] National Sexual Violence Resource Center (NSVRC), *Incorporating Survivor Voices in Policy Developmen*t, 2021, retrieved from *https://www.nsvrc.org.*

[53] Centre for Sport and Human Rights, *State of Play: Human Rights in Sport*, 2021, available at *https://www.sporthumanrights.org.*

international federation level through to grassroots. Responding and managing allegations of abuse/interpersonal harm requires assessment of the person of concern, not just an investigation of the incident. Educating staff, athletes, volunteers and parents on safeguarding is fundamental but the training must be tailored, inclusive and empowering.

Safe sport requires organizations having clear, accessible and trauma-informed reporting mechanisms which includes a whistleblowing policy to compliment these. Critical to not only effective safeguarding is the how incidents are identified, managed and responded to but also for athletes/affected persons to observe incidents being managed from a trauma informed perspective, means they develop trust in the personnel and the processes which empower others to share concerns. Safeguarding incidents must be responded to with procedural integrity for all concerned.

Monitoring, evaluation and auditing of safeguarding policies, processes including training is fundamental to ensuring practice is up to date and learning from research, sports inquiries is embedded in practice.

# NOTHING ABOUT US, WITHOUT US – ATHLETE-SURVIVOR VOICE IS PARAMOUNT TO MAKING SPORT SAFER

by *Julie Ann Rivers-Cochran*[*] and *Emily Austin*[**]

SUMMARY: Introduction – 1. The Context of Abuse in Sport for Survivors – 2. The Power of Athlete-Survivor Voice – 3. Trauma-Informed Practice to Engage Athlete-Survivors – 4. Trauma-Informed Approach and Framework – 5. Trauma-Informed Safe Sport Entities – 6. Progress Towards Safer Sport with Athlete-Survivor Leadership – Nothing About Us, Without Us – Conclusion

## *INTRODUCTION*

The phrase *nothing about us, without us*, emerged from the disability rights movement that started in the 1970s in Berkeley, California, USA. This phrase is a powerful reminder of the necessity of uplifting and centering the voices and lived experiences of individuals impacted directly by abuse in the process of systems reform. Meaningful and lasting change must include individuals most affected by the issue at hand when crafting modifications to, or in the development of, new systems.

*Nothing about us, without us* means that reforms should not be done to a community, but instead should be done by and with the community. This same concept must extend to systemic changes in sports culture and safeguarding. Change must be guided by those most impacted by abuse in sport – *athlete-survivors of abuse in sport*.

Changemaking requires that athlete-survivors of abuse be centered and their experiences valued. Centering athlete-survivor voices is a core tenet of

[*] Julie Ann Rivers-Cochran, MSW, is an international leader in the prevention and intervention of abuse in sports. As Executive Director of The Army of Survivors (TAOS), she leads efforts to bring awareness, accountability, and transparency to sexual violence against athletes at all levels. Julie Ann serves as an Academic Advisory Board Member and Faculty for the IOC Certificate: Safeguarding Officer in Sport, is an Advisory Board member for the International Safeguards for Children in Sport, and is a member of SafeSport International's Advisory Committee, where she chairs the Athlete Voice for Safe Sport Group.

[**] Emily Austin, J.D. is a Senior Policy and Advocacy Specialist at The Army of Survivors. She is also the Founder and President of Pivot Advocacy, P.C., a consulting firm dedicated to creating positive change within systems and communities to address abuse and promote healthy environments.

trauma-informed systems. Research and practice consistently demonstrate that meaningful survivor engagement is essential to interrupt effectively and ultimately prevent abuse in sport.

This chapter explores the need to elevate athlete-survivor perspectives in the pursuit of sports reform. It outlines strategies for authentic and sustained athlete-survivor engagement within a trauma-informed framework and articulates the foundational principles that define trauma-informed safe sport institutions.

The term "*survivor*" is used throughout this chapter to refer to individuals who have experienced trauma, emphasizing their strength, agency, and capacity for resilience. This term is intentionally chosen over "*victim*," which often implies passivity and is commonly associated with legal frameworks that focus more on the harm than the person affected. While "*victim*" centers on the experience of being harmed, "*survivor*" underscores the ongoing journey of healing, empowerment, and recovery. However, it is important to note that when working with athlete-survivors directly, it is imperative to offer space for each individual to share how they prefer to be identified. Not all athletes that have experienced abuse identify with the term survivor or victim. When working with individuals directly, how they refer to themselves is how one should identify them. And, how a survivor defines themselves may change over time.

The term "*whistleblower*" typically refers to individuals who witness abuse or misconduct and report it to an authoritative body or organization.[1] Whistleblowers frequently face significant risks as a result of their decision to come forward, like survivors of abuse in sport.[2] It is essential to recognize the impact of whistleblowing and to extend support to whistleblowers, identifying them as critical stakeholders in safeguarding efforts alongside survivors of abuse.

## *1. The Context of Abuse in Sport for Survivors*

Abuse in sport has profound effects on individuals, families, communities, institutions, and the global society at large. In the varied realms of sport, abuse undermines the many positive aspects of sport engagement and sport for development.

For many individuals, sport is joyful, a large part of one's identity, and a source of physical, mental, and emotional health benefits. However, when sport becomes a site, or even a vehicle of abuse, it can also protect perpetrators and enable institutions that conceal or implicitly condone harmful behavior. In such cases, the very structures designed to promote athlete well-being can be manipulated to protect those who inflict harm, rather than those who experience it.

The complex aspects of sports culture and its role in society underscore the need for safeguarding reforms and the inclusion of athlete-survivor voices. This context is detailed below.

---

[1] *See* National Whistleblowers Center, *What is a Whistleblower*, available at *https://www.whistleblowers.org/what-is-a-whistleblower/.*

[2] Ibid.

Positive characteristics of sport involvement, such as teamwork, self-confidence, discipline, competition, physical health, and exposure to diverse people and experiences, are central to why so many choose to engage in athletic activities. These attributes not only contribute to individual growth, but also align with key protective factors identified in public health approaches designed to prevent abuse and violence.[3]

Sport offers significant potential as a vehicle for promoting resilience, inclusion, and safety when safeguarding is in place. But as witnessed through various cases of abuse in sport, these exact protective factors can be weaponized against the athlete and used as a mechanism to further silence and exploit. Because of sports' power over athletes, coaches, trainers, fans, families, schools, and communities, ending abuse in sport remains difficult. Even though most people believe sports should not be a space for abuse, many fail to take the actions they need to make sport safer due to the myth that safeguarding requires athletes to be weakened or have their performance diminished. This exact climate is why sport reform must include a trauma-informed approach and centralize the voice and experiences of survivors of abuse.

Sport wields significant power and influence over society. Its influence on communities is far-reaching and deeply embedded. Sports have the power to drive economies, turn people into heroes, and create pride in a university, country, or team.

The culture surrounding sports encourages intense loyalties, often feeding an "*us vs. them*" mindset, and transforms star athletes into gods, while seeing sporting institutions as cornerstones of a fan's identity. As a result, standing up to and exposing abuses within the sports world often exacts a tremendous personal toll on those who speak out, with fan bases often quick to defend the institutions and athletes they idolize.

Whistleblowers and athlete-survivors may also face alienation from family and friends for coming forward and exposing abuse. Sport embodies ideals deeply ingrained in society.

Although often associated with elite athletes and professional sports, athlete's stories of overcoming adversity being a symbol of hope resonates just as profoundly at the recreational level, impacting entire communities and sometimes with global ripples of impact.

Understanding the pressures athletes experience, both spoken and unspoken, is vital to understanding the experiences of those that are impacted by abuse.

Creating safe environments requires understanding the impact of sport over an athlete's lifetime. Many children and youth engage in sports, making it

[3] N.Wilkins, L. Myers, T. Kuehl, A. Bauman, M. Hertz, *Connecting the Dots: State Health Department Approaches to Addressing Shared Risk and Protective Factors Across Multiple Forms of Violence*, J Public Health Manag Pract. 2018, January – February 24, available at *https://pmc.ncbi.nlm.nih.gov/articles/PMC5815838/*.

essential to consider how developmental stages influence well-being and safety. Many children enter sports at an early developmental stage when they are beginning to explore their social identity.

Sports are essentially hierarchical structures, with a central coach or trainer who is imparting knowledge and developing skills in athletes. Similar to military structures, these have largely been top-down approaches with critical attention to following directions with coaches and trainers wielding an often unquestioned power over athletes. Within these widely accepted and flourishing paradigms, athlete voices may be controlled and silenced beginning in childhood.

These dynamics extend beyond childhood into adulthood for many elite child athletes seeking a career in sport who were conditioned not to question the authority of coaches, medical staff, and other individuals who hold power over their continued participation in sport and therefore their future success.

Whether a youth football league, a school swim team, or a family of fans supporting a professional team, sport shapes individuals from a young age.

Sport is foundational to many childhoods. Especially in elite levels (professional athletes, Olympians and Paralympians), success at the highest degree is tied to dedication during youth. This places the sports world in a critical position as both a socializing mechanism and a potential site for abuse. Layer this context and power with many of the traditional coaching mantras of "no pain, no gain", "push through pain", and "winning at all costs" and there is an undeniable setup for vulnerability and exploitation.

As a child, there is an expectation to learn from people older than you, be respectful to elders, and take direction without question from people in positions of authority. This is baked into the socialization of sport and is also a reflection of our society at large.

Discipline and following direction are key to many parts of sport participation and being "coachable" as a child means being able to internalize and react to direct feedback, however it is delivered. This does not leave room for pushing back or questioning the advice and direction of authority figures. Sport does not exist separate from larger society's prevailing social norms.

Thus, attention to the impact of oppression through an anti-oppressive framework is essential to creating safeguarding systems and strengthening practices. This includes culturally affirming and inclusive practices that recognize the experiences and value of culture, provide for language access and language justice, and acknowledge regional, historical, and intergenerational experiences of racism, sexism, poverty, homophobia/transphobia, ableism, and more.

Underrepresented groups such as athletes from communities of color, women, LGBTQ+ individuals, and athletes with disabilities often face compounded vulnerabilities due to intersecting systems of oppression.[4]

[4] K. Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, 1989 U. Chi. Legal F. 139, 1989.

The context of abuse in sport is deeply intertwined with systemic dynamics of power and privilege. Understanding these layered power dynamics is essential for developing trauma-informed, anti-oppressive safeguarding frameworks that center the voices of athlete-survivors and promote equity and justice within sport.

A horrible reality of a sports culture that values money and medals over the wellbeing of athletes, is that adults that choose to harm others see the world of sport as an opportunity to perpetuate abuse by exploiting an existing power dynamic. Some individuals intentionally engage with sports systems in order to exploit environments where abuse is overlooked or inadequately addressed, taking advantage of athletes' vulnerabilities.

This was evident in a high-profile case in which decades-long abuse of athletes was enabled by institutional failures within USA Gymnastics and Michigan State University, both of which ignored multiple reports and warnings.[5]

It is also true that coaching and training are often based on an adult's personal experience of being coached as a child. This creates a generational dynamic of perpetuating abusive behaviors, as well as conditions that expect, silence, or ignore abuse.

It is salient to note that not all abuse happens at the coach-athlete level nor between children and adults. Abuse happens between athletes, medical and other training professionals and athletes, and officials/referees and athletes. The unhealthy dynamics of sport that can hide and perpetuate abuse, can impact entire sports ecosystems. It can lead to accepted and even expected abuse as an adult, making establishing healthy boundaries and relationships with others difficult. The context and real-life impacts of abuse in sport are best understood within sports themselves and from athletes themselves. To make sport safer, system reforms and accountable structures need to understand this context and seek out the expertise of athlete-survivors.

### *2. The Power of Athlete-Survivor Voice*

Athlete-survivor voice and experience must be central to developing systems of safeguarding and accountability. Without their voice and expertise, solutions risk falling short, not making sports safer, and creating barriers to interrupting abuse and preventing violence.

Athlete-survivor voice has a unique role in making sport safer. Their knowledge of the sports systems they are a part of, the position and pressures of being an athlete, lived experience, and the variety of athlete identities and narratives all demand that survivor voices be central to the creation of solutions. A critical first step in creating safer sports is acknowledging the expertise and context athlete-survivor voice brings to the process of improving safeguarding.

---

[5] R. Denhollander, *What is a Girl Worth?: My Story of Breaking the Silence and Exposing the Truth about Larry Nassar and USA Gymnastics*, C. Stream, IL: Tyndale Momentum, 2019.

Knowledge of the sport system from an athlete's point of view is invaluable for making sport safer and creating meaningful systems of intervention and accountability. Understanding the difference between participating in an equestrian league with intrastate travel, long hours at the barn tending to horses, and the relative isolation in that system, is different than that of a sport requiring no travel nor overnight stays. Detailed knowledge about the sport's system, the vocabulary of the sport, and the dynamics of the sport are necessary to increase safety and accountability.

Athletes understand and have lived the pressure and connection to their sport's competition framework, inherent in many levels of sports engagement. These pressures include who is in the "starting lineup", how much the game impacts the season, and what future and career opportunities are at stake depending on how well the athlete and team perform. These incentives can range the gambit from rings and medals, to Olympic podiums, college scholarships, coaching opportunities, and paid sponsorships. Athlete-survivors are in a special position to truly understand the pressures of competition and what is at stake.

The dynamics of power and control in sports are better understood by players than by people unconnected to a sports' ecosystem. Dynamics include playing time, who is a starter for the team, access to equipment and practice facilities, being a team captain/leader, and the level of control coaches, doctors, and others have over athletes. Athlete-survivors have experienced these dynamics and have important contributions to share when making decisions about accountability and strategies to make sport safer.

Athlete-survivors have the power of lived experience. Being able to speak from experience allows for authentic unpacking of the complexities of abuse in sport. Their lived experience makes them experts in how the systems treated them and the challenges and successes they faced. Institutions and systems of accountability and safeguarding are foolish to ignore this.

These lived experiences need to be central to thinking through authentic and impactful safeguarding strategies. Many movements of reform have failed due to ignoring and not engaging with people that have the most actual experience. Applying professional degrees and theoretical frameworks is valuable to this work, but it will not create sustainable change without the direct engagement of individuals with lived experience. Athlete-survivor experiences help to create changes that avoid barriers and unintended consequences, deepen the commitment of the community to the changes, and create more responsiveness and equity within sports itself.[6]

Athlete-survivors provide a variety of narratives, not one single story of what abuse looks like.

[6] V. Finisse, *Making the Case for Engaging People with Lived Experience in State Behavioral Health Reform*. Center for Health Care Strategies. Available at *https://www.chcs.org/resource/making-the-case-for-engaging-people-with-lived-experience-and-expertise-in-state-behavioral-health-reforms.*

This is critical to making sure that all types and patterns of abuse are acknowledged and interrupted. There is no "typical" case of abuse, and the construction of safeguarding must take a wide and thorough view of all stories of abuse available to be more responsive and meaningful.

Creating systems change and reforms based on a single narrative or one pattern of facts can create harmful loopholes and ignore other realities of vulnerability and abuse. What may have been the key intervention or solution in one case could have caused harm in another. Meaningful solutions have to consider the narratives and identities of many in order to create lasting change.

Beyond the extreme benefits of centering athlete-survivor voice, advocacy and the sharing of one's voice/views/experience can be part of one's healing and empowerment. Moving from pain to power provides for other pathways of healing and engagement. It breaks down the barriers of isolation, shame, guilt, and helplessness that are common emotions for those experiencing abuse, especially the intimate betrayal of sexual abuse.

Athletes' healing is healing for sport at large. Many athletes have lifelong connections with sport and their healing can provide for more healthy engagement with sport throughout their lifetime –as a future coach, parent/guardian, team member, and/or fan.

Becoming an advocate for change and serving as a resource or expert in the development of safer, more equitable sports systems can represent a powerful full-circle moment for athletes who have experienced abuse. It offers survivors an opportunity to take back control in spaces where it was taken from them while transforming a culture of silence.

### *3. Trauma-Informed Practice to Engage Athlete-Survivors*

The value of having athlete-survivors at decision-making tables to shift the culture of sport and improve safeguarding is powerful, as outlined above. However, bringing survivors of abuse into spaces in order to extract or use their narrative can cause harm, and in fact can re-trigger the powerlessness, shame, and guilt survivors often associate with the harm they survived.

Centering athlete-survivor voice and survivor advocacy requires that the process is committed to a trauma-informed approach. This must be a bottom to top commitment, not mere lip service.

Meaning all levels of the organization or another type of entity charged with safeguarding are committed to being trauma-informed and looking at their choices and the impact of their decisions with a trauma-informed lens and framework. Truly embracing a trauma-informed approach means that all individuals understand trauma and recognize its signs and impacts. This involves a continued commitment to internal reviews and training that build on knowledge of trauma and strengthen skills to prevent trauma and retraumatization.

## 4. Trauma-Informed Approach and Framework

A trauma-informed approach (TIA) is critical to both engaging athlete-survivors and building systems that avoid traumatization and re-traumatization. Trauma-informed systems reflect an understanding of the pervasiveness and impact of trauma, and work to mitigate and transform the effects of traumatic events. They actively minimize re-traumatization and support healing, resilience and well-being.[7]

A TIA builds awareness of what trauma is and helps to normalize its impact, rather than build on the stigmatization survivors of abuse are often faced with. It helps to create an environment where survivors feel comfortable sharing and/or seeking help. Lastly, a TIA attends to the impact of trauma organizationally, mitigating the impact of secondary traumatic stress – or compassion fatigue/vicarious trauma.

Trauma-informed care was developed in the 1970s and grew from widespread recognition of the impact of trauma in wartime, namely "shell shock" associated with soldiers' experiences of war. This extended to further examination of traumas, both physical and mental, experienced by Vietnam War veterans. This led to the recognition of Post-Traumatic Stress Disorder (PTSD) and a growing understanding of how trauma has complex impacts on the brain, nervous system, endocrine system, and body.[8]

In the 1980s organizations were established about trauma and its impacts, including the International Society for Traumatic Stress and the National Center for Post-Traumatic Stress Disorder founded by the US Department of Veterans Affairs.[9]

The TIA was further elaborated by the United States Substance Abuse and Mental Health Services Administration (SAMHSA) "*to develop a working concept of trauma and a trauma-informed approach and to develop a shared understanding of these concepts that would be acceptable and appropriate across an array of service systems and stakeholder groups… This framework can be adapted to other sectors such as child welfare, education, criminal and juvenile justice, primary health care, the military and other settings that*

[7] See United States Substance Abuse and Mental Health Administration, Trauma Informed Approaches and Programs. Available at *https://www.samhsa.gov/mental-health/trauma-violence/trauma-informed-approaches-programs*.

[8] N. Rathmore, *Explore the Role of the International Society for Traumatic Stress Studies*, May 2025, available at *https://glossary.psywellpath.com/international-society-traumatic-stress-studies#what-is-the-international-society-for-traumatic-stress-studies*.

[9] The International Society for Traumatic Stress was founded in 1985, and the U.S. Department of Veterans Affairs established the National Center for Post-Traumatic Stress Disorder in 1989. M. Curi, *A Short History of Trauma-Informed Care*, 15 June 2018. Available at *https://investigatemidwest.org/2018/06/15/a-short-history-of-trauma-informed-care/*; L.G. Crifasi, *Engaging the Safety System of the Brain: Training for Teachers of Immigrants Who Have Experienced Trauma*, 2019, available at *https://core.ac.uk/download/322571095.pdf*.

*have the potential to ease or exacerbate an individual's capacity to cope with traumatic experiences*".[10]

The framework includes six key principles:[11]

*1. Safety*: Athletes feel emotionally and physically safe in the sporting environment, in their interactions, and in their relationships. Entities analyse how safety is improved and accounted for. Safety planning occurs and takes into account the supports a person may have, strategies to reduce trauma reactions, and self-care strategies. Travel safety is considered including to and from practices and competitions as well as the impact of isolation and increased vulnerabilities from intense training schedules.

*2. Trustworthiness and Transparency*: Building and maintaining trust by making decisions with transparency and consistency. Entities take measures to increase transparency and build trustworthiness. Many athletes do not trust current reporting mechanisms and current safeguarding provisions. This is a result of the emergence of high-profile cases of systemic abuse, national cover ups and silencing, stories of institutions denying abuse, and rampant retaliation against individuals who speak out.

Being more clear about the expectations and the pathways for safeguarding and responding to abuse in sport is of the utmost importance to building a system of trust. Even when the outcome is not what is desired by an athlete or there are legal considerations or complications, being upfront and unambiguous is the best way to increase how people feel about and control their participation in sports systems. It is also valuable to remember that building trust takes time, especially when historical betrayals occurred. Trust will not be freely given and instead needs to be earned back from athletes and others harmed in sport.

*3. Peer Support:* Peer support and mutual support among athletes abused in sport helps to re-establish safety and hope and build trust. Peer networks are sometimes more accessible than professionalized support. Peer support offers space for individuals to explore sharing their story in a safe space and among peers that have had similar experiences. Peer networks can help minimize isolation and break the stigma of seeking help while promoting collective healing.

*4. Collaboration and Mutuality:* A trauma-informed approach values collaboration and mutuality by emphasizing partnership and leveling power differences between athletes and sporting entities. Promoting a sports culture that

---

[10] United States Substance Abuse and Mental Health Services Administration, "*SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach*", July 2014, available at *https://library.samhsa.gov/sites/default/files/sma14-4884.pdf.* Accessed 1 July 2025. *Engaging the Safety System of the Brain: Training for Teachers of Immigrants Who Have Experienced Trauma*, available at *https://core.ac.uk/download/.*

[11] Centers for Desease Control and Prevention, *Six Guiding Principles to a Trauma-informed Approach Infographic*, published Date: 06 February 2022, available at *https://stacks.cdc.gov/view/cdc/138924*; and *see* United States Substance Abuse and Mental Health Administration, *Trauma Informed Approaches and Programs*, available at *https://www.samhsa.gov/mental-health/trauma-violence/trauma-informed-approaches-programs*.

prioritizes athlete well-being and recognizes the importance of diverse partnerships across disciplines. For example, connecting athlete-survivors with local, culturally-relevant sexual assault and gender-based violence organizations when seeking supportive services beyond what the sports entity offers. Mutuality within a trauma-informed framework fosters belonging and challenges top-down hierarchical structures.

*5. Empowerment, Voice, and Choice:* Recognizing and building on athlete-survivors' individual strengths, and prioritizing their voice and choices in decision-making and care planning is essential. Being empowerment-based and survivor-centered recognizes survivors' autonomy and focuses on helping them gain control over their own lives at a time when control was taken away from them. Respecting survivors' ability to determine what will work best for them, based on what they know to be true about themselves and their own life. Empowerment includes having the ability to access information that allows individuals to make informed decisions about what to do. Informing of options, possibilities, and supports available helps athlete-survivors make informed decisions. Creating pathways that provide survivors with multiple ways to navigate and options to consider instead of prescribing one path or way forward.

*6. Cultural, Historical, and Gender Issues:* According to the National Center on Domestic Violence, Trauma & Mental Health (NCDVTMH), this principle focuses attention on the cultural, historical, community and social context of athlete-survivors' lives including their ongoing experiences of oppression and discrimination. It emphasizes the importance of care and support systems that are inclusive, culturally responsive, and linguistically accessible. Acknowledging the interconnectedness of trauma and trauma histories that may be complicated by historical, cultural and gender constructs is essential in efforts to create safer sport environments that are more just, and responsive to the complex realities athletes face.

NCDVTMH developed an interactive framework to guide organizations in adopting a trauma-informed approach.[12]

The framework builds on SAMHSA's principles by emphasizing the importance of engaging with survivors of trauma in ways that are accessible and culturally responsive, as noted above. "*It provides a foundation for engaging in work that is inclusive, attuned to the range of people's experiences, and relevant to the people and communities served. It also provides a foundation for working with survivors in ways that are grounded in dignity, respect, and justice; honor people's strengths and creativity; foster resilience and healing; attend to the well-being of staff, organizations, and communities; and, support activism and social change. It provides additional scaffolding for holding*

[12] Key Perspectives and Core Principles for Engaging in Accessible, Culturally, Responsive, and Trauma-Informed Work, adapted from 2018 National Center on Domestic Violence, Trauma & Mental Health, The Army of Survivors adapted infographic, not published, contact info@thearmyofsurvivors.org for more information.

*the depth, nuance, sensitivity, attunement, self-awareness, and accountability that is so important to interactions with survivors and the broader political awareness needed to understand one's own and others' experiences in context*".[13]

The Army of Survivors, an international organization dedicated to trauma-informed reforms in sport and centering athlete-survivor voice, has advanced this approach by engaging with and integrating the safeguarding movement in sport, along with broader safeguarding reforms, as part of a sustained advocacy effort aimed at promoting trauma-responsive systems capable of interrupting and preventing abuse in athletic contexts.[14]

Many athlete-survivors are unable to sustain participation in environments that are not trauma-informed. When athlete safeguarding and accountability systems rely primarily on the engagement of individuals with the greatest access to resources and support, they exclude those in more vulnerable positions. This creates inequity. Often, athletes the most affected by harm are also the least represented in shaping reforms. Meaningful system reform must begin by recognizing and addressing these imbalances. Truly being trauma-informed signals to survivors that the environment is safe, supportive, and capable of honoring their experiences. Without a trauma-informed lens, efforts at reform may inadvertently reproduce the very harms they seek to address.

*Embracing Institutional Courage*

> *"If the institutions whom we had trusted with our safety had instead responded with courage, I would have felt believed and supported. I would trust those in leadership positions to do the right thing and prioritize athlete and child safety over their brand and image. The world which we envision for the future would not just be in our imagination. It would have been a reality for us".*
>
> *- Grace French, The Army of Survivors Founder and President.*

Part of a TIA requires embracing institutional courage instead of institutional betrayal and cowardice. Institutional betrayal is defined as "*wrongdoings perpetrated by an institution upon individuals dependent on that institution, including failure to prevent or respond supportively to wrongdoings by individuals (e.g. sexual assault) committed within the context of the institution*".[15]

---

[13] National Center on Domestic Violence, Trauma, & Mental Health, "*Creating Trauma-Informed Services and Organizations: An Integrated Approach*". *NCDVTMH*, April 2018, available at *https://ncdvtmh.org/wp-content/uploads/2022/10/NCDVTMH2018IntegratedFramework.pdf*. Accessed 1 July 2025.

[14] For example, Key Perspectives and Core Principles for Engaging in Accessible, Culturally, Responsive, and Trauma-Informed Work, adapted from 2018 National Center on Domestic Violence, Trauma & Mental Health, The Army of Survivors adapted infographic, not published, contact info@thearmyofsurvivors.org for more information.

[15] J.J. Freyd, *Institutional Betrayal and Institutional Courage,* available at *https://dynamic.uoregon.edu/jjf/institutionalbetrayal/index.html*.

Institutional courage "*is an institution's commitment to seek the truth and engage in moral action, despite unpleasantness, risk, and short-term cost. It is a pledge to protect and care for those who depend on the institution. It is a compass oriented to the common good of individuals, the institution, and the world. It is a force that transforms institutions into more accountable, equitable, healthy places for everyone*".[16]

In the realm of sport, both high-profile cases and everyday stories of abuse reveal countless moments where institutional courage could have made a critical difference by preventing harm, intervening when abuse occurred, and ensuring meaningful accountability.[17]

Institutions play a central role in creating a safer world of sport. The voices of athlete-survivors are essential to understanding how institutions have contributed to harm as well as what changes are needed to end abuse. Yet for many survivors, institutions have also been sources of deep disappointment, whether through denial, silence, or active coverups. Faced with competing pressures, institutions have too often responded with institutional cowardice, prioritizing reputation over responsibility.

There is no doubt that real financial risks shape how sports institutions respond, but those risks do not justify institutional cowardice or silence. Far too often, the default position for sports institutions, leagues, teams, and governing bodies is to protect themselves by limiting liability including minimizing blame, dodging accountability, and doing the bare minimum to address abuse, if anything at all. This risk-averse approach often manifests through legal and insurance analysis that focuses primarily on what an institution can be held responsible for, rather than what is morally or ethically right.

When sports institutions enlist non-trauma-informed legal teams and insurance advisors, they often end up centering the institution's bottom line over the harm experienced by individuals or communities. In these cases, institutional responses may reward cover-ups, rely on prolonged legal processes, and result in insufficient or delayed action.

This creates a toxic culture where protecting the institution's image matters more than repairing the damage done, where silence is safer than truth, and where survivors are pushed aside in favor of legal tactics designed to contain liability, instead of delivering justice. The true cost is paid by the athletes and communities who are silenced, harmed, and ignored by a system built to protect power, not people.

In order to transform a sports culture where power over, money, and medals are not prioritized and instead athletes and athlete-survivors are in fact centered, organizations have to commit to creating an environment where the entire safe sport entity centers athletes and is committed to being trauma-informed,

[16] Ibid.
[17] Ibid.

creating an environment where fear of disclosing abuse for fear of punishment, either by survivors or whistleblowers, is not commonplace.

If this does not happen athletes will not feel safe to share nor trust that their best interests are in mind. In other words, safe sport entities must commit to institutional courage as opposed to institutional betrayal from their inception.

To boldly embrace institutional courage is to take risks and allow vulnerability in service of doing what is right, especially for those who have experienced trauma caused by the system itself.

This may involve making a public statement that acknowledges the institution's accountability and offers a sincere apology for its role in the harm. It also includes meaningfully responding to the concerns raised by those impacted, through transparent, inclusive, and responsive feedback mechanisms. True institutional courage is demonstrated when that feedback informs concrete changes. As a key component of a trauma-informed approach, institutional courage reflects the core principles of transparency and trustworthiness.

### *5. Trauma-Informed Safe Sport Entities*

The principles of trauma-informed care and approach must be applied to safeguarding entities in sport. Recent work done with the World Players Association, The Army of Survivors and the Sport & Rights Alliance highlights the key components for sport safeguarding entities.[18]

This includes a comprehensive approach to safeguarding functions wherein entities do the following five things: (1) provide support and access to trauma-informed services, (2) provide several trauma-informed mechanisms for reporting, (3) conduct investigations in a trauma-informed and human rights approach manner, (4) provide effective and timely remedy, (5) work towards prevention of abuse and harm in sport.[19]

Athlete-survivors and survivor advocates have further underscored how important starting with trauma-informed support and care from the onset of contact with a safe sport entity.[20]

Participants of the *Ad-hoc Survivors in Sport Advisory Group* convened during FIFA's research into the establishment of an independent global safe sport entity raised many times in their report the importance of trauma-informed care and approach in development of any safe sport entity, as well as the need to

---

[18] World Players Association, *The Army of Survivors and the Sport & Rights Alliance, Establishing Effective Safe Sport Entities*, December 2022, available at *https://uniglobalunion.org/wp-content/uploads/Safe-Sport-Entity-Guidance_final.pdf.*

[19] *Five Key Functions for Safe Sport Entities. From Establishing Effective Safe Sport Entities*, December 2022.

[20] Fédération Internationale de Football Association (FIFA), *Consultation on the Establishment of an Independent Global Safe Sport Entity*, Appendix 1, *Report by the Ad-hoc Survivors in Sport Advisory Group* (ASAG), available at *https://digitalhub.fifa.com/m/2f9b541e1d71b213/original/ASAG-Report-Recommendations-TAOS-May-2023-FINAL.pdf*.

provide support, protect against conflicts of interest, and make sure there was proper transparency and documentation of the entity's process.[21]

Similarly, evaluation and active principles of data to action are needed in the development of any safe sport entity. Data to action is a framework wherein there are rapid and active feedback loops during the process and development so that information and adjustments can be made more responsively and nimbly.[22]

Resourced and focused evaluation is part of creating a responsive system and should be considered important pieces of the development of safe sport entities.

The fifth key function of safe sport entities is prevention. In public health, violence prevention focuses on reducing and eliminating factors that increase the risk of experiencing violence and supporting factors that prevent or safeguard individuals and communities from violence. This involves creating safe, stable, nurturing environments and addressing social, environmental, and individual risk factors.[23]

This can be done by recognizing risk factors, factors that make violence more likely to occur or contribute to violence occurring, and protective factors, factors that make violence less likely to happen. Prevention of violence is also defined along a continuum with three distinct types: primary prevention (preventing violence before it starts), secondary prevention (focusing on early intervention and/or interruption of violence), and tertiary prevention (responding after abuse has occurred and softening/mitigating the impact of violence).[24]

Safe sport organizations must integrate trauma-informed practices at every stage of prevention, from initial education for athletes to the comprehensive support provided to athlete-survivors throughout reporting and investigative processes.

Furthermore, safe sport entities should center six principles in the development and functioning of their organization.

First, they should be human rights-based, centering the "do no harm" principle and incorporating the UN Guiding Principles for Business and Human Rights.[25]

Second, safe sport entities need to be survivor-based, as underscored throughout this chapter, non-explotive, trauma-informed, and recognizing the expertise of survivors' lived experience.

---

[21] Ibid.

[22] R. Zakocs, J.A. Hill, P. Brown, J. Wheaton, KE.Freire, *The Data-to-Action Framework: A Rapid Program Improvement Process*. Health Educ Behav, August 201, 42(4):471-9.

[23] National Sexual Violence Resource Center, Risk and Protective Factors Chart, available at *https://www.nsvrc.org/sites/default/files/publications/2019-04/Risk%20%26%20Protective%20factors.pdf*.

[24] Institute for Work and Health, available at *https://www.iwh.on.ca/what-researchers-mean-by/primary-secondary-and-tertiary-prevention*; University of California at Santa Barbara, Campus Advocacy, Resources and Education, available at *https://care.ucsb.edu/prevention/our-public-health-approach/primary-secondary-tertiary-prevention*.

[25] N. Bueno, C. Kaufmann, *Guiding Principles on Business and Human Rights*, in C. Binder et al. (eds.), Elgar Encyclopedia of Human Rights, Elgar 2022, 375-383.

Third, there needs to be independence and accountability especially with the close-knit communities of sport and the dangers of retaliation and backlash against those that report abuse.

Fourth, the entity needs to center safety and accessibility so that all persons impacted know of the resources, reporting structure, and have supports to safely report.

Fifth, there must be multidisciplinary and meaningful stakeholder engagement, that includes civil society, government, and affected groups in ways that impact the entity and create space for growth and change.

And finally, sixth, the safe sport entity provides an effective remedy which implies that the entity has some power to provide for accountability in sport that includes access to compensation and reconciliation.[26]

These principles need to be part of safe sport entity frameworks and developments in order to create the systems of safeguarding. Recent guidance around UNICEF's Policy on Safeguarding, similarly highlights the need to provide trauma-informed and survivor-centered care, to adhere to the "do no harm" principle, the need for transparent reporting processes, and meaningful accountability.[27]

As applied to child safety and safeguarding, it clearly denotes the importance of acting in the best interests of the child and providing reporting that meets the needs of children while educating and outreaching to adults that have a role in safeguarding.

### *6. Progress Towards Safer Sport with Athlete-Survivor Leadership – Nothing About Us, Without Us*

Without the engagement and centering of athlete-survivor voice in the construction of new systems of safeguarding, accountability, and prevention of abuse in sport, society is likely to recreate the same pitfalls that sport and athletes face now. These barriers and challenges include extreme forms of isolation, especially for elite athletes, widespread retaliation and fear of retaliation, interconnected sport worlds with levels of nepotism and self-dealing, and the constant threat to sports access, whether playing time, access to facilities, or access to medical and health supports. In order to make sport safer, experts on how the abuse has occurred within the sport need to be at the center of solutions in a participatory way.

It is imperative that the sports community take the necessary steps to become deeply trauma-informed in order to engage with and center survivor experiences in a manner that is both supportive and minimizes the risk

[26] *Five Key Functions for Safe Sport Entities. From Establishing Effective Safe Sport Entities*, December 2022.

[27] United Nations Children's Fund (UNICEF), UNICEF Policy on Safeguarding, 6 June 2025, available at *https://www.unicef.org/media/171641/file/UNICEF_Policy_on_%20Safeguarding_June%202025.pdf.pdf*.

of re-traumatization. This is the only way that survivors will be able to have the space and flexibility to engage within a system that has already been associated with trauma or in many cases has been an accomplice to their abuse. This commitment must go beyond superficial efforts. It requires a genuine dedication to actively listening to feedback and learning from mistakes. It is essential to truly practice trauma-informed strategies. Athlete-survivors need to feel that they are central to the success of the initiative and that their well-being is fully supported.

It is critical to be aware of the dangers of tokenism and the harms of objectifying athlete-survivors' experiences. Survivors need to have control of their story, and they also need to be able to exhibit choice in their role and level of activism. Entities must create opportunities to step in and out of advocacy as survivors see fit. Engaging in advocacy and being a human rights activist is a deeply personal choice and there should be no expectation for all athlete-survivors to take on this role.

Another important piece of meaningful athlete-survivor engagement is the practice of valuing athlete-survivor voice and participation. Many survivors engage in advocacy as part of their healing, and that can often be taken advantage of by organizations, stakeholders, and others that benefit from the power of their narratives. It is easy for survivors to be silenced and not considered experts in their experience. Engaging athlete-survivors as true experts means compensating them accordingly, so they are seen, valued, and resourced. Best practices in this area call for advocating stipends or payments that reflect the level of engagement expected of other experts.

It is critical that stigma around mental health and the impact of trauma be a regular part of the discussion in the movement to improve sport and improve safeguarding in sport. Without connecting mental health to sport, systems will continue to objectify athletes and make sport a transactional endeavor in the name of winning. This requires a commitment to continued learning and growth, acknowledging that no one sports system has yet to be perfect in their practice of trauma-informed approach.

Safe sport entities and the sporting world need to recognize the value and importance of athlete-survivor voice and lived experience. The Army of Survivors conducted listening sessions and interviews with over 100 survivors and witnesses of abuse in sport and their recommendations center around better trauma-informed investigation, greater transparency of process, more opportunities for athlete-survivor leadership, and meaningful attention to conflicts of interest and abuse of power in sport.[28]

[27] The Army of Survivors, *Improving Safety and Accountability for Survivors of Sexual Assault and Harassment in Sport, Survivors' Recommendations for Safe Sport Entities that Take Reports and Investigate Sexual Abuse in Sports* (not published but available on request at info@thearmyofsurvivors.org).

## *Conclusion*

New efforts to make sport safer and create better safeguarding systems are central to shifting cultural norms that have excused and ignored abuse in sport. The path forward must include the very persons who have been abused within sport. Sport systems need to commit to trauma-informed care and practice in order to reduce the barriers athlete-survivors face in being part of safeguarding reform.

This is the only way to ensure new systems have the lens and context necessary to build a system that will practice institutional courage and truly be athlete-centered. It will be important that not only one athlete-survivor's narrative is centered in this work, and instead a diversity of experiences and expertise are included in a way that is thoughtful and sustainable. Because the world of sport consists of more than one rule book, and is made up of a wide ranging diversity of rules, strategies, and game structures, no one point of view is enough to shape the change that is needed.

Not only is a diversity of views and disciplines necessary, a diversity of athlete-survivor experiences across a wide range of sports is also necessary to create that change all athletes deserve. Athlete-survivors are critical for getting this next step in the evolution of sport correct. And systems, institutions and individuals need to have a committed trauma-informed approach to make such necessary engagement safe and meaningful.

Survivors of abuse in sport have to be part of building the solutions to interrupt abuse, hold people and institutions that cause harm accountable, and create sport that is safe from abuse.

Their voices are paramount and should be central to making choices about safeguarding. Only those systems and solutions built with survivor influence and in a trauma-informed way will make the changes that athlete-survivors and other survivors of abuse in sport need. And only with these voices do changes in safeguarding have a chance of meeting diverse survivors where they are at, providing relevant support, and inspiring trustworthiness in the safeguarding system.

Truly, nothing about abuse in sport should be done without the wisdom and experience of athlete-survivors.

**SPORTS LAW AND POLICY CENTRE**

VIA GIOVANNI PASCOLI 54
84014 NOCERA INFERIORE SALERNO ITALY
CF/P.IVA 05283020658
www.sportslawandpolicycentre.com – info@sportslawandpolicycentre.com

Bank details: IBAN IT47Y0103076480000063220265 - BIC/SWIFT PASCITMMSAR

## ORDER FORM

*INTERNATIONAL SPORTS LAW AND POLICY BULLETIN, ISSUE 1-2025*

# PROTECTING THE BEAUTY OF THE GAME: TOWARDS A SAFEGUARDING CULTURE

*Stefano Bastianon* and *Michele Colucci* (eds.)

ISBN 9978-88-943373-8-9

PAPER VERSION EUR120.00

*Italy* (VAT included), *Other countries* (plus VAT 4%, if applicable)
Plus shipment costs: *Italy* EUR10.00, *European Union* EUR30.00, *Other countries* EUR50.00

To order please send an email to **info@sportslawandpolicycentre.com** specifying:

Quantity: _____

_____
*Last name and First name*

_____
*Organization*

_____
*VAT Number*

_____
*Address*

_____
*Post code* *City* *Country*

_____
*E-mail*

**Sports Law and Policy Centre**

VIA GIOVANNI PASCOLI 54
84014 NOCERA INFERIORE SA
CF/P.IVA 05283020658
www.sportslawandpolicycentre.com – info@sportslawandpolicycentre.com

# INTERNATIONAL SPORTS LAW AND POLICY BULLETIN

*For more information and to order please send an e-mail to*
***info@sportslawandpolicycentre.com***

**INTERNATIONAL SPORTS JUSTICE**
Massimo Coccia – Michele Colucci (eds.)
*International Sports Law and Policy Bulletin 1/2024*
ISBN 978-88-943373-4-1 (Book, January 2024, 860 pages)

**SPORTING SUCCESSION IN FOOTBALL**
J. Cambreleng Contreras – S. Samarth – J.F. Vandellós Alamilla (eds)
*International Sports Law and Policy Bulletin 1/2022*
ISBN 978-88-943373-2-7 (Book, September 2022, 404 pages)
ISBN 978-88-943373-3-4 (E-book, September 2022, 404 pages)

**TRANSFERS OF FOOTBALL PLAYERS**
**A practical approach to implementing FIFA rules**
Michele Colucci and Ornella Desirée Bellia (eds.)
*International Sports Law and Policy Bulletin 1/2020*
ISBN 978-88-940689-9-3 (April 2020, 908 pages)

**FOOTBALL COACH-RELATED DISPUTES**
**A Critical Analysis of the FIFA Players' Status Committee decisions and CAS awards**
by Josep F. Vandellós Alamilla
*International Sports Law and Policy Bulletin 1/2018*
Michele Colucci ed.
ISBN 978-88-940689-8-6 (March 2018, 292 pages)

**Sports Law and Policy Centre**

VIA GIOVANNI PASCOLI 54
84014 NOCERA INFERIORE SA
CF/P.IVA 05283020658
www.sportslawandpolicycentre.com – info@sportslawandpolicycentre.com

## PUBLICATIONS AVAILABLE FOR FREE

*on website www.sportslawandpolicycentre.com*

**DISCIPLINARY PROCEDURES IN FOOTBALL**
**AN INTERNATIONAL AND COMPARATIVE ANALYSIS**
*International Sports Law and Policy Bulletin 1/2017*
Marc Cavaliero and Michele Colucci (eds.)
ISBN 978-88-940689-7-9

**THE FIFA REGULATIONS ON WORKING WITH INTERMEDIARIES**
**IMPLEMENTATION AT NATIONAL LEVEL**
(II EDITION - DECEMBER 2016)
*International Sports Law and Policy Bulletin 1/2016*
Michele Colucci ed.
ISBN 978-88-940689-6-2

**REGULATING EMPLOYMENT RELATIONSHIPS IN PROFESSIONAL FOOTBALL**
**A COMPARATIVE ANALYSIS**
*European Sports Law and Policy Bulletin 1/2014*
Michele Colucci and Frank Hendrickx (eds.)
ISBN 978-88-905-114-8-6

**INTERNATIONAL AND COMPARATIVE SPORTS JUSTICE**
*European Sports Law and Policy Bulletin 1/2013*
Michele Colucci and Karen L. Jones eds.
ISBN 978-88-905-114-7-9

**CONTRACTUAL STABILITY IN FOOTBALL**
*European Sports Law and Policy Bulletin 1/2011*
Michele Colucci ed.
ISBN 978-88-905-114-4-8

**THE BERNARD CASE**
**SPORTS AND TRAINING COMPENSATION**
*European Sports Law and Policy Bulletin 1/2010*
ISBN 978-88-905-114-3-1

Printed on September 2025
Press Up s.r.l.