



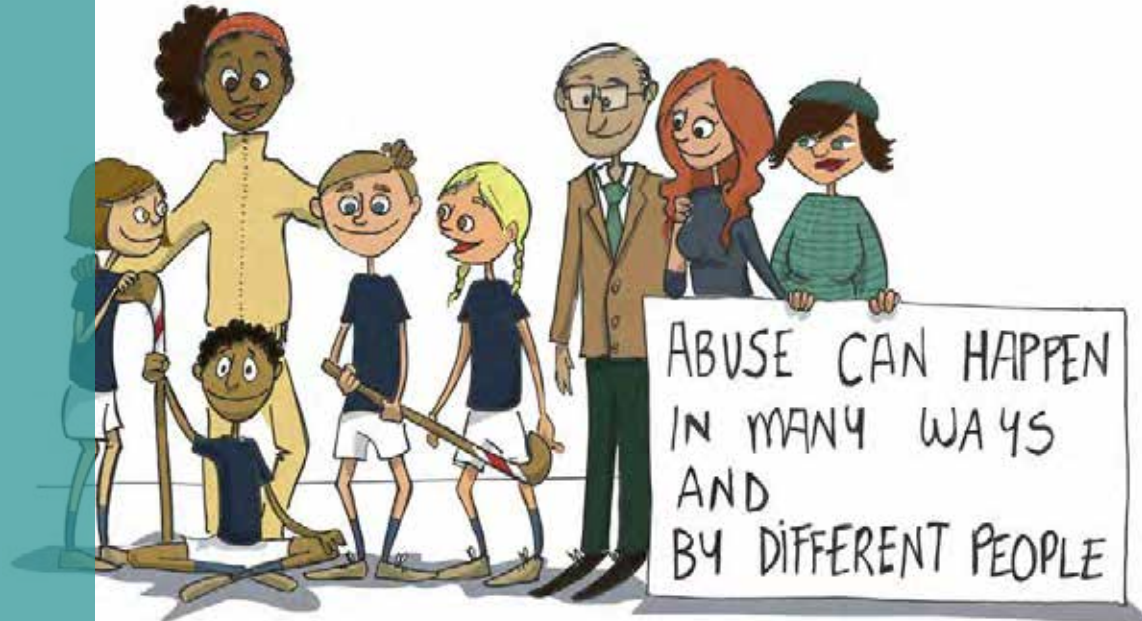
Campaigning for the development of 'safeguarding' in sport: reflections from Spain

Gloria Viseras

1. Who am I?
2. Legal Framework in Spain
3. Children and youth in sport
4. Adjusting the message
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6. My concerns
7. Moving forward




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- Member of the Spanish Gymnastics National Team at the end of the 70's
- National Champion at 15 years old
- At 15 one of the only 9 women to represent Spain at the Moscow Olympic Games in 1980
- Sexually abused by the National Team coach from age 12 to 15
- Disclosed in 2012
- Actively campaigning and working on safeguarding since 2015





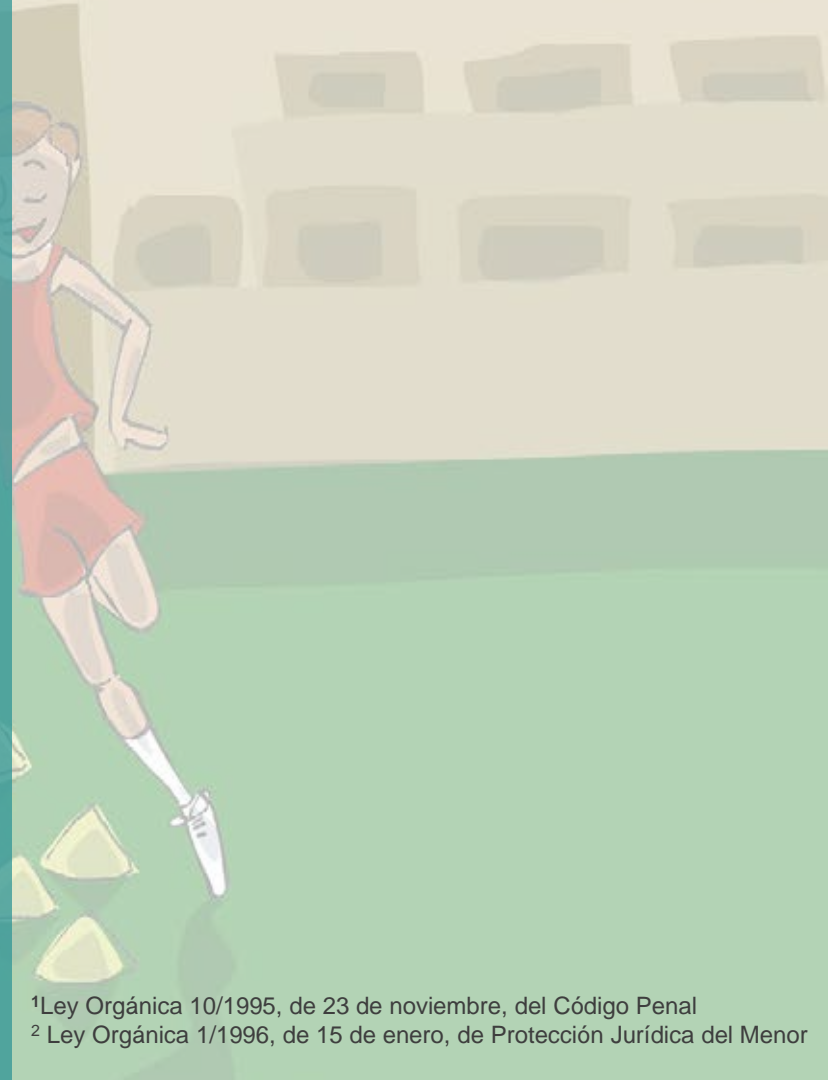
**"No medal is worth
more than the health
and the integrity of a
child"**

J. Personne. "Aucune médaille ne vaut la santé d'un enfant" - 1987

An illustration of a soccer field scene. In the foreground, a coach with a grey beard and a dark blue shirt is running towards the left, pointing with his right hand. He is wearing red shoes. To his left, a young boy with brown hair, wearing a blue t-shirt and green shorts, is also running towards the left. A white soccer ball is on the ground near the boy. To the right of the coach, another young boy with dark curly hair, wearing a blue t-shirt and green shorts, is standing and looking towards the left. In the background, a soccer goal is visible on the left. Further back, a woman with a ponytail, wearing a white shirt and green pants, is standing and holding a white soccer ball. Two small children are standing near her. The background shows a green field and some trees in the distance.

Legal framework in Spain

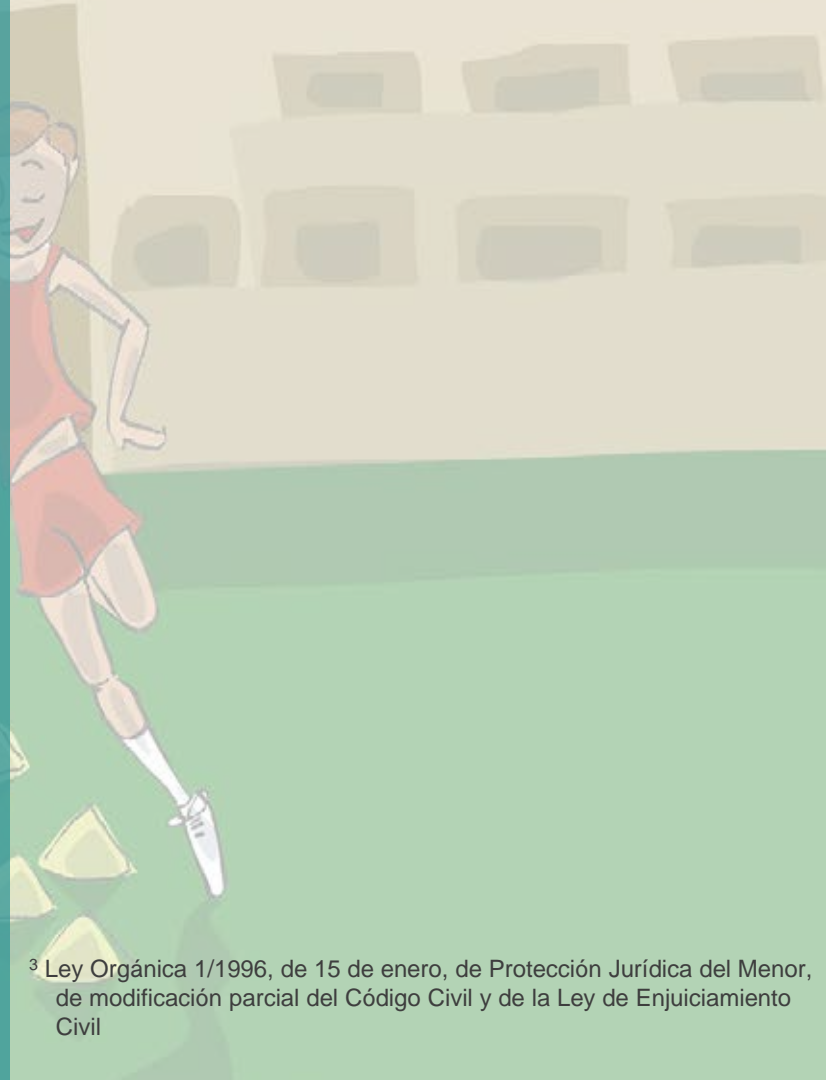
- The **UN Convention on the Rights of the Child** (1989) - Ratified by Spain since 1990
- All persons under the age of 18 are legally considered "**minors**"
- Penal Law establishes legal age of consent at **16 years old**¹
- Civil Law establishes **mandatory reporting** of maltreatment and abuse concerns against a minor²



¹Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal

² Ley Orgánica 1/1996, de 15 de enero, de Protección Jurídica del Menor

- **Sport law** – No mention of athlete safeguarding except for doping. Does not recognize any specific risks for athletes of suffering maltreatment and abuse in sport
- **Statute of limitations** now ranges from 3 to 15 years after the victim turns 18
- **Civil Law** establishes that all professionals working with children must present a negative certification of CSA convictions³
- Only judicial system is allowed access to the **Official Registry of sex offenders**



³ Ley Orgánica 1/1996, de 15 de enero, de Protección Jurídica del Menor, de modificación parcial del Código Civil y de la Ley de Enjuiciamiento Civil

**DO YOU WANT TO
PLAY IN THE NBA??**

Children and young people in sport

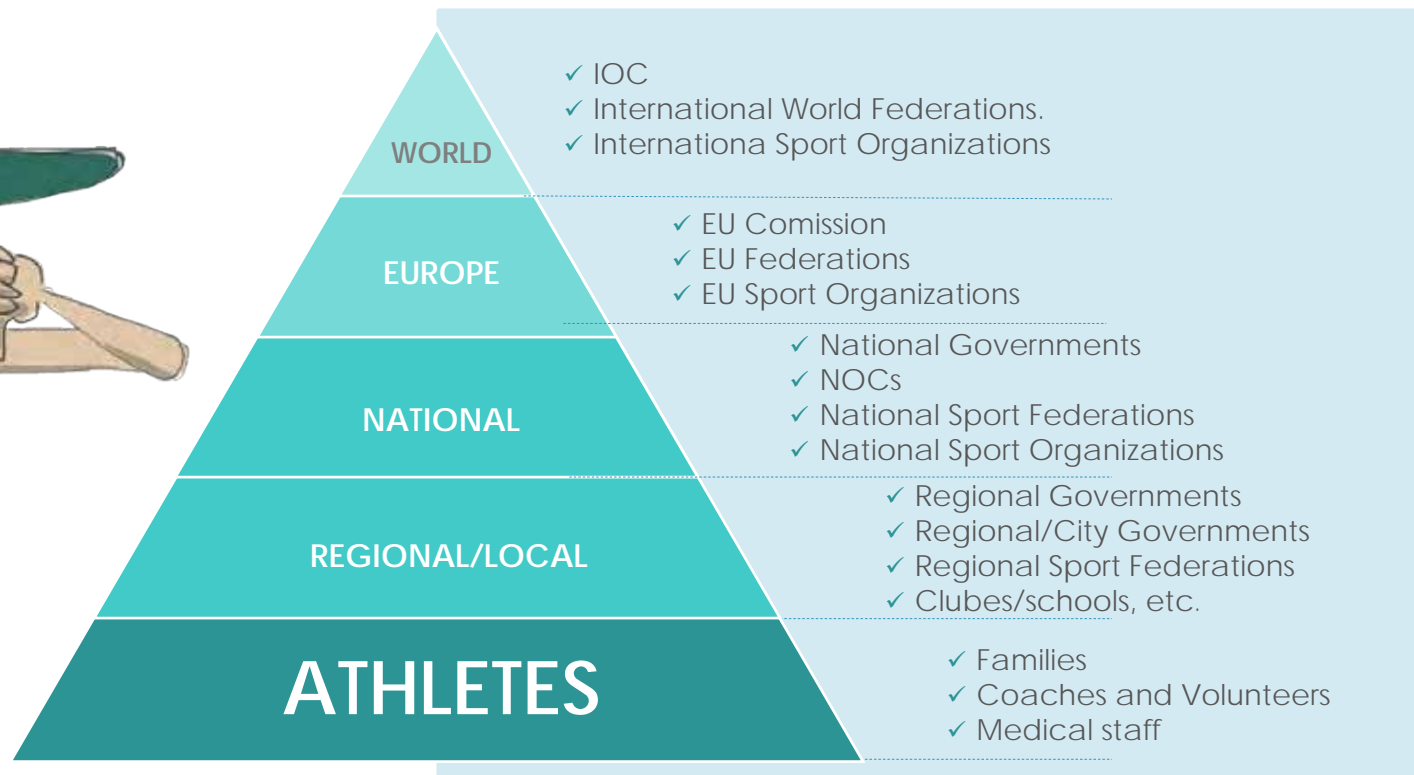


**NOPE, I JUST WANT TO
HAVE FUN WITH MY FRIENDS**

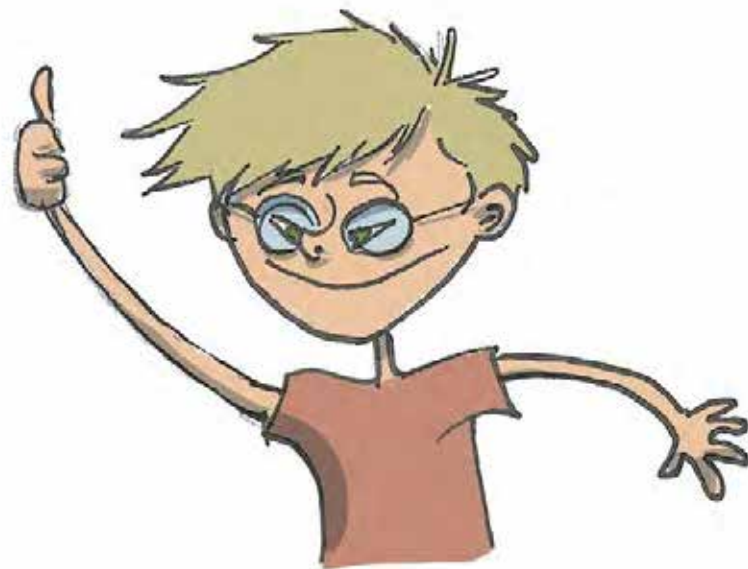
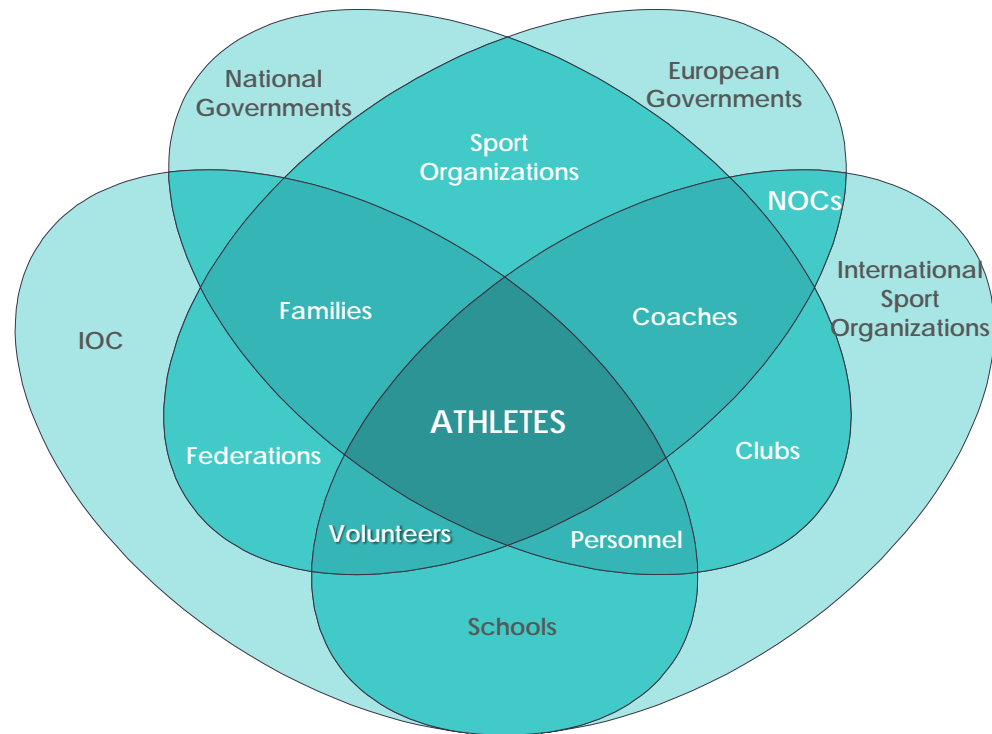
Sport – Pyramid Model



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Sport – athlete-centered Model



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"I meet a lot of new people and I am making a lot of friends in sport."

"I do not care if I win or I lose. I just want to play."

"I keep in shape and I have a lot of FUN."

"I do not get bored and it is a lot of fun."

"Sport is very good because it keeps you active and you can participate."

"I set my own goals and I make new friends."

"I like to play with my friends and at the same time I also learn."



"Our Voice in Sport. NSPCC-CPSU, Febrero 2006.

¿So what do the kids say?



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so, how was practice?
did you have fun??

oh, well,
it was really fun,
and....



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What has happened in Spain since 2012



2013

- Some high profile cases appeared in the news
- High Council for Sport organized a **Seminar on Prevention of Sexual Abuse in Sport** (M. Hartill, B. Ruloffs, C. Gallo and M. Martín)
- The **Plenary of the Senate** signs a petition urging the Government to take all the necessary measures to prevent sexual abuse in sport against children and young people¹ by
 - raising awareness,
 - implementing prevention strategies
 - and developing codes of ethics

¹ www.senado.es/web/expedientdocblobobservlet?legis=10&id=59309

2014

→ High Council for Sport publishes the first **Protocol for the Prevention, Detection and Action Against Sexual Harassment and Abuse in Sport**

- Developed by Fundación Vicky Bernadet
- Still current today
- Specifically aimed at high-level sport
- Mandatory implementation at National Federations in order to get the public funding
- Never monitored or controlled
- Some aspects not quite correct
- **Currently being updated** to include templates for policy statement, good practice guides, procedures, action plans, recommendations for monitoring, risk assessments, etc.



2015

- Participated in the final conference of the Erasmus+ **"Sport Respects your Rights"** in Vienna.

2016

- 2016-2018 Member of the steering group in the Erasmus+ Project **Voices for Truth and Dignity**
- Mandatory presentation of **negative certification** of convictions of sexual-related crimes
- Creation of the new **Registry of Sex Offenders** only to be accessed by the justice system¹



¹ www.eldiario.es/sociedad/personas-antecedentes-sexuales-trabajar-menores-0_500100486.html



2017

- Spoke at the **EU Sport Forum in Malta**
- Spoke at the 10th Anniversary of the **Lanzarote Convention in Strasburg**
- Participated in the **ProSafe Sport+** project of the European Union and Council of Europe.
- Participated in the development of the **#StartToTalk** Campaign of the CoE as **#SilenceBreaker**
- Member of the **pool of experts** of the Council of Europe & European Commission.
- Board member at **Safe Sport International**
- **#MeToo** Movement started
- Founded **Oro, Plata y Bronce**

2018

- Participated in the development of the 5 guides **"Abuso Stays Offside"** from the High Council for Sport and Unicef
- Participated in launch of the Council of Europe **"Start to talk"** Campaign
- Spoke at the EU Parliament **"Empowering Women in Sport"**
- Spoke before the **Committee of Ministers** at the Council of Europe
- Presented in conferences and conducted workshops organized by different **regional governments** in Spain
- Erasmus+ **i-Protect Project** started



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2019

- **New Organic Law** for the protection of children and adolescents against violence was published¹. Pending approval this year.
 - Change in Statute of limitations starts counting when victims are 30 instead of 18
 - Children will only testify ONCE
- Chapter **Sport and Leisure** includes:
 - Safeguarding **education and training** for all stakeholders working with children
 - Implementation of **safeguarding protocols** and procedures in all sport organizations
 - Policy **monitoring and control**
 - **Child participation**
 - Improve **communication** between organizations and parents/carers
 - Mandatory appointment of **Safeguarding Officer** in all sport organizations
 - Implementation of **non-discrimination policy**



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¹ www.mscbs.gob.es/normativa/audiencia/docs/LO_proteccion_integral_violencia_menores.pdf



2019

- **New Sport Law** pending approval - will recognize other types of non-accidental damage to athletes.
- Spoke in **Congress** before the Children's Commission
- Participated in the launch of the "**FIFA Guardians**" toolkit.
- Spoke at the **United Nations** in New York - Conference "We need to talk ... about child sexual abuse in the circle of trust". - CoE

2019

- Presented the i-Protect Project at the Finish Presidency Conference on Child Safeguarding in Sport.
- Part of the development team of the new **Policy and Action Protocol** to safeguard athletes promoted by the High Council for Sport.
- **Other Safeguarding projects**
 - Athletic Club de Bilbao - Aterpe
 - Swimming National Federation
 - Spanish Gymnastics Federation
 - Basketball Federation in Balears



Changing the message to reduce risks





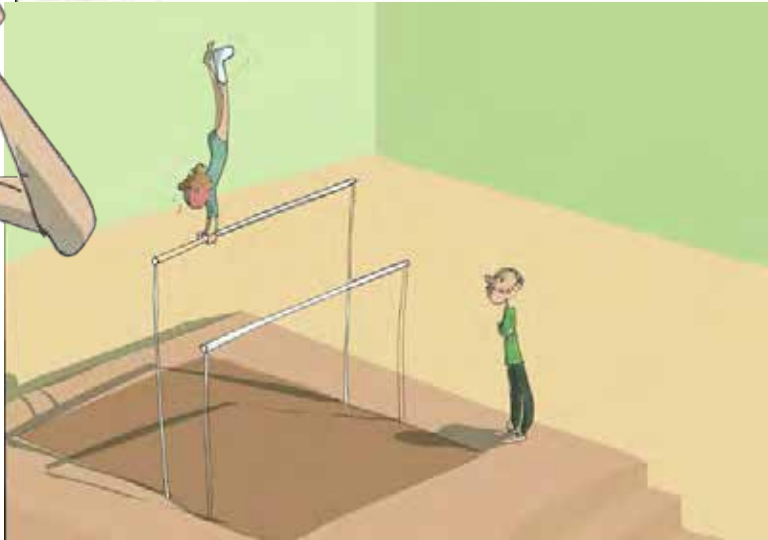
Prevention of CSA can be done by introducing changes in the culture of sport and by **ACTING against** malpractice and damaging normalized behaviours that are easier to identify and that occur before and/or at the same time as sexual abuse.



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Policy is IMPORTANT

BUT

it will not keep children safe
without

- raising awareness
- training and education
- child participation
- safe recruiting
- monitoring and control

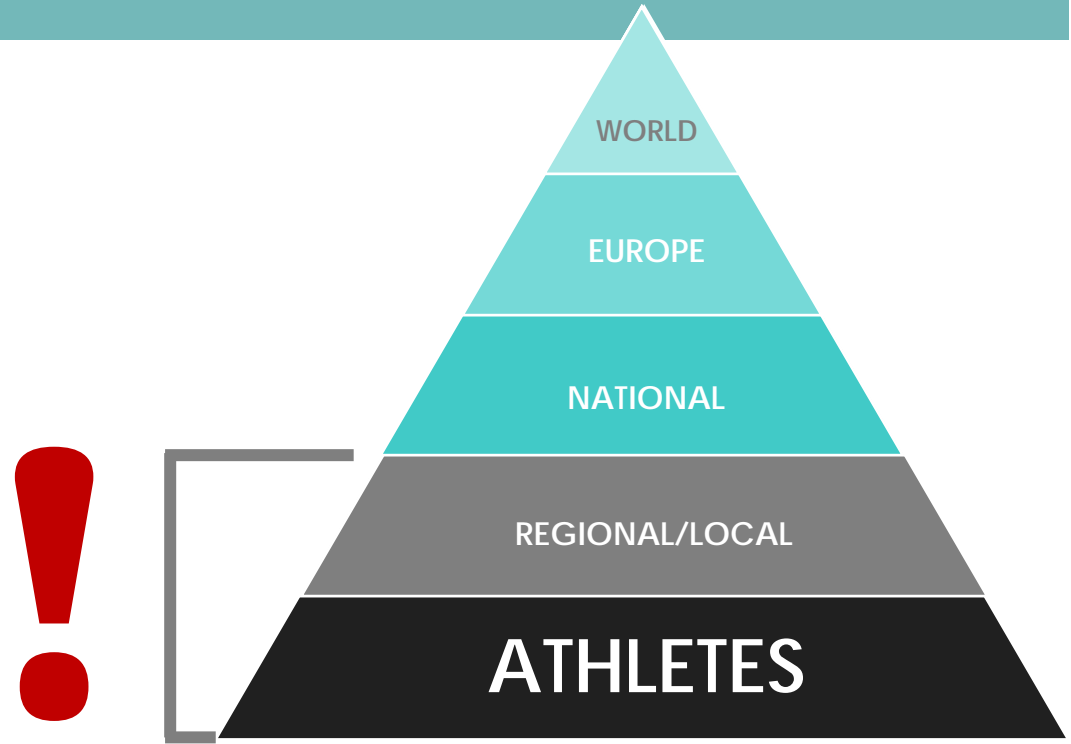


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Concerns





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- Message and funding not getting to the bottom of the pyramid
- Lack of resources (financial + personal) at all levels
- Government has competencies over elite sport ONLY
- Cases take up to 6 years to get a firm sentence and in the mean time organizations are afraid to act to avoid legal problems with the accused
- Concerned about how the new Policy and Action Protocol from the HCfS is going to be implemented, enforced, monitored and controlled
- No coordinated effort



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- What is being done is not being monitored nor controlled
- Negative certifications of sexual crimes give a false sense of security
- Real cases are NOT addressed correctly
- Stakeholders not trained on safeguarding
- Role of "Safeguarding Officer" will be mandatory but this role does not exist formally and there is no official training to become one in Spain

- Malpractice and abuse still taboo. Organizations do not want to be involved
- Adults with responsibilities in sport do not act with the best interest of children as first priority
- Children's rights are still by far not a priority in sport
- Still lots of normalized damaging behaviours embedded in the culture of sport – Hard to break
- Judicial system heavily aimed at protecting the rights of the persons accused



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- Culture of "bystanding" - "This is not MY problem"
- Patriarchal Culture - "victim blaming" hard for affected athletes to speak up
- Whistle-blowers are victimized
- Young adults who have been groomed as children but abused as young adults just over the age of 18 lose that special protection and their cases become a discussion on consent.
- I (personally) continue to be the point of contact for affected athletes and families

Moving forward





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- Doing good work in Spain but need more support and resources
- World of sport **MUST** recognize their responsibility on child safeguarding
- Need to involve affected athletes in the work BUT with proper emotional and financial support. Not free for us.
- After the i-Protect is finished – focus on working at the bottom of the pyramid with Oro, Plata y Bronze
- Will continue campaigning and consulting with my government and pushing the creation of a proper Safeguarding Office at the High Council for Sport

- Will continue campaigning for the elimination of the Statute of Limitations for sexual offenses against children and young people
- Look forward to keep learning from all of you, researchers, policy maker, survivors, support organizations, etc., so I can continue to do my work in the best possible way.





*"**Sport is neither inherently good nor bad**; the positive experiences of sport do not result from participation but from the nature of the experience. In the hands of the right people with the right attitudes, sport can be a positive, character-building experience."*

Dr. Stuart Robbins, "Straight talk about children in sport"

CPSS

Centre for
Child Protection
& Safeguarding
in Sport

Thank you

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