

# CANOC Sports Law

**SAFEGUARDING AND CHILD PROTECTION**

**SEPTEMBER 18-19, 2019**

# Fundamental Failures

“A series of institutions, including the US Olympic Committee and FBI, “fundamentally failed” to protect young athletes from the serial sexual abuser Larry Nassar, according to a congressional report...”



## Multiple organisations failed to act

“Nassar, a former doctor for Michigan State University and USA Gymnastics, was given an effective life sentence last year for abusing dozens of young gymnasts in his care. The Senate commerce subcommittee on manufacturing, trade and consumer protection has conducted an 18-month investigation into the Nassar case. It found multiple organisations failed to act on credible reports that Nassar was abusing athletes.”

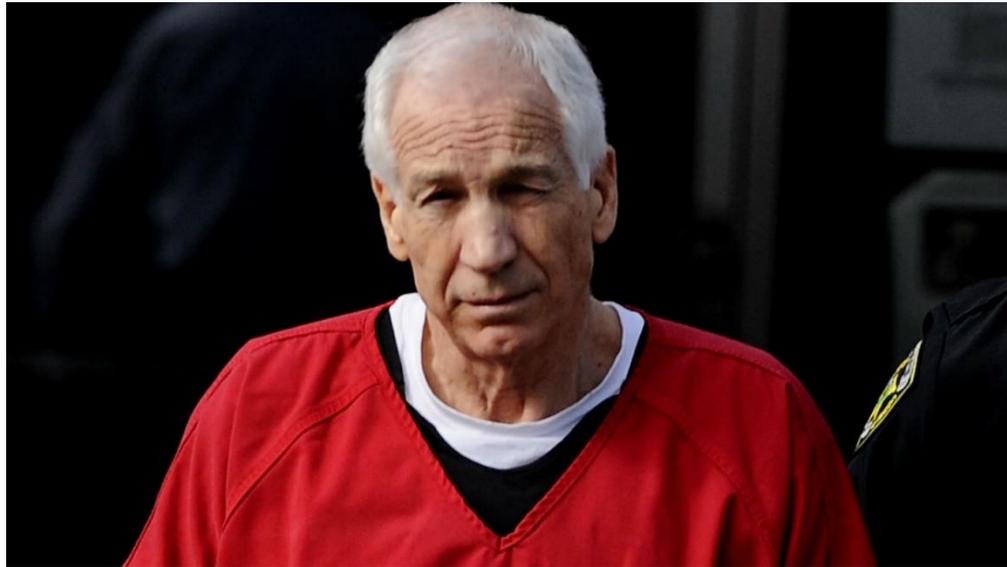
**[The Guardian, July 30, 2019]**

# An inadequate effort

“Between summer 2015 and September 2016, the Olympic organizations “knowingly concealed abuse by Nassar, leading to the abuse of dozens of additional amateur athletes,” according to the report. The Olympic Committee, USA Gymnastics and MSU all received reports about Nassar's abuse more than a year before anything was done, the investigation found. The Olympic-related organizations' ability to identify and prevent abuse was inadequate,” the report said. “As a result, hundreds of women and girls were sexually abused by Larry Nassar.”

**[NBC News, July 30, 2019]**

# The Jerry Sandusky scandal 2011



- ❑ Sandusky was indicted on 52 counts of child molestation
- ❑ 3 officials from Penn State University were charged with perjury, obstruction of justice, failure to report suspected child abuse and other related charges.

## Regionally: The victims failed to testify

“A male karate instructor, arrested back in 2014 for the alleged rape of three boys, will continue to walk free unless victims come forward to assist the police with their investigations. Investigators close to the case are urging the parents of victims and the victims themselves to come forward and help end the decades-long run of this alleged paedophile predator. The man was first arrested in 2004 under similar charges but the case was dismissed after the victims failed to testify against him in court.”

**[Trinidad Guardian, February 10, 2019]**

# The Dark Side of Sport

“The ugly, dark side of sport has come to the forefront again with news emerging that [\_\_\_\_\_], coach of the U-19 Trinidad and Tobago side sexually abused and/or sexually assaulted an opening batsman of the squad... Shockingly, it appears that the matter has been brought to the notice of the Trinidad and Tobago Cricket Board, the West Indies Cricket Board, the Child Protection Unit in Trinidad but none of these bodies have taken any appropriate action yet. Things only became worse when it emerged that not only is the accused the coach of the under-19 team but also the coach at a school.”

**[Sportskeeda, December 8, 2016]**

## Past indiscretions and second chances

“[\_\_\_\_\_] , a former Pleasantville Secondary and Trinidad and Tobago national youth team football coach, has a passion for developing youths and the qualifications to place him in the top echelons of local coaches in that field...However, [\_\_\_\_\_]’s past indiscretion with a schoolboy is threatening to derail his effort to return to youth team coaching in south Trinidad. Five months ago, [\_\_\_\_\_] was removed from his posts at Pleasantville and the Trinidad and Tobago national under-15 boys team after explicit messages emerged of an alleged exchange between him and a Pleasantville school boy...”

## A coach's response

“Personally, I think he probably should not be involved in coaching youths again until we can feel certain that it will not happen again...I would never want to make a decision like that on somebody's career, especially an individual like that who so loves that job...But, in my own judgment, we will have to find out that he will not be a repeat offender.”

# Tackling the Problem

“On February 14th, 2018, the ***Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017*** was enacted by Congress and became federal law. It is more commonly referred to as the SafeSport Act. In 2017, the U.S. Olympic Committee entrusted the U.S. Center for SafeSport (the Center) with the authority to respond to reports of sexual misconduct within the U.S. Olympic and Paralympic Movements involving sexual misconduct.”

# The Safe Sport Act

“The SafeSport Act codifies that the Center has exclusive authority over National Governing Bodies of Sport (NGBS) to investigate and take action for allegations of sexual abuse. What this means is that individual NGBS (USA Track & Field, USA Swimming, USA Hockey) no longer make their own investigations of abuse allegations. This will now be handled by the U.S. Center for SafeSport. This helps to potentially eliminate confusions as to where to report allegations of abuse, as a central organization is now responsible for reporting intake and investigation.” [Road Runners Club of America (RRCA)]

# Safe Stamp: Caribbean Sport and Development Agency



# Safe Stamp Objectives

1. To promote awareness among teachers, coaches, parents and volunteers about child protection and safeguarding in sport.
2. To facilitate the development of policies and guidelines for organizations involved in sport, physical education and recreation for children.
3. To maintain a registry of individuals and organizations that meet the international standards/ compliance for child protection and safeguarding in sport.

# Discussion

- ▶ From your experience how prevalent is abuse of minor athletes in Caribbean sport?
- ▶ Is this area unregulated? Is it under-regulated?
- ▶ Are there reporting systems within the National Sports Governing Bodies in your country?
- ▶ What is the way forward?

# THANK YOU!

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