



**ACODEPA**

# RECOMMENDATIONS

ABUSE AND HARASSMENT IN SPORT COMMISSION

## **PREVENTION OF HARASSMENT AND ABUSE IN SPORT (PHAS) POLICY**

SEPTEMBER 2020

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# POLICY

## INTRODUCTION

ACODEPA (Association of Pan American Sports Confederations) is constituted by the Pan American Sports Confederations or Continental Sports Organizations recognized by their respective International Federation.

This document was produced by the Abuse and Harassment in Sport Commission as a recommendation for all the Pan-American Confederations and their affiliated National Federations.

Its vision is to inspire people to pursue a lifelong passion for sport and as such, is committed to provide a safe environment to everyone who embraces sport activities in the Americas and the World.

Harassment and abuse in sport affects athletes physically and emotionally, as well as the trustworthiness of sport organisations.

ACODEPA, cares about the welfare of the sport family, considers that prevention is essential for its athletes, coaches, officials, volunteers, medical and technical personnel and staff. This especially includes people that belong to the most vulnerable groups, including children, women and athletes with disabilities.



## **ACODEPA STATEMENT**

ACODEPA strongly condemns harassment and abuse in all forms at any time and is committed to prevent this conduct by acting diligently to avoid its occurrence, and inappropriate situations that may give rise to their happening.

## **ACODEPA POLICY**

This policy includes definitions and identifies the group of people to whom it applies.

ACODEPA strongly recommends that Pan-American Confederations and their affiliated National Federations shall observe this policy. By all the sport community actively contributing to disseminate the best practices it will help prevention.

## DEFINITIONS

The definitions of harassment and abuse in all its forms must be known by all the sports stakeholders, particularly by the athletes. This will help to identify if the non-desired situations that might occur are within this framework and must be reported in order to prevent major harm.

ACODEPA adopts The IOC Consensus Statement 2008 (the consensus statement): harassment and abuse (non-accidental violence) in sport.

***For a better understanding of safe sport. Please refer to Appendix B.***

Definitions adopted in the consensus statement, endorsed by ACODEPA:

**Athletes with disabilities:** Those who have long-term physical, mental, intellectual or sensory impairments that, in interaction with certain barriers, may hinder their full and effective participation in society on an equal basis with others.

**Bullying:** Bullying (or cyberbullying if conducted online) is unwanted, repeated and intentional, aggressive behaviour, usually among peers, and can involve a real or perceived power imbalance. Bullying can include actions such as making threats, spreading rumours or falsehoods, attacking someone physically or verbally and deliberately excluding someone.

**Child and adolescent:** Every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier. Early childhood relates to those below 8 years of age. Juvenile or young person and adolescents are 10–19 years of age.

**Hazing:** An organised, usually team-based, form of bullying in sport, involving degrading and hazardous initiation of new team members by veteran team members.

**Homophobia:** Antipathy, contempt, prejudice, aversion or hatred towards lesbian, gay or bisexual individuals/ LGBTI Community.

**Neglect:** The failure of parents or care givers to meet a child's physical and emotional needs or failure to protect a child from exposure to danger. This definition equally applies to coaches and athlete entourages.

**Negligence:** Acts of omission regarding athlete safety. For example, depriving an athlete of food/or drink; insufficient rest and recovery; failure to provide a safe physical training environment; or developmental age-inappropriate or physique-inappropriate training methods.

**Physical abuse:** Non-accidental trauma or physical injury caused by punching, beating, kicking, biting, burning or otherwise harming an athlete in a physical manor. This could include forced or mandated inappropriate physical activity (I.e.: age-inappropriate or physique-inappropriate training loads; when injured or in pain); forced alcohol consumption; or systematic doping practices.

**Psychological abuse:** A pattern of deliberate, prolonged, repeated non-contact behaviours within a power differentiated relationship. This form of abuse is at the core of all other forms. Some definitions refer to emotional or psychological abuse interchangeably. In this document, we refer to psychological abuse in recognition that the psyche consists of more than emotions. It also consists of cognitions, values and beliefs about oneself, and the world. The behaviours that constitute psychological abuse target a person's inner life in all its profound scope.

**Safe sport:** An athletic environment that is respectful, equitable and free from all forms of non-accidental violence to athletes.

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

**Sexual harassment:** Any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical.

Harassment and abuse can be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age disability, socio-economic status and athletic ability.

It can include a one-off incident or a series of incidents. It may be in person or online.

Harassment may be deliberate, unsolicited or coercive.

Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power or authority by an individual against another person.

The IOC Consensus Statement 2008, considers that harassment and abuse are on a continuum; and therefore, should not be separated.

All participants are susceptible to being a target of the various forms of harassment and abuse.

## **PURPOSE OF ACODEPA SAFEGUARDING POLICY**

The safeguarding policy is formulated with the purpose of protecting the physical and psychological integrity of the athletes and of any other person related to the sport community, during the Pan American Championships and any other Pan American event (I.e.: Pan American training camps).

The Pan-American Confederation shall produce policies and procedures that will prevent non-accidental violence from occurring to safeguard the individuals at risk.

The Pan-American Confederations recognised by ACODEPA are strongly recommended to replicate the actions condemning the harassment and sexual abuse in sport, considering also the legal frame of their countries and the regulations of the sport organisations.

## **CONSULTATION PROCESS**

During the preparation of this document, the ACODEPA Commission consulted several documents produced by IFs, Governments, the IOC Prevention of Harassment and Abuse in Sports Toolkit, the International Paralympic Committee (IPC), IPF safe sport: Non-accidental violence and abuse and other relevant publications.

## **NATIONAL AND INTERNATIONAL REGULATORY FRAME**

Local authorities and laws must take priority before the Pan-American Confederation is involved. Where there is any report to the relevant local authorities, the applicable law will be the national law of the country where the incident happened.

The Pan-American Confederations do not have the power to conduct criminal investigations but shall undertake its own review of alleged offences or breaches of conduct should the matter be warranted.

The Pan-American Confederation/National Federation Ethics, Legal or Disciplinary Commission will decide on any course of action in a case, that is appropriate and that concerns the Pan-American Confederation/National Federation.

## THE SAFEGUARDING POLICY SHALL APPLY TO:

- Athletes without restrictions of age, gender or abilities and their entourage.
- Coaches, Medical and para medical personnel.
- Members of the Board Policy and Communication of Directors of the Pan-American Confederations
- Staff, Officials, Volunteers.
- Any accredited person during a Pan American Championships or other Pan American event (I.e.: Pan American Training Camps).

## ACODEPA COMPETITION

For sport competitions the safeguarding policy shall be applied by the Pan-American Confederation and the affiliated national federations at their level of competition.

This policy indicates how to receive and manage reports under the Pan-American Confederation scope and to ensure confidentiality.

At any Pan American Championships and Pan American event, the safeguarding policy will be outlined at the technical meetings and upon arrival to any training camps.

It is the responsibility of each Continental Association, to keep informed and protected their sport community and on that regard, a clear and concise communication is of great importance.



## REPORTING AN INCIDENT

Suspected harassment and abuse occurring during a Pan American Championships or event shall be immediately reported.

A recommended form for reporting an incident is available in **Appendix A** of this document.

### Confidentiality

Each Pan-American Confederation shall ensure that it will act with impartiality and confidentiality, Personal data will not be disclosed unless it will be necessary to avoid other harm or to facilitate criminal investigation.

This confidentiality does not cover disclosure of the name and nature of the wrongful act committed by the individual who perpetrated the abuse and harassment once such has been proved. However, confidentiality with regard to the individual complainant shall be maintained.

### Anonymity

Reports received anonymously will require sufficient detail for the Pan-American Confederation to review. It is always advised to complete the reporting form available at **Appendix A** of this document.

### Reporting Procedure

If the report is received in person or by telephone or the reporting form cannot be completed, the details contained on the report shall be requested to the reporting person.

The Pan-American Confederation can investigate an issue without a completed reporting form when there is sufficient reason to believe that there is a wrong doing

When a Continental Association implements safeguarding policies and procedures, they should research what their obligations are in relation to mandatory reporting to public authorities or duty to disclose within their country/region.

### In Competition

The reporting form will be handed to the appointed officer. The officer will be introduced at each event/training camp.

### Out of Competition

The reports related to wrong behaviours happened at events other than the Pan American Championships, such as Pan American Training Camps or others, shall be reviewed by the

Ethics & Legal Commission Chair and the Medical Chair, which will issue a technical opinion and detail of the actions that were taken based on the alleged transgressive conduct.

The sensitive information must be treated in a timely and appropriate manner, providing medical and psychological support when it is considered necessary.

## **DISCIPLINARY PROCEDURE**

The Pan-American Confederation shall ensure impartial treatment of the case, and the right of a defence for the accused.

Measures and sanctions must respect the principle of proportionality.

The following factors should be taken into consideration when determining proportionality: the nature and severity of the violations; the number of violations; any other relevant circumstances (e.g. when the abused or harassed person is a minor).

The Pan-American Confederation will ensure procedural fairness in the case of an allegation, a notice with mention of rights of the individuals should be provided to the concerned individual/s.

A fair hearing can be called before any measure or sanction be applied.

## **INFORMATION**

The Pan-American Confederation will prioritise the communication of these policies and procedures to its staff and board of directors.

The role of the Athletes' Commission is crucial in ensuring that the prevention of harassment and abuse in sport policy will be known and understood by all the athletes.

Special emphasis shall be put on the most vulnerable groups including disabled athletes, children, girls, women and minority groups.

## **EDUCATION**

The Pan-American Confederation should be committed to raise awareness and create an educational programme to be delivered at Training camps and at the continental championships.

## PREVENTIVE MEASURES

The Pan-American Confederation should have in place an Independent Ethics Legal or Disciplinary Commission which will be informed about the reported wrong behaviour.

Criminal record checks of employees are a regular practise according with the laws of many countries and mandatory for some National Federations. For federations that are not legally obliged to request the records, ACODEPA encourages them to undertake good practices that can provide a safe environment to the athletes.

## APPENDIX A: REPORT FORM

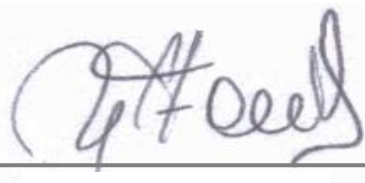
<b>REPORTING FORM</b>	
Please provide as much information as you feel comfortable.	
<b>Reporter personal information</b>	
Full name	
Date of birth	
Nationality	
Address	
E-mail address	
Telephone number	
Relationship with the alleged victim	
What is your connection with the incident	<input type="checkbox"/> Witness <input type="checkbox"/> Someone reported to you <input type="checkbox"/> Victim <input type="checkbox"/> Other (specify):
<b>Victim's information</b>	
Full Name	
Date of birth	
Nationality	
Address	
E-mail address	
Telephone number	

The victim is	<input type="checkbox"/> Athlete <input type="checkbox"/> Athlete with disability <input type="checkbox"/> Female <input type="checkbox"/> Child (age ....) <input type="checkbox"/> Staff <input type="checkbox"/> Volunteer <input type="checkbox"/> Official <input type="checkbox"/> Other (please specify) _____
<b>Details of the harassment and/or abuse facts</b>	
Date, Time, place and Country where the incident happened	
Information regarding the perpetrator (identity and contact if possible)	
Accurate incident explanation	
Actions taken before producing this report.  Report to authorities (eg.: police)	<input type="checkbox"/> Yes (specify) _____  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Other information</b>	
All the information contained on this document is strictly confidential.  IMPORTANT: it is at the will of the victim to make a formal complaint under the laws of each country.	

## APPENDIX B: IOC PUBLISHED CONSENSUS STATEMENT

Mountjoy M, Brackenridge C, Arrington M, Blauwet C, Carska-Sheppard A, Fasting K, Kirby S, Leahy T, Marks S, Martin K, Starr K, Tiivas A, Budgett R. International Olympic Committee consensus statement; harassment and abuse (non-accidental violence) in sport.

Br J Sports Med. 2016 Sep;50(17):1019-29. doi: 10.1136/bjsports-2016-096121. Epub 2016 Apr 26.



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*With the approval of the Legal and Ethics Commission*