



Select Committee on a National Plan for Sport and Recreation

Corrected oral evidence: National plan for sport and recreation

Wednesday 28 April 2021

3.25 pm

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Members present: Lord Willis of Knaresborough (The Chair); Lord Addington; Baroness Blower; Baroness Brady; The Earl of Devon; Baroness Grey-Thompson; Lord Hayward; Lord Knight of Weymouth; Baroness Morris of Yardley; Lord Moynihan; Baroness Sater; Lord Snape.

Evidence Session No. 20

Virtual Proceeding

Questions 150 - 155

Witnesses

I: Gary Cliffe, Ambassador, Offside Trust; Professor Mike Hartill, Director, Centre for Child Protection & Safeguarding in Sport, Edge Hill University; Kimberley Walsh, Safeguarding Adults in Sport Manager, Ann Craft Trust.

USE OF THE TRANSCRIPT

This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Gary Cliffe, Professor Mike Hartill and Kimberley Walsh.

Q150 **The Chair:** Good afternoon to our witnesses. Welcome to the House of Lords Select Committee on a National Plan for Sport and Recreation. Thank you very much indeed for joining us for what the committee and I all regard as a very important session about the whole issue of safeguarding and duty of care. For the record, could I say that this is a sensitive topic? I remind all of you that you do not have to answer any questions. We hope that you will, but if you prefer not to do so, let us know. If you simply say, "I don't want to answer that", that will be fine. Please do not refer to cases that are before the courts. I am sure you will not do that, but I need to advise you of that. Any details of safeguarding incidents that are not in the public domain, including the names of individuals, must not be disclosed at today's public session.

A transcript of today's session will be given to you for your clarification, if necessary, before it is put on the website. We are expecting a number of votes on other matters today—there is a lot of ping-ponging going on between the two Houses—so if Members are looking at their phones or looking down it is not because they are uninterested in what you have to say; it is because they are busy voting in the right way, whichever way that is. Finally, Members will ask a specific witness to answer a question and will indicate whether they want everybody to follow on with it. Those are all my notices.

Gary Cliffe is ambassador for the Offside Trust. He is joined today by Professor Mike Hartill, director of the Centre for Child Protection and Safeguarding in Sport at Edge Hill University, and Kimberley Walsh, safeguarding adults in sport manager for the Ann Craft Trust. Welcome to you all.

Gary, this has been a really hot topic for a significant number of years. Over the last five to 10 years, how do you rate the Government's progress in strengthening safeguarding and duty of care in sport and recreation at both elite and grass-roots level? Is it getting better or worse? Supplementary to that, when we talk about safeguarding and duty of care, should they be put together, or is there a risk of one overshadowing the other and not getting sufficient attention?

Gary Cliffe: Good afternoon, and thank you for having me. In my opinion, safeguarding has moved on dramatically over the last five years, specifically in my own setting, football. It was virtually non-existent in the 1980s and 1990s, as we have seen recently from the Sheldon report and me going through the football abuse process. I was on an FA call this morning going through its policies and procedures, which are extremely robust. However, there is no silver bullet. All we can do is take away opportunities as best we can.

Moving on to your point about the duty of care and safeguarding, they are one and the same as far as I am concerned. It is the responsibility of every person to safeguard the child, because failure to do that is

catastrophic for children going through childhood and into adulthood. The effects of sexual abuse in particular, and all kinds of abuse, stay with you for ever.

I believe that the Government could go further with legislation on mandatory reporting. Having read the Sheldon report—all 710 pages of it—and having been there at the time with my abuser, Barry Bennell, there were numerous opportunities and suspicions that were never pursued, and the enforcement of law might have focused the mind to a greater extent and there would have been a stronger obligation to report those concerns.

The Chair: We have a lot of policies and strong words in place, so why are we still getting these cases coming through, or are they just the outliers and there are really very few?

Gary Cliffe: I am also a detective constable in safeguarding and child protection. Paedophiles obviously gravitate towards children, wherever they are and in whatever setting of regulated activity. If that person has not been caught, a DBS check is no good; it is only good if you are caught. We saw that with the Huntley case. It has improved since due to intelligence sharing among forces, but that did not exist back then and that was why Huntley was allowed to continue.

To answer your question, I believe it is in the DNA of these people to want to abuse and have sex with children and harm them. They will seek out that opportunity, and it is up to us as adults to shut that down, and for the police and authorities to investigate.

Baroness Brady: Gary, when you talk about mandatory reporting, who do you think these things should be reported to? What progress has been made in making it easier for children or young adults to report abuse?

Gary Cliffe: The concern should go through what I would term a MASH, a multiagency safeguarding hub, which I am familiar with in my own force, and is police, social services and education in one room. They get referrals from schoolteachers, parents, children, NSPCC and a whole host of people. They are professionals and they make an assessment of that referral. They will set up Section 47 joint visits by social care, police and those agencies to investigate it. A lot of the time, there is no criminal matter. There may be a safeguarding matter, but from experience a lot of the time it is not criminal. It is about turning over the stones and, as I always say, sticking your head into those homes and having a look.

From the evidence I have seen, mandatory reporting is crucial in focusing the mind on enforcement and having a comeback and repercussions, should it come to light 10 or 15 years in the future that Mr Smith was told and did not report it.

The Chair: Perhaps we can pick up with Mike my question and the question from Baroness Brady.

Professor Mike Hartill: I would like to couch any response in a bit of the history. It is important to say that the UK is seen as a world leader in this field, and that we have done as much and probably more than any other country in this area. The caveat is that in a lot of cases that is not saying a great deal, because not a lot has been done in many countries in this field, but it is important to recognise that over the past 20 years there has been a significant amount of investment in safeguarding sport and developing standards in this area. There is now a small army of people in the sport sector deeply committed to safeguarding and making sure that sport is safe for everyone, particularly for children.

The timeframe you raise is interesting, because over the last five years I have seen a significant change in the field. From 2000 to 2016-17, the involvement of the Government and Sport England in this area was very much in the background. They were funding the NSPCC unit and developing policy and standards, but, as far as I could see, they were largely absent from the field of safeguarding in sport. Since 2017, they have been providing much-needed leadership in the area.

The Chair: What evidence do you have that they are doing that? Why do you draw that conclusion?

Professor Mike Hartill: It was because until about 2016-17, the terrain of child protection and safeguarding in sport, that landscape, was the Child Protection in Sport Unit; that was really it. Governing bodies were implementing policy beneath that. Now, Sport England is very involved in the sector and has diversified the service it offers in the sector, so it is not just one unit. It works with different organisations, it works much more with universities, and it certainly listens much more to what people who work in the field are saying. On that basis, they are working alongside some specific projects as well, which I can tell you about if you like.

The Chair: Do you regard Sport England as the Government's involvement?

Professor Mike Hartill: I do not see any other involvement from government. I assume that Sport England is to some extent, although there is some autonomy, doing the will of—

The Chair: Whenever we talk about the current pandemic we see the Secretary of State on the television, rightly or wrongly, explaining government policy and exhorting us to do things. Do you see the same thing with safeguarding and duty of care in sport?

Professor Mike Hartill: I see that Sport England is offering the highest level of leadership in the sport sector.

Kimberley Walsh: I am coming very much from the safeguarding adults perspective. For us in ACT, safeguarding adults has seen significant progress over the past five to 10 years. That comes mainly from the introduction of the Care Act about six years ago, which set out for the

first time adult safeguarding in legislation, also strongly covering well-being within it. For us, that has been a massive step. Even six or seven years ago, safeguarding adults was not really talked about or thought about much in sport.

I guess we are further down the learning curve than safeguarding children was a number of years ago. We are a few steps behind, but our organisation has been funded by Sport England. It funded us in 2015 when the Care Act was introduced, and we have since had funding from UK Sport and Sport Wales. From that, we have been able to employ other safeguarding adults in sport managers so we are getting out awareness and helping sports to put in place best practice. There is still a long way to go, but there is a significant movement in safeguarding adults in sport.

The introduction of the governance code in sports was helpful, because that made sure that all the appropriate governance and boards were in place. It mentions safeguarding, although there is a bit of discrepancy between adult safeguarding and child safeguarding. There are requirements for child safeguarding as it is written, but at the moment for adults it is "should have" rather than "must have". Ideally, that should be better aligned. We are talking here mainly about funded NGBs. Most of them have a named lead officer in place. We are working with them to improve adult safeguarding awareness as well.

On the duty of care, Baroness Grey-Thompson's report started lots of really good discussions and awareness, but I feel that some sports were expecting a follow-up to the report with clear requirements based on the recommendations. Some actively took it upon themselves to implement some of the recommendations, but as far as I am aware there was not really a requirement to do so, so potentially that was a slight loss of opportunity; they could have carried on that momentum and had greater impact. At this point, we could be further down the line in progress in some of those areas.

The Chair: Thank you very much indeed.

Q151 **Lord Moynihan:** Do you feel that current legislation is fit for purpose to protect children and adults at risk in sport and recreation settings? Just focusing for the moment on the existing law and its adequacy or inadequacy, Gary, you started off by saying very firmly that we needed mandatory reporting. I assume your position is that we now need primary legislation to cover that. Would you also want primary legislation to cover any of the other duty of care issues—for example, setting up a sports ombudsman in this context or a duty of care charter? In other words, it would give legal backing to the issues that all three of you have mentioned, not least Kimberley and her disappointment with not moving on and implementing or potentially legislating for Tanni Grey-Thompson's recommendations.

Gary, can I turn to you first? This is specific to current legislation and the need for new legislation. Do you agree that there is a need for new legislation?

Gary Cliffe: Yes, absolutely. I agree with everything you have alluded to by answering the question, basically. For me, MR is one, two and three. Unfortunately, I believe that you need a change in the law and strengthening of the law with the threat of non-compliance to focus people's minds to report thorny issues. In particular, in sexual abuse nobody sees it. All you ever get is suspicion and whispers around the club. Where reputations are paramount and fees are paid, there is a tendency to bury bad news, so well-designed MR should protect the so-called whistleblower and the coaches so that the appropriate authorities investigate. It may lead to collateral damage; I have been there myself, But unless we stick our heads in we will not protect children. Unfortunately, if there is collateral damage, so be it, because we know that ultimately we cannot have damaged kids and adults, such as me and numerous lads that I know, carrying that hurt.

Lord Moynihan: Is it your feeling that the Sexual Offences Act 2003, in particular where provisions of trust excluded coaches, has not been effective in tackling what you are now calling for in MR?

Gary Cliffe: No, but I note that as recently as last month or the month before the position of a trust loophole was being looked at, which is wonderful. Do not get me wrong: there has been some tremendous work, and the referrals I work with in police and social services are amazing. But you tend to get state schools reporting predominantly. I cannot think of any boarding schools or fee-paying schools reporting to me, so that should tell you something.

Lord Moynihan: It certainly does. Mike, what is your view?

Professor Mike Hartill: I agree. There is a need for the introduction of mandatory reporting. Mandatory reporting can be a number of different things. It is how it is constituted that is important. It can apply to different groups and offences. The IICSA inquiry is looking at this fairly closely. There is certainly a need for an informed debate about it within the sports sector.

I would point to the Pennsylvania State University case in the US a few years ago, where Jerry Sandusky, the assistant coach there, used his role as cover to coerce boys into sexual activity. We are familiar with those types of cases, but the difference in that case was that three members of the university's senior management were also convicted, because there had been several reports of abuse and it had not been passed on. Because there was legislation in place that made that an offence, they were convicted of the crime of failing to report. As Gary mentioned, research on this shows that substantiated reports of sexual abuse can double after legislation is introduced. Mandatory reporting would be a very important addition to our child protection system.

Kimberley Walsh: The current legislation clearly states that safeguarding adults is everybody's business, so it gives opportunities for safeguarding concerns to be reported from sport as well as within the community. From our perspective, it is mainly about getting out the

understanding that it exists; that there is legislation for adults, to support people and that processes are in place. The Mental Capacity Act is relevant as well in certain situations. We do not think that at the moment there is a big gap in legislation for safeguarding adults.

On the duty of care, you asked whether we legislate for some of the recommendations arising from that. I do not have the answers, but it comes back to the comment earlier about whether we see Sport England as the Government, in the sense of what they are doing. Coming into this, I wondered whether Sport England or UK Sport was acting as the reference point for the Government, if you like, in which case the requirements they have put in place for, say, their funding can cover some aspects.

I guess it is a question of whether some of the things need to be legislated for, or whether some of the things are put in as requirements for funding, which obviously covers only those sports and activities that are receiving funding. I am aware there is a very large area that is not funded and that leads to some risks and concerns. I do not know the answer as to what needs to be legislated for, and what needs to be put into funding requirements, but that is also an area for discussion.

Lord Snape: Can I pick up the last point and address this to Gary? Gary, no one who read your story could fail to be moved. I have been in Parliament for a good many years. What legislation do you envisage could have prevented your abuser behaving in the way he did, and captured him? He was not just prolific; he was clever about it, too. A number of people have said to me over the years, "You ought to pass legislation to stop this". I just wonder what legislation could have stopped—I will not name him, because I understand he is facing further charges—your abuser who was so prolific for so many years. Kimberley mentioned the need for legislation. How could we go about bringing forward the legislation that would have caught your abuser before he was eventually caught and imprisoned?

Gary Cliffe: We can say his name, Lord Snape. It is Barry Bennell. He has been convicted five times and has been told by the CPS and the police that the 100 lads waiting will not have their day, and that is it. It is not in the public interest. That is a wholly different topic of conversation.

There is no silver bullet, as I said. I am now 50 and I work in safeguarding. I believe there is enough evidence from the clubs that has been documented in documentaries and dispatches in the 1990s and in the written word in books of Manchester City scouts who had their suspicions. As I said before, you will not see this; it is behind closed doors. All you ever get is suspicion and rumour. He would have been caught in the 1980s if somebody at that club, or a parent, had had the gumption to flag it up and tell the authorities. That would have saved hundreds and hundreds of boys. That is the point.

The Chair: Gary, the point of the question was what legislation we could bring in that would make that possible.

Gary Cliffe: MR. MR is the only one I can foresee that would force people to do this if they thought they would get in trouble by not reporting. It is the only one. We are not talking about jailing people. I know that social services, government and the police are frightened to death of referrals, because they think it will go crazy. It probably will initially, until it balances and you get better-quality referrals. The fact that you get loads of referrals is no reason not to do it, is it?

The Chair: No. Your answer is mandatory reporting.

Lord Moynihan: I have a related question. Leaving to one side the legislative framework, could you comment on the relationship between sport and recreation and law enforcement or social services in your experience? You have just used the phrase that people were "frightened to death" in certain circumstances. Can you elaborate a little more on the current relationship between sport and recreation and your experience of it and the law enforcement agencies and/or social services, rather than the legal framework?

Gary Cliffe: From my experience, you get a referral from, say, a county FA, as in a job I dealt with. A county FA will get a report. If that official thinks it is criminal, they make a referral to the local authority-designated officer, the LADO. In turn, that will get MASH-ed, at the multiagency safeguarding hub. It will go through a process and be assessed, and it will be farmed out to a detective and social worker to go and report. To answer the question, that is the only relationship between, say, a sport referral and the authorities.

Lord Moynihan: Mike, would you like to comment on whether additional measures there should be taken to strengthen that relationship of referral?

Professor Mike Hartill: My experience of this is limited, but my understanding is that the relationship between governing bodies and local authorities and local authority-designated officers is rather ad hoc, and very much dependent on the willingness of either the LADO or the national governing body lead officer for safeguarding to engage and discuss it. I have heard both sides complain. The local authority says it can never get hold of the sport governing body. Equally, I have heard governing bodies say, "The local authority isn't really interested in us". I think the engagement between the two needs to be stronger and probably put on a more solid footing.

Kimberley Walsh: There is plenty of scope for improvement in the relationship. In safeguarding adults, sport has generally sat on the periphery of statutory bodies, but it is being fully addressed. ACT is doing some work to try to get representation on safeguarding adult boards, so that could be strengthened. Linked with the legislation side of things, sports are often not named within legislation as responsible bodies. They are not named specifically as people that statutory bodies must liaise with or consider as part of their work. That could be something for future legislation. Amendments could be beneficial.

For example, when discussing today, our CEO talked about when she was sitting on some of the safeguarding adults boards. They would not naturally think of sport as a sector to think about, liaise with or consider when talking about somebody's situation. When they did, the reach and scale of sport was a real eye-opener for them. For people involved in sport, we underestimate that sometimes. It took someone to point it out to them, but, once it was, they saw the benefit of it, so that is one area.

Relationships with the police on sport are improving, often because quite a lot of lead officers are ex-police and know how to make that link, although I think Mike said that it might be inconsistent across the country because sometimes it is dependent on who you know. There are situations where the police or local authorities cannot take further action for whatever reason it may be, so it is passed back to national governing bodies. Sometimes they are risk-assessing and managing quite difficult and complex situations. I guess the question is: should that be the case? They are not always equipped to deal with that, so there is a bit of a gap there as well.

Lord Knight of Weymouth: Gary, I was interested in what you said about the fear of people being overwhelmed by referrals if we brought in mandatory reporting. We saw that with the example of Everyone's Invited, and the overwhelming sense of something hidden away in schools. There may be something similar in sport. Recently, I was asked why the Government do not do more on this when it looks like a win-win for them. Do you think it is that fear of referral and that we do not have the capacity in our enforcement bodies, and therefore there is a funding need, that lies behind that lack of action by government?

Gary Cliffe: I think you make a great point. All of the above: lack of funding, and the thought of the police and social care being overwhelmed with referrals. We are bursting at the seams as it is. It will need a lot of investment, but it is well worth while. We are never going to stop this, are we? It is naive to think that someone will not slip through, but if we can hold our hands up and say we have tried our best and prevented the opportunities for all sorts of abuse, we can look ourselves in the mirror. Did I miss the last part of your question?

Lord Knight of Weymouth: No. It was probably too leading a question, but I could not help myself.

The Chair: Try to stop leading yourself, Lord Knight.

Q152 **Baroness Grey-Thompson:** The first part of my question is about safeguarding and whether governing bodies take it seriously enough, but I also want to pivot into duty of care because there is an overlap between safeguarding and duty of care, which is obviously a lot of my work. Do governing bodies take safeguarding seriously enough? Are they being sufficiently supported? Are they being held to account for any shortcomings? As we have seen recently, governing bodies claim to have loads of policies in place, but athletes, parents and coaches will not use them or are afraid to do so.

The second part is: why are governing bodies apparently afraid to tackle wider issues on duty of care? Could we start with Kimberley? The first part is about safeguarding and governing bodies.

Kimberley Walsh: There are lots of questions in that. It varies. There are some who take it very seriously and have embraced its importance. I remind you that I am talking here about safeguarding adults. I will let others talk about children.

Some are still catching up a bit. There are still some that are not really engaging. There are probably multiple reasons for that. Some would argue that it is about capacity, staffing, funding issues and prioritisation. There has not been a mandated requirement of them, so they will always tackle areas that they have to do over the ones that are nice to do. Some still consider that they do not need to think about safeguarding adults because they do not work with adults at risk. They have the older way of thinking that vulnerable adults may be disabled participants, and do not understand the fact that anybody could be an adult at risk, given the circumstances, at any time, so it is relevant to everyone.

There can be a real disconnect between the motivation and enthusiasm of the lead officers who are really driving this work in NGBs and the higher levels of the organisations. Sometimes, a lead officer has only a certain level of influence at the top. They do their best, but it needs the board and senior leadership levels to prioritise and take more accountability for some areas of work, rather than just putting it on to the lead officer. Sadly, it often takes a serious concern to be raised with them for its importance to be realised. They can be involved, but, even with all the recent concerns raised in the media, there are still sports that think they are different and do not need to worry because their sport is fine. It would be great if we could get to a situation where everybody was proactive and we did not need to wait for a big case, or multiple cases, to be raised. Can you remind me of some other aspects of your question?

Baroness Grey-Thompson: I was asking about duty of care, which is about bullying, intimidation and harassment. Do you feel that that is an area that still needs to be tackled?

Kimberley Walsh: Yes. As I said earlier, there were some recommendations, and some sports really took them on board. Others said, "I can see that they're important, but we haven't really been asked to do anything about it". They have not had something highlighted to them in their sport. If people are not speaking about it or raising concerns, they might just put it to the bottom of the pile of jobs to do. I think that to place requirements on some of the other aspects is important. It is sad, but it needs to be the case. People will not do it because they want to be great at doing everything and delivering everything, but with all the requests they need to be mandated things.

There are some really good examples of sports doing good stuff. I referred earlier to financial support. I guess sports would argue that they are being asked to do more and more. They understand why, but they

are not always backed up with financial support to have the capacity to do that. There is support for them in best practice advice and guidance. I am sure everybody would say, "More support, please".

There is a potential gap in support for those working in the safeguarding and lead officer case management area. Managing cases can often be quite an isolated role. You have to keep the information within a small group of people working on these things. There is scope for further support for their welfare and well-being. We talk about duty of care and we think about athletes a lot of the time. Equally, a lot of coaches and staff need that duty of care for them because often, for example, they are in the same world as elite athletes. Sometimes, their well-being can be forgotten.

Professor Mike Hartill: One of the complaints we have found in our research is that smaller governing bodies do not have the resources of the bigger and richer governing bodies to implement safeguarding, or implement it at the same speed or scale as other bodies. It is a problem if children's welfare in some schools is dependent on the wealth of that school and its capacity to deliver effective safeguarding.

Kimberley touched on this. Some of the research we have done with lead officers has illustrated how they felt that, even in their own organisation, when tasked with safeguarding and delivering safeguarding, the climate has been quite hostile. They have felt isolated and found it very difficult to do their role.

Have governing bodies taken it seriously enough? My answer, looking back over the last 20 years, is that I do not think they have. I am sure you are aware that in 2001 the FA commissioned a very large research project by the late Professor Celia Brackenridge to look at its systems and processes for safeguarding and child protection.¹ Although that was curtailed, it remains the only study that has helped governing bodies to attempt to evaluate independently the systems and processes they have in place. We have done a little bit of work with the Rugby Football League. It did not provide any funding, but it certainly opened up its sport and welcomed us in to make some evaluation. It was really to say, "You've got a policy. What does that mean in practice?"²

Those examples are very few and far between. My question for governing bodies would be: why are they not asking these questions? Why are they not looking at their own safeguarding systems and processes? That question of evaluation is much broader. As I have said a couple of times, we have had 20 years of safeguarding in sport and national standards, which represents quite a significant investment, but we know very little about how effective it is, whether it actually works, who it works for, in

¹ Note by witness: Brackenridge, C. H., Pitchford, A., Russell, K. and Nutt, G. (2007) *Child Welfare in Football: an exploration of children's welfare in the modern game*, London: Routledge.

² Note by witness: Hartill, M., Lang, M. & Ashley, N. (2014) *Final Report: Safeguarding and child protection in Rugby League: A research evaluation*. Funded by the Edge Hill University Research Excellence Framework (REF) fund and the NSPCC Child Protection in Sport Unit.

what circumstances it works and who it does not work for. There are all manner of questions on this that should have been asked many times over in all sorts of different sports.

There are many things governing bodies could have been doing and have not been doing. One significant thing is reaching out to those with lived experience and at least to seek ways to work in a more positive and authentic way with individuals who have been abused in sport; and using that to create a climate in which people who have been and are being abused feel more able to come forward and speak up and feel that their sport is taking the issue seriously. There are other things about monitoring and reporting, but I will leave it there.

Gary Cliffe: Unfortunately, from all the evidence I have seen, it takes a particular sport to get victims before the officials take notice and focus their minds. There is a massive element of money, and the popularity of the sport dictates how well and how much it can be resourced. Obviously, the FA is the national football body, with loads of staff. There are 50 county FAs, with numerous staff, and there are policies and procedures; you are tripping over them. It is very robust.

One of the recommendations that Sheldon made in his report was quite alarming. He said that Premiership and Championship clubs should have full-time safeguarding officers, but it is okay for Leagues One and Two to have part-time officers. Is the safeguarding of kids at League One and Two academies not as important as for the Premiership and Championship? That was quite an own goal, really.

There are numerous amazing people—volunteers—who are doing tremendous work, and they need to be safeguarded, too.

Baroness Brady: I want to pick up on something Kimberley said that links to something Gary just said. I was quite alarmed by it. You said that some sports are not doing enough, and some sports are putting safeguarding at the bottom of the pile. If you notice this is happening, who do you report it to? Sport England? If you are, what do they do about it? As Gary said, if you are going to wait for victims before they do something about it, that is too late.

Kimberley Walsh: Currently, as far as I am aware, there are not really repercussions for those who may be burying their heads about it. I guess that Sport England and UK Sport potentially have the power to remove funding from those sports. I do not know of that happening due to safeguarding issues, or whether they put more money in to help put things in place. I do not know the answers to that, I am afraid.

Who do you report it to? What it comes down to is that you only have the basis to report something if they have to have it. If they do not have to have a safeguarding adults policy, for example, there is nothing to report, really. We want them to have it, and it is best practice to have it, but there are certain elements where, if they are not told they have to have it, there is not much to report. I guess that comes with the requirements

we are talking about to mandate certain things. It brings us back to the independent external body.

Professor Mike Hartill: As Gary mentioned, we have just had the Sheldon inquiry into sexual abuse in football, and six or seven independent reviews have been launched and completed in the last five years or so into various mistreatment and abuse issues in sport. A lot of governing bodies are probably saying, "We've not got reports here. We're not in the press, so we'll just keep our heads down".

We have enough evidence now to demonstrate that abuse in sport—not just serious sexual abuse, but all forms of abuse and foul treatment—has been widespread for a long time. To me, that all points to the need for some form of wholesale, sport-wide, independent inquiry, so that we can really hold governing bodies and the sport sector to account, with all the positive things that they have been doing as well, in order to learn lessons and to develop a more effective strategy in future.

I do not think the piecemeal approach, whereby a review or an inquiry is launched on the basis of some media headlines or high-profile claims, is sufficient now. We need something more substantial and robust covering all sport, so that some of the questions you are asking, which are really important and good questions, can be answered in a more robust way, with evidence rather than anecdote.

Q153 **Baroness Morris of Yardley:** Thank you. I want to ask a question about a possible national register of coaches. One of the things that has struck me throughout your answers is the lack of consistency across the sector. There does not seem to be anything that holds it together. It seems to be all over the place, without anybody holding the ring. Do you think that a national register of coaches might be effective to help overcome that? If so, what impact might it have and—I suppose this is key—who should be responsible for it?

Kimberley has mentioned this once or twice, but perhaps it might come from all of you. There is a division between people who are coaches for publicly funded sports and activities and those who are not. Could you bear that difference in mind, too, when you talk about a possible national register and whether you think it might be able to include both groups? Mike, could you start off on this one, please?

Professor Mike Hartill: I will try. I first heard about the idea of a national register of coaches in 1993, so I think the sports sector probably just needs to get on and do it. I see benefits for the sector. There is increasingly specialised coaching. I say this without any real knowledge or understanding of what the mechanics and challenges would be of doing this and what the cost would be, but I think there would be advantages for safeguarding, in that it could make background checks, and align with that system and perhaps make it more straightforward.

As for who should do it, I would think it is probably a multiagency approach. It would certainly need Sport England and UK Coaching involved, but with some more independent external oversight.

I think the impact would be positive. There is a potential deterrent effect for people who do not want any sort of scrutiny of what they are doing. It is hard to say, but I imagine that all good coaches would be quite happy to be part of a register and to be certificated in that way.

Baroness Morris of Yardley: Am I right in thinking that, at the moment, anyone could call themselves a coach?

Professor Mike Hartill: Yes, anyone can call themselves a coach. Governing bodies and UK Coaching have coaching qualifications.

Baroness Morris of Yardley: Yes, but you do not need those to call yourself a coach. It might be a way of regulating that a little bit, might it not?

Professor Mike Hartill: It would certainly provide some more assurances to parents. It would be a way of asking someone, "Are you a coach?", meaning "Are you a registered coach?", and a way for a coach to demonstrate that they are a registered coach. There would be positives on both sides.

Gary Cliffe: It is an absolutely cracking idea, Baroness Morris. We should do it—the national register of coaches. We are all aspiring to gold standard on this call: one database with the national coaches on it.

I take my mind to the Soham Huntley case. He had never been convicted, but he was allowed to roam different counties doing what he did. The police brought in the PND, which is an intelligence database, to close that loophole, which may have picked up Ian Huntley, because he was not convicted. There was loads of intelligence about his grooming and offending, for which he was not convicted. I see the similarities with that, to root out those vile coaches who prey on children. It could be an easy check for the new club to check whether that person is on there. It could be an absolute monster of a job for somebody, but Mike said it best with the multiagency approach.

Kimberley Walsh: It would certainly help to prevent abusive coaches moving across sports and to different locations around the country. Sport does not have a mechanism to do that now. It is just one way of reducing things. It would certainly help, but it would not be the answer to everything. It really requires parents, participants and organisations to know about it, to actively check it and to understand the importance of it. It would not solve the issues of those in unregulated, unaffiliated or unfunded sports—whatever we want to call them—where we already know that there is a big potential risk because they do not have lots of things in place.

If you are talking about making the title a "coach" of something, and it can then be registered, I guess that helps to solve some of those areas. It would not account for people in roles other than a coach, who can also pose a risk. There are a lot of people in supporting roles. Volunteer helpers might not be called a coach, but they are still very much doing

supervision roles and are in positions of trust. It is just about caution over the fact that it does not solve everything, although it would certainly be helpful.

It is really important that it is UK-wide, so it has to include the home nations as well; you would just have coaches crossing borders. It should not be seen as the only answer. I would worry that other safe recruitment processes were put by the wayside because we had a register for coaches.

Baroness Morris of Yardley: It would be too much of a guarantee.

Kimberley Walsh: Yes. It is about making sure that there are still robust processes. We always say that DBS checks are one part of the process. It would be about clear messaging about that as well.

Baroness Morris of Yardley: Thanks. That is helpful.

The Chair: Could I ask you this, Kimberley, before we leave this question? A lot of amateur clubs would say, "We can't afford to have people as qualified coaches. We rely on volunteer coaches". Do you think somebody should support that financially in order to make it worth while for a small amateur club to be able to apply for a resource that would enable their key person not only to be a better coach, but to have a responsibility for duty of care for the people around? Who do you think should pay for that, if you think it is a good idea?

Kimberley Walsh: I guess it opens up a question about the whole informal sporting activity area and unfunded, unregulated sports. There are lots of activities in that area. That would be one of the areas where there is a very large risk of safeguarding across the country.

Who would fund them? I do not know. They are not funded now, so clearly there are organisations that do not think they should be funded or that do not have the resources to do that, but it is not always just about the coach. The coach is one part of the whole sporting activity.

The Chair: One part of the whole thing.

Kimberley Walsh: Yes. Who is the person formalising those informal sports? Who is making sure that the volunteers have been checked or that they are doing the role that they have been asked to do? This happens a lot with volunteers. You might start out volunteering in one role, and it slowly progresses to doing other roles. In what I am just going to call the unaffiliated sectors, there is no one managing that in particular.

Is the answer funding? I do not know whether that has to be the answer, but some kind of formalisation, and therefore having the checks and procedures in place, is definitely needed.

Q154 **The Earl of Devon:** Kimberley, perhaps I can ask you this question first. We are seeking to consider recommendations for the whole range of

sports and recreation. With that in mind, do elite athletes face greater or different risks from those playing sport at grass-roots level?

Kimberley Walsh: It is not one or the other; it is not that clear-cut. It is all down to where there is potential for someone to have significant power over someone else's opportunities, progress and improvement, and where there are high levels of trust. That can happen at community, recreation or elite level.

Perhaps the division is more between recreational-type and more competitive activity. Elite sport has the default situation where you almost always have high levels of trust placed in other people, whereas you might not have that so much elsewhere. You still have a high level of trust, but you do not have a real desire to succeed in perhaps the same way, which can imbalance the levels of power a bit more.

The risks in elite sport come from the intense, potentially controlling, relationships that can develop through the will to succeed and the coach or support staff's power imbalance over the athlete, and the nature of elite athletes being in that sort of bubble and perhaps not having quite the same support networks.

At the grass-roots and community level, it is all the elements that I just talked about—the informal nature and the reliance on volunteers, and who is managing them. You might get that more at community grass-roots level. You might get more participants with greater care and support needs. In terms of safeguarding adults, are those activities set up to have that awareness and knowledge about how to recognise concerns and then what to do? There is a gap. It is not as straightforward as saying that they do not have greater risks, or different ones. There is a mixture of the two. There are different elements.

One of the greater risks in elite sport is people's lack of awareness that they are in potentially vulnerable situations. Therefore, they do not look out for it so much, and they might not recognise indicators or putting measures in place to reduce the risks, although, having said that, it is an area that is clearly getting a lot more recognition and awareness. I would say that, traditionally, that is why you might have heard people talk about elite being at greater risk. You can be at risk in many settings, but there is a lot less awareness of it, although it is improving.

The Earl of Devon: Thanks, Kimberley. Mike, perhaps I can turn to you with the same question. Do elite athletes face greater or different risks from those at grass-roots level?

Professor Mike Hartill: We now have some prevalence research on this. Prevalence research in this area is still pretty young, but some important studies have been done. They have shown that the prevalence of abuse among elite athletes is higher and they are at greater risk. As I say, it is fairly new research. We are engaged in a project funded by Sport England, in collaboration with governing bodies, looking at the prevalence

of abuse in sport, including at the higher levels. That is a really positive development.

We have seen from qualitative research that the personal investment of individuals who are looking to achieve at the highest levels makes them vulnerable. There are more opportunities for them to be abused because of the sustained amount of time when they are in that one environment. There are also increased opportunities for an abuser to maintain their silence. Those things, coupled with the investment of parents and even the wider community, making financial investments as well as emotional investments in their child's sport, all increase their vulnerability, and the risk for elite athletes.

The Earl of Devon: You mentioned prevalence research. Is that something that could be made available to the committee at some stage? It may be of interest.

Professor Mike Hartill: Yes. There are two studies going on. One is a European study, which looks at six European countries, including the UK. We have the data, and we are just in the process of analysis now. I think the results will be available within the scale of the committee's work. We will be able to make that available to the committee.

There is a separate study that just looked at UK sport, with the collaboration and support of our funded national governing bodies. That is in the process of beginning to collect data now. I think I am right in saying that it is January 2022 for the committee, so that data would be available within—

The Earl of Devon: I think we will be reporting in the autumn.

I have one follow-up on that point. Is there research on the prevalence of risk in sports and recreation, as opposed to other activities that people may be participating in? Is there any evidence of heightened risk in this sector, as opposed to other sectors?

Professor Mike Hartill: That is a really good question. In the European study, we are asking people who played sport before the age of 18 about their experiences of abuse and neglect, whether in sport or outside sport. We will have, and do have, some data that will enable us to compare those two things.

The Earl of Devon: Could I finally turn to you, Gary, with respect to my lead question? In your experience, do elite athletes face a greater or different risk from those at grass-roots level?

Gary Cliffe: It is a cracking question, and it is very important. I believe that the risks of abuse and so on span from elite level right down to grass roots. I say that, because I have been at an elite club, and the peer pressure and the dressing-room culture can be brutal. Baroness Brady has been in football for many years, and I am sure she will have heard stories of dressing-room high jinks and so on that can border on abuse.

When you are at academy level, the pressure and a lot of parental pride come into it—the pressure on the child to make the grade, which is within touching distance. We all know that, out of 100 kids, just one might make it. The question highlights the risk to the under-18s who might not make it and get shown the door at professional clubs. We had the recent suicide of a lad at Man City. I do not know if that was due to the rejection or not. This is a great topic area to look at.

I suspect that the dressing-room culture at elite level is a factor, as is bullying at the academy level, because it is win at all costs. I suspect you get more sexual abuse at grass-roots level, where it can go undetected. At elite level, it is very safeguarded, and the elite clubs have many safeguarding officers who oversee things. I am confident that they are doing a cracking job of stamping out anything, but what is very difficult for them in that setting is the nuanced stuff about bullying and taking the mick in the dressing-room culture. The peer pressure is that great that you just go along with it. You ain't going to be the boy that puts your hand up and challenges it.

Lord Knight of Weymouth: This is probably to Gary, because it is about football. A few years ago, there was reporting about problems with dubious football agents, particularly in Africa, recruiting young lads who often ended up in the sex trade. I wonder whether the measures that football is putting in place and has put in place have extended to football agents.

Gary Cliffe: That is a good question. I think they have been largely unregulated. I am not massively up on the regulation of them. I am certain that the FA and the EFL are doing what they can about it. You raise a very good point, and I am sorry I do not have the answers for you, Lord Knight.

Lord Knight of Weymouth: Thank you.

Baroness Brady: I can tell you, Lord Knight. I will pick it up with you later. Fundamentally, under-16s cannot have agents or representation agreements.

The Chair: Thank you very much for that clarification.

We now move to the final question, which I am quite happy to spend a bit of time on, and to go slightly beyond our deadline. I invite Lord Addington to ask it, and if other members of the committee want to come in on this they should feel free to do so.

Q155 **Lord Addington:** The question that I have been asked to put to you is this. Looking forward, what are the top priorities for strengthening safeguarding and the duty of care in sport and recreation?

While you are addressing that, perhaps you could clarify something. What would you define as a vulnerable person? It seems that a lot of the not reporting does not identify that people can be vulnerable in certain circumstances. We have always heard a lot of rubbish in the past, like

"He's a big strong lad. Why didn't he report it?" Does anybody have an idea coming about what a vulnerable person is? Is it to do with priority? Is it about the place or about something else? Perhaps we could start with Kimberley.

Kimberley Walsh: I do not feel that someone necessarily has to be badged as a vulnerable person for the reporting. I will answer from an adult's point of view. I wonder if that is what you are thinking. If someone says, "They're an adult. They can manage themselves. I don't want to get involved", at what point does someone get involved? Is that what you meant?

Lord Addington: I was trying not to steer you too hard, but I was trying to get across the idea that any person can be vulnerable. Would you agree with that? Then, you can go on to the rest of it. It would be a yes, would it?

Kimberley Walsh: Yes. The safeguarding adults legislation defines an adult at risk as someone who has care and support needs, whether or not they are being met, so that could be many people, and whether they are at risk of abuse or experiencing abuse and harm, and who, because of their care and support needs, are not able to fully protect themselves. There are many situations where somebody, at some point in their life, whatever might be going on in their home life, in their sport or wherever, is at risk of or experiencing harm, and might not be receiving any care for their situation. They are an adult at risk.

We have sort of dropped the at-risk bit when we talk to sports about safeguarding adults, because we want it to be wider. You are looking out for the welfare and well-being of everybody—every adult—and if you raise a concern about someone, at that point you might look at their circumstances. Do they meet the criteria for an adult at risk? If they do, there is a different procedure for reporting that concern. It might go to the local authority, for example, because there is now legislation under which it would have to look into a concern that has been raised with it. I do not know if that has explained your answer.

The Chair: I think we will do with that, if you could go on to the other part of the question.

Lord Addington: Yes, that is great, thank you.

Kimberley Walsh: There are three priorities, I would say. We have already talked about an external, independent body that sportspeople could go to with a concern about themselves, something in their sport or the culture in their organisation. Currently, people just report within their organisation, and if their sport does not deal with that reported concern, where do they go? Obviously, if it is a criminal situation, it might go to the police, but often it might come back to the NGB if nothing is taken further. We have anecdotal evidence that this occurs, and that athletes or participants feel that their only choice is to leave the sport or put up with it.

I do not have an answer for how you would make that independent body and quite what its remit would be. If you formed something like that, it would need the jurisdiction to take action or oversee another organisation taking that action.

My other priority would be to make basic adult safeguarding and duty-of-care requirements mandatory for receiving funding. Currently, it is only child safeguarding standards that are made mandatory. As part of that, it would be great if there was an opportunity for funding to be ring-fenced, with a certain percentage of an organisation's funding ring-fenced for safeguarding. That would help with the prioritisation.

Obviously, there is increasing the education of everybody in the sport so that they know how to recognise it and know what to do about it. Within those requirements are the governance aspects, and that policies, procedures and codes of conduct are fit for purpose and it is not just about having one. There is sometimes a tick-box approach of saying, "We've got one. Great. We've covered that aspect", but it is about making it real. Does it actually work in real life?

Lord Addington: An implementation strategy, effectively.

Kimberley Walsh: Yes. There is also improving prioritisation at senior leadership and board level, so that they have accountability for and oversight of what is happening in their organisation. In particular, they would be leading in setting the right culture. We have not actually mentioned culture much so far today, but it underpins a lot of this. If you have the right culture in the organisation, good things follow that. Safeguarding can often be part of it.

As I said, it is about making sure that the board and senior leaders are not just partaking in or condoning tick-box compliance, and that they are really, truly living the principles of duty of care and safeguarding. It is about realising that there is not an end point. It is not, "We've done it. Job done. That's it, we can leave it to the side". It is an ongoing thing.

What is important is organisational learning and acceptance of feedback. There is a lot more about getting the voice of people in the sport. Annual surveys could be sent out. It would be great to have more than just an annual survey that is sent out to get feedback. Sometimes I hear, or I have heard, that people get the feedback but then find reasons for why there might be negative comments, rather than just accepting it and saying, "Actually, this is something we need to think about. It's an area that we might need to work on and try to change".

That brings me to real listening to those in the sport, genuinely and actively listening and inviting feedback, with the purpose of making changes and improving where they can. Again, sometimes some of these things can just get done with, "Oh, we've done that. We have to ask people their views, so we've done that". Then nothing gets followed up.

I know I have covered lots of things, but I had grouped them, hopefully, into three areas: improved prioritisation—

Lord Addington: That was an excellent first shot. Would you like to add to that, Mike? Is there anything that you think has been missed?

Professor Mike Hartill: I will touch on your point about vulnerability first. A lot of my research has been on sexual abuse of boys, and the stereotypes about gender and masculinity and the idea that sport boys would not be abused, or would not succumb to being abused, and if they were they would tell someone. All these sorts of myths about the abuse of males have maintained a sort of silence on the issue for many years. The work that Gary, the Offside Trust and others have done, and all the men coming forward, have moved the issue forward a long way in a very short space of time. I do not think that their contribution to this area and to our understanding of this area and of vulnerability can be underestimated.

On the priorities, as I have said, I think that for us to move forward with a coherent, evidence-based approach, we need to evaluate and assess what we have been doing in this area. We have been doing a great deal. I would argue and others—women and boys—would argue that, more than any other country in the world, we know too little about what has worked, what does not work and where the weaknesses are.

I am a researcher, so I get what researchers say, but we need some independent monitoring and an evaluation of the systems and process that are in place. I think that is really important. If we are to develop a coherent and meaningful strategy, the way to do it is to understand better what we are doing now and how we move forward from that, rather than having the great and the good sitting in a room deciding what needs to happen next. That is the key point for me.

We have mentioned mandatory reporting, so I will not say much more about that. It is very important that the sport sector considers that very carefully. I would like to see the introduction of mandatory reporting in our society.

I have one more point. Our understanding of this issue, not just the processes and the systems but the extent to which people have experienced and continue to experience abuse in sport, is really important. Understanding that they have to report it, how many reports there have been, the nature of those reports and learning from them are also really important.

Lord Addington: Thanks very much. Gary, what would you add to what we have already heard?

Gary Cliffe: Just that a vulnerable person can indeed be anyone. You only have to look at the recent three-part documentary on the BBC. There were some rufty-tufted lads playing football who went through that abuse. We would not have said anything. We went along with it, and you

sort of become complicit in it. Nobody else was saying anything. Definitely, it can be anyone.

My three priorities would be, first, mandatory reporting, or MR, which we have discussed a lot. Number two would be a safeguarding welfare officer being appointed. That should be the first job at any club. Any regulated activity should have a safeguarding officer, whether paid or unpaid, depending on the money in that sport, although it should trickle down from elite to grass roots.

Thirdly, for me, and this could be an easy win for the Government and the Lords, are social media platforms on safeguarding. Football, as in the FA, is choosing the end of this month to boycott social media platforms due to all the racial abuse, et cetera. It makes me furious as a cop as well—the hoops and bureaucracy we have to jump through to get those companies to engage when we have numerous, daily reports of abuse, especially on Snapchat. They need to be held to account. It is dead simple. You can go on and have an anonymous profile and spout a load of abuse. These companies, which are far superior in IT than any of us or any governing body or the police, know exactly where the internet service provider is going into a home. They should be telling us, and we should be rooting these people out through the courts or otherwise. Those would be my three priorities coming up.

Lord Addington: Thanks very much. I have had my indulgence with my questions, Chair. Back to you.

The Chair: Thanks very much, Lord Addington. That brings us to the end of this session, and a very interesting session it has been.

Thank you very much indeed all three witnesses, Gary Cliffe, Professor Mike Hartill and Kimberley Walsh. I hope that you have enjoyed the session to some extent and have at least been able to present many of your points of view to the committee. Thank you very much indeed to my committee, who will in fact be dismissed after this session, because the House of Lords prorogues tomorrow. I hereby conclude the meeting. Thank you all very much indeed.