

Strasbourg, Monday 14 June

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Enlarged Partial Agreement on Sport (EPAS)

Consultative Committee

Webinar –

Checking criminal records as a tool to protect children in sport

Conclusions

Background

The CC organised a webinar on “Checking criminal records as a tool to protect children in sport” on 3 June 2021 from 4pm to 6pm which was streamed via the BlueJeansEvents virtual platform.

Child sexual abuse in sport is a serious issue that unfortunately continues to take place. Authorities and sports organisations are becoming more aware of the need to put the necessary measures in place to provide a safe environment for young athletes and their parents. One of the questions they need to respond to is how to implement safer recruitment processes that ensure the suitability of people who work with children. In this regard, Article 5 § 3 of the [Council of Europe’s Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse](#) (the Lanzarote Convention) provides that candidates must be screened prior to their taking up of professions involving regular contact with children, including in the area of sport, to ensure that they have not been convicted of acts of child sexual abuse.

The scope of protection of Article 5 § 3 was reinforced in 2018 by the Lanzarote Committee’s [2nd implementation report on the protection of children against sexual abuse in the circle of trust](#). Chapter V of the implementation report urged those Parties that limited mandatory screening only to specific professionals to extend such screening to the recruitment of all professionals in regular contact with children. It also invited Parties to encourage continuous screening (not only during the recruitment process) and to extend it to voluntary activities. In the framework of screening processes, criminal record checks can help sport organisations make safe recruitment decisions by providing information about people who have a criminal record of sexual abuse. How does this tool work? Is it used widely throughout European countries? Are there any European standards in this area? All of these questions can help us explore the effectiveness of this tool to ensure safer sport.

This webinar was jointly organised by the [Consultative Committee of the Council of Europe Enlarged Partial Agreement on Sport \(EPAS\)](#) and the EPAS Secretariat as part of the “[Start to Talk](#)” activities. “Start to Talk” is a Council of Europe initiative to ensure children’s protection in the field of sport.

Objectives

The webinar addressed the criminal record check as a tool to ensure safer recruitment decisions in the area of sport. Panellists presented the legal frameworks in place in their country/countries and gave examples of how police record checks were used by sport organisations and police authorities and how collaboration procedures can be established at national and international level. They also reflected on ongoing and new challenges pertaining to the protection of children in the field of sport.

Speakers

- Chair of the event - Kole GJELOSHAJ, Chair of the Consultative Committee and Deputy Secretary General of ISF
- Elda MORENO, Head of Children's Rights and Sport Values Department, Council of Europe
- Melanie LANG, Senior Lecturer in child protection in sport, Centre for Child Protection and Safeguarding in Sport, Edge Hill University, United Kingdom
- Vivien RIMMER, Head of Safeguarding, Rugby Football Union, United Kingdom
- Håvard B. ØVREGÅRD, Adviser, Olympic and Paralympic Committee and Confederation of Sports, Norway
- Richard FEWKES, National Coordinator Non-Recent Child Sexual Abuse, NPCC – Operation Hydrant, United Kingdom
- Anton Toni KLANČNIK / Cathal DELANEY, EUROPOL - European Cyber Crime Centre
- Dieter BRAEKEVELD & Uri SADEH – INTERPOL

The webinar was moderated by Laura CAPRANICA, CC Bureau member – President of European Athlete as Student network.

Conclusions

- In order to ensure that sport in Europe is a safe, positive and enjoyable environment for all children and young people irrespective of their age, gender, sexual orientation, ethnicity and social background, religion, level of ability and level of involvement, it is essential that *preventive measures* are taken to protect them. Regular screening of *everyone* linked to sport (including coaches, volunteers, kitchen staff, groundstaff etc.) is a necessary tool to help ensure this and *checking criminal records* is one way these preventive measures can be put in place as part of a child safeguarding policy.
- Criminal records checks do work, particularly where known offenders are concerned. However, they cannot be the only tool for ensuring preventive measures are in place. Furthermore, offenders can fall through gaps from one country to the next and fall off registers. Statutory guidance in this area is not mandatory for most sports organisations so much more work needs to be done.
- Other ways to ensure safer recruitment include monitoring: - how the post is advertised; self-declaration; references and the interview itself.
- More work also needs to be done across Europe to harmonise child safeguarding procedures in the area of checking criminal records and ensuring that the criminal records check approach is more consistent. There are differences in those areas of law enforcement working from one country to the next which have authority for criminal record checks. Furthermore, the national databases themselves need to be more

harmonised to ensure comparability of information and there is a problem of timing as there may be delays between convictions and inclusion in criminal records.

- Governments should be more involved in ensuring that sports bodies, small and large, regulated and unregulated, all vet those people coming into contact with children and young people through sport. Particular attention should be paid to those applying for a job who are travelling from abroad where they may have a criminal record.
- Anyone with a criminal record should be blacklisted from working with children, young people and vulnerable people, e.g. with intellectual disabilities, in sports environments.
- Greater sharing of intelligence between law-enforcement bodies and organisations such as the police forces, Europol and Interpol is essential to prevent dangerous individuals working in lone sports clubs and taking advantage of loopholes/gaps in existing legislation to target children and young people. One example would be more sharing of information on transnational child sex offenders and the “Green Notices” referred to by Interpol to flag up dangerous individuals who should not be able to work with young people and children in a sports setting (or any other).
- Initiatives organised in partnership between the police force and sports governing bodies could be rolled out across Europe (inspired by Operation Hydrant which co-ordinates the response to non-recent sexual abuse in the UK).
- Parents and coaches should be given guidance and training to ensure that sports clubs, no matter how small, are safe environments for children and young people.
- When vetting employees via criminal record checks, it is important not only to look at abuse but also a history of violence, violent crimes and drug use to ensure that a range of potential harmful factors can be moved away from children and young people doing sport.
- Children and young people should also be taught to be aware of any potentially dangerous and harmful behaviour in adults around them and be able to report such incidents.
- Public authorities should further enhance their efforts to implement effective child safeguarding policies.
- Support for child safeguarding should continue through sport projects such as the Council of Europe’s Start to Talk initiative.