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**The Interim Report of the Independent Review of  
Sexual Abuse in Scottish Football**

**15<sup>th</sup> June 2018**

## **1.0 Introduction**

1.1 Almost 100,000 young people in Scotland participate in football. By any measure this is an impressive number which attests to the importance of our national game in the cultural life of our country. The interest of young people (and their families) in football goes beyond direct participation to capture the interests and imagination of young spectators as well as those who benefit from taking part. In numerical terms alone football must be one of the largest areas of involvement for young people in the nation and make the collective organisations delivering football possibly our largest national youth 'agency'.

1.2 It is therefore evident that this above almost any other consideration places an enormous responsibility on those who organise and deliver football to ensure that all young people who are engaged in the game (in whatever way) are properly protected and that any risks to their safety and wellbeing are reduced as far as possible. While the events of the past have acted as a catalyst to this Review it is the protection of young people now which remains our overarching concern.

1.3 The Independent Review of Sexual Abuse in Scottish Football (the Review) was set up in early 2017 following an unprecedented number of allegations of non-recent sexual abuse in the sport.

1.4 The Terms of Reference for the Review were wide and focussed on three main phases: -

- The period with which the majority of the allegations of non-recent sexual abuse were concerned
- The period from 2000 to 2013 when Scottish football began to develop specific arrangements for the protection of children and young people
- The period since 2013 including current activities and arrangements

1.5 The Interim Report therefore is structured to concisely present our general findings concerning each of these periods and the recommendations which we believe need to be implemented to address these.

1.6 The Review engaged directly with a total of 236 people the majority of whom currently work within Scottish football. The Review was contacted by 65 individuals who were personally affected by sexual abuse in Scottish football (including parents and family members of those who had alleged abuse). 22 people contributed to the Review with personal allegations of non-recent sexual abuse in Scottish football concerning a total of 10 alleged abusers (6 of who are now deceased). The Review further considered and deliberated on 251 documents most of which related to recent or current arrangements for the protection of children and young people and the reduction of risk within Scottish football.

1.7 The Review commenced fieldwork in June 2017 and completed its Final Report on 16 April 2018.

1.8 The Final Report of the Independent Review draws a wide range of conclusions and makes 96 recommendations for change.

1.9 Throughout its deliberations the Review has held the narratives of those directly and personally affected by this issue as central. Indeed, the Final Report hinges on a full consideration and appreciation of the experiences of those most personally affected. To this end the Final Report therefore contains a number of narratives concerning those who have come forward and what they have told us happened to them when they were young. Similarly, the Final Report provides contextual information concerning those who are alleged to have harmed young people in Scottish

football. Even though great care was taken to anonymise this information (except in those cases where individuals gave full consent to being identified) it was clear that this still did not fully guarantee the anonymity of some or all of the individuals we referred to particularly those against whom allegations have been made. As such the Review took the view, on receipt of legal advice and in full consultation with those who had come forward, to withhold public release of the Final Report pending the conclusion of any criminal proceedings.

1.10 Consequently, the Review cannot, for the purposes of this Interim Report, answer the specific questions set by the Terms of Reference “*Who in Scottish Football knew of these alleged instances of sexual abuse at the time or subsequently?; what did they know? and what was done?*”. Our findings in relation to these questions are now reserved for the Final Report. Essentially these questions and our conclusions concern issues of direct accountability and responsibility which we still strongly believe must still be aired to ensure lessons are learned and the serious concerns of those affected and those of the wider public are addressed.

1.11 The primary concerns of the Independent Review in making the decision to delay submission of our Final Report were to respect and protect the interests of those who have come forward and to pay full regard to due process in the criminal justice system. Our decision to delay release of the Final Report does not mean that we have decided that it is not relevant, that its contents are not urgent, or that it is postponed indefinitely. Quite the contrary. It remains our full intention to make public the Final Report once the relevant criminal matters are disposed of and therefore the full impact of the personal narratives of those concerned can be assured.

1.12 However, it is also clear to the Independent Review that further delay in making necessary improvements within Scottish football is not desirable since the current protection of young people and reduction of risk are a priority and the central focus of our deliberations. The protection of young people in Scottish football currently is a paramount concern. It is therefore vital that we do as much as possible to assist Scottish football to make the necessary changes to ensure it is meeting all of its responsibilities and delivering, across the game, a duty of care to young people.

1.13 Given that delay of the Final Report has been decided the Review proposed that an Interim Report be issued so that vital progress and improvement are not impeded further. This Report is ‘interim’ but it is important to stress that *the Review process and its findings are now complete*.

1.14 The Interim Report addresses a large number of issues covered in the Final Report and includes the majority of recommendations for change.

1.15 Indeed, the Interim Report is able to deal with a large number of the salient issues arising from our examination of recent developments and current arrangements for the protection of young people and the reduction of risk in Scottish football.

1.16 In the process of our consideration of allegations of non-recent sexual abuse we requested access to records relating to these alleged events or any other relevant information held. No football Club was able to furnish the Review with records pertaining to either individuals or to decisions made or knowledge held at the Club at that time. This therefore creates gaps in our wider understanding of how concerns were dealt with and the outcomes of any attempt to address these. These issues are dealt with directly in the Final Report and not within this Interim Report. However, one senior club, following an internal review in 2016, did provide the Review with information concerning their findings and records of this internal review.

1.17 It is our general view that, although a significant number of people directly affected contributed to the Review, there is likely to be a still higher number of others who for their own reasons have chosen not to come forward at this time. This has ongoing implications for the individuals concerned and also for Scottish football going forward.

1.18 For the purposes of the Interim Report we are able to draw on general themes arising from individual contributions received even though the details of these narratives cannot be set out at this stage. It is our view that these personal accounts are crucial if the wider issues and their impact are to be better understood. Without this understanding the 'journey' of learning and improvement is not complete. Therefore, the Interim Report marks only a stage in the presentation of the findings of the Independent Review and in no way replaces the Final Report or its conclusions.

1.19 The field of *child protection* has developed across Scottish society over recent years. What was once known as 'child cruelty' came to be called 'child protection' emphasising the need to actively intervene to ensure young people are not subject to abuse. Child protection subsequently generally came to be known as 'safeguarding' which has a broader sense of taking care of the whole child and their welfare beyond acts of commission to also include acts of omission (such as neglect). In this Interim Report both terms are used interchangeably but mainly to illustrate the change in terminology over time reflecting broader changes in usage in wider society and within Scottish football.

1.20 To present our findings in the meantime this Report focusses on three particular fields of enquiry undertaken by the Review: -

- The context and nature of sexual abuse in Scottish football
- Structures and the organisation of Scottish football in relation to safeguarding young people and reducing risk
- Policies, procedures and processes concerning the protection of young people

## **2.0 SEXUAL ABUSE IN SCOTTISH FOOTBALL**

### **Young Players Affected by Sexual Abuse in Scottish Football**

2.1 The majority of alleged incidents of sexual abuse reported directly to the Review relate to events which took place from the 1970's, 1980's and 1990's. However, the Review was also made aware of other alleged incidents of sexual abuse in Scottish Football in more recent years.

2.2 It is imperative to understand that sexual abuse in football is not a 'historical' issue but one which has had an enduring effect on those most directly concerned and which still forms a substantial risk to young people today. It would therefore be a cause for serious concern if there is a prevailing assumption that these issues are only an uncomfortable and distasteful part of Scotland's (and football's) past when they remain a matter for current critical concern and, for many young people today, form a serious and formative part of their current experience. The focus of this Interim Report is, as it should be, on the protection of young people now and in the future but which also wholly takes into account the serious matters which have been reported to us and which are currently subject to criminal proceedings.

2.3 Fundamentally therefore the Interim Report, like the Final Report which will be published in due course, intends to use the important lessons of the past as well as our observations of recent developments and current arrangements to reach findings and present recommendations for change.

2.4 All of those who directly provided personal accounts including allegations of sexual abuse in Scottish Football to the Review were male. The age range of those affected (at the time of the onset of the alleged abuse) is between 6 and 16 years of age with an average age of 12 years and 3 months at that time. The Review was further made aware of two situations where the young person affected was female, these young women did not directly engage with the Review although their parents contributed to the Review. Both situations occurred in more recent years from 2000 onwards perhaps reflecting a wider change in the demography of participation in Scottish football in recent years to include girls and women.

2.5 There are no other significant factors concerning these young players except that the majority were of white Scottish ethnicity. None had recorded physical or learning difficulty at the time of these alleged events. The socio-economic background of these young men was almost entirely that they came from urban working-class backgrounds where the parent(s) was/were in employment.

2.6 The experiences of these young players' which were reported to the Independent Review included allegations concerning the use of sexualised language, indecent assault, serious sexual abuse and rape. For some, the experiences contained in their allegations were persistent and protracted over a long period of time, for others it constituted a single incident. The Review therefore has been concerned with alleged abuse arising from allegations made, in the main, by males since participation in football was substantially a male pursuit in the 70's, 80's and 90's. However, in going forward the recommendations contained in this report seek to ensure the protection and wellbeing of **all** children and young people.

#### **Alleged abusers and access to young players**

2.7 The accounts provided to the Independent Review concern events that allegedly occurred across a range of settings in football including youth teams, boys teams linked to professional clubs, senior professional clubs and junior clubs. Those individuals who are alleged to have abused young people include those in the role of coach, physiotherapist, scout, referee and club secretary. Some of these individuals appear to have had multiple roles which allowed greater potential opportunity to access young people within football at the time. All of the alleged abusers referred to in the accounts received by the Review were men and all were significantly older than the young people at the time.

2.8 The Review has received accounts concerning the open use of sexualised language with young players and sexualised conduct in group settings such as during communal showers and in and around changing rooms. In other accounts allegations concern individual young players being isolated from their teammates on the pretext of being 'treated' for injury.

2.9 The experiences reported to the Review are said to have occurred in private vehicles, club pavilion changing rooms and showers, professional club stadia including treatment rooms and offices, homes and business premises, during trips abroad and in hotel rooms.

2.10 A noted feature of many of these accounts has been the perceived power held and esteem enjoyed by adults both among young players, other staff members within teams and in some cases senior management in professional clubs. This in turn meant that individuals were often apparently able to operate freely, and some apparently held keys to stadia which allowed them to access facilities in private and/or when no other adults were on the premises.

#### **Relationships of trust**

2.11 It is an important factor that all of the circumstances reported to the Review involved alleged sexual abuse within 'relationships of trust' where adult men either apparently developed such

relationships with young people in order to gain access and move towards and commit sexual acts or used the existence of a relationship to create opportunities to sexually molest and/or persist in such abuse.

2.12 In the allegations contained in these accounts the extent to which efforts were made by individual adults to create relationships with the parents of young players is also significant.

2.13 Trust is a vital element in constructing an edifice behind which sexual abuse might occur or persist and which diminishes the likelihood of resistance or reporting. If this relationship extends to parents considering a person credible, trustworthy and of high esteem then this edifice is further strengthened.

2.14 Where this is possible it becomes more likely that young people will be confused or compromised by what takes place and almost certainly less likely to tell others especially parents or other adults. An essential associated issue is the fear (often in the past well founded) that they will not be believed if they tell.

### **Silencing**

2.15 Most of the individuals who provided personal accounts of alleged sexual abuse in Scottish football did not tell anyone at the time. This is a common feature of accounts from adults across society who report personal experiences of child sexual abuse and describe a prevailing and disabling sense of shame, fear of not being believed, confusion, stigma, guilt and fear of the wider impact on themselves or others of speaking out.

2.16 Most people who are sexually abused as children or young people do not report this immediately or even soon after. Many do not speak of these events until much later in life and some never reveal their experiences.

2.17 The effective silencing of 'victims' is essential for sexual abuse to take place or to continue. It is a real and very concerning observation that the factors that essentially have silenced individuals are not only those connected with those who abuse taking steps to ensure that their activities do not come to light. Some of these factors occur because of cultural or systemic issues which create pressures, obstacles, detriments and disincentives for young people to disclose or report their experiences to anyone at the time. Indeed, these factors endure effectively silencing them into adulthood and sometimes permanently.

2.18 It is the firm view of the Independent Review that there are many more individuals who are likely to have been directly affected by sexual abuse in Scottish football but have decided not to come forward. It is a mistake to believe that the obstacles to talking about these experiences are any less for adults than they are for young people at the time of such experiences. The Review believes that these issues have still deterred many from coming forward especially when they also consider that these painful and intimate experiences may be placed firmly under public gaze.

2.19 It is questionable in the 21st century the extent to which we have created a cultural context that allows adults freely to report their experiences, where these issues are understood and proportionately discussed, and where they are openly and supportively dealt with.

2.20 The consequences for adults coming forward mirror those facing young people at the time of the abuse taking place. In understanding this, within a football context it is also necessary to think carefully about the culture of football and the particular pressures that places on people in relation

to these issues. This has clear resonance for men operating and acting within a male dominated subculture where stigma and conformity are resounding issues.

2.21 This was further exacerbated for young people in football because, in addition to all the other factors deterring them from coming forward, they also had to consider that to do so would possibly (or probably) mean having to 'sacrifice' a promising career in the game if they spoke out about their abuse. Most certainly this fear is intensified by their perception of the power and credibility of those who may have abused them. The Review received several accounts where young players either left the game altogether or their skills deteriorated significantly as a direct consequence of their experience of sexual abuse. Some speculated that they might have gone on to have a future career in professional football had they not had these experiences.

2.22 It is very evident that the barriers to talking about sexual abuse are enormous both at the time and subsequently and that football players (of whatever age) face particular concerns about coming forward especially if they have potential as young players or go on to achieve success or prominence as adult players.

### **Desensitisation**

2.23 A substantial number of the personal accounts provided to the Review make clear the efforts made to introduce young players into sexual activity – without their consent and without their understanding. It should always be remembered that these young people at the time were of an age and stage of development where sexual activity was unfamiliar, singularly inappropriate and harmful. For others, who were already entering adolescence, such activity into which they were apparently either coerced or which was forced upon them by adults constituted a serious abuse of their rights, their bodies, and their psychological wellbeing.

2.24 The Review considered allegations in which gradual and persistent use of sexual language, prurient discussion and salacious banter created a sexualised environment where boundaries became blurred and within which particular adults could then manoeuvre individual young people into situations where actual sexual activity could be introduced.

2.25 These are common features of 'grooming'. Such desensitisation can continue and be sustained over lengthy periods and can also be truncated into a short space of time alongside the development of 'trust', dependency and continuous proximity. The purpose of this process is to render young people more susceptible to abuse, less likely to resist or report, and to maximise the opportunities and gratification of the adult involved.

2.26 Many of those who made allegations of sexual abuse in football to the Independent Review spoke of receiving incentives and rewards including favouritism, special outings and trips abroad, gifts, promises of introductions to influential people or opportunities to advance a successful career in the game. This had the effect of confusing young players as to the possibility that they themselves were complicit in what had happened if they had accepted 'gifts' and responded to incentives not to speak out. Others alleged that they had experienced intimidation and bullying behaviour including physical chastisement as a precursor to alleged acts of serious sexual abuse and rape. Personal accounts also included examples of alleged perpetrators 'frightening' young players, using alcohol to lower resistance and disinhibit and other steps to disorientate, confuse and objectify young players.

## **Loyalty**

2.27 In many of the accounts provided to the Review the issue of loyalty played a significant consideration for young people in whether and when to speak out (or otherwise) about their experiences. Loyalty within teams of course promotes cohesion and solidarity between team mates and communities of support. But this very same loyalty can also act to silence young people who have been or are being harmed through a fear that somehow speaking out would undermine the team or community, that the implied weakness of having been sexually 'victimised' might set the young player apart from his peers, and especially if any harm were occurring within the team or club that speaking out in itself would be an act of disloyalty or betrayal. This is an overwhelming consideration for a young person under such circumstances and is often intensified by the apparently clear and consistent messages reinforced by coaches and peers at the time that the individual must subordinate their own personal needs in the best interests of the team or community.

2.28 The Review concludes that many young people within Scottish football at the time may have been affected by issues and concerns about sexual abuse but unable to speak out because of the sheer weight of factors militating against it. Their common experiences and concerns would not have been shared between them reminding us how vital it is that young people are empowered through information and through example to share their concerns and to occupy an environment where it is safe to do so.

2.29 This sense of loyalty often extended beyond the club to the family where young people were reluctant to speak of their experiences in an attempt to protect their parents from the stigma which they believed accompanied these experiences and therefore any revelation of them. It must be also remembered that many families themselves had long traditions of club support and young people would have seen this as an additional barrier to talking to parents about their experiences at the club.

## **Stigma**

2.30 At the time of the alleged events (across three decades and beyond) it was, and to a considerable extent is, the case that a hyper-masculine and homophobic culture dominated the game at all levels. For teenage boys this was a real and active factor in how sexual abuse is construed by them and in their inability to tell anyone. Indeed, this has been almost universal in the experiences described to the Review.

2.31 The perception at the time of a significant number of those who spoke to the Review was that same sex sexual abuse was somehow a facet of homosexual orientation or behaviour. In other words, at that time and in their early teenage years they believed (as probably did a large section of the population at that time) that men who abuse boys do so because they are gay. The corollary of this therefore is that, if others know of this, they will assume that the young man himself may have been complicit in what was happening to him and therefore himself may be gay. This is a complex issue but one which needs to be understood properly if we are to empower and support young men and to prevent sexual abuse especially in a sport dominated by men and preoccupations about masculinity.

2.32 The Review has heard repeated accounts which described the prevalence of banter within the sport .... most of it homophobic .... which only further escalated the anxieties and fears of these young men and contributed significantly to their decision not to tell anyone of their experiences. It is the view of the Independent Review that to a very significant extent homophobic banter between peers and by adults in football reinforced fears in young men of sharing personal experiences and acted to bolster possibly risky behaviour by adults. Such banter and language not only therefore reflect a wider culture of continuing homophobia within the game but actively contributes to silencing young men – whether about experiences of sexual abuse (which is the main area of concern to this Review) or any experience or personal issue that the young man believes will be construed as ‘weak’ or not meeting the ‘norms’ of masculinity often so forcefully imposed by those engaged in sport.

2.33 Unfortunately, this also includes experiences of mental health problems which is also a matter of serious concern. In the lifetime of this Review, we have been aware of situations where footballers today have been stigmatised and ridiculed because they have revealed personal experiences of mental ill-health. This falls well short of the standards of support, solidarity and acceptance we would expect in Scottish society and indeed in one of our greatest cultural institutions and needs urgently to be addressed and remedied. It is self-evident that successful teams (of whatever age or gender) should be cohesive bodies and that such cohesion is based on inclusion, mutual solidarity and interpersonal support. The Review, on the other hand, is impressed and encouraged by those few individual professional footballers and managers who have more recently spoken out about mental health including their own experiences of mental health problems. Such openness about personal issues of concern is exemplary to all young people across football and throughout Scotland and is to be commended.

2.34 For teenagers their peers are the primary reference group and, to a very considerable extent, this is reinforced in team sporting activity where such bonds are actively developed. The consequence of this is that winning and keeping the approval of peers (as well as adults) becomes of critical importance. Any attribute, factor or information which might undermine or put this at risk is self-suppressed and behaviour which wins or reinforces such approval takes centre stage. It is easy to see then why contrived bravado is often a feature of the interactions of teenage boys but this becomes magnified when they might be confronting situations or feelings which they think might render them isolated from or rejected by the group. In other words, they over-compensate in order to dispel doubts among their peers and to reassert their conformity to the perceived norms of the group. This often takes the shape of homophobic or sexualised banter, or hyper-masculine acting-out.

2.35 The sense of shame and repulsion that many contributors have told us emanated from their experiences has been overwhelming. For a number this has manifested as desperately low self-esteem, self-loathing, doubts, fear of intimacy, depression, and anxiety. Accompanied by confusion about their own thoughts and feelings this has also cut many off from seeking help since asking for help (an enormous challenge in itself for many men) might require or lead to them revealing what has happened.

2.36 Such was the level of intensity for many that they would have (and to an extent still do) find it extremely difficult to put into words these experiences and the feelings they have carried over the years.

## **RECOMMENDATION 1**

The Review has noted with serious concern the role that homophobic attitudes and banter played in silencing young men who may have experienced sexual abuse in Scottish football. Any serious attempt to protect young people and reduce risk must therefore deal with this as a central issue in safeguarding and not as a separate silo which is exclusive to the field of Equalities and Diversity.

The Review recommends that the Children and Young Peoples Protection and Wellbeing team at the Scottish FA work closely with the Diversity and Inclusion Manager to develop and deliver effective joint strategies, approaches, materials and interventions to combat homophobia in Scottish football. A vital aspect of this is to reshape football culture so that barriers and obstacles to young people being free to discuss personal concerns and experiences including those concerning possible sexual harm are removed.

Should the Board of the Scottish FA accept and implement our recommendation to appoint a Director with responsibility for Safeguarding (see Recommendation 10) this person should also work closely at governance level with the Director holding the portfolio responsibility for Diversity and Inclusion.

## **Culture**

2.37 It has been a common observation to this Review that the culture of football has been, and to a certain extent still is seen as, dominated by ‘men in blazers’ who support and perpetuate a system of organisation, management and interaction which has not adapted successfully to wider social changes and which apparently often runs on a very narrow set of interests.

2.38 Against such a backdrop, in the opinion of the Review, sexual abuse of children and young people and failure to confront the behaviour of those responsible was made more likely. If these issues have not been significantly remedied then our view is that the general context for the continuation of risk to young people is sustained.

2.39 The cultural values of the past run deep and are difficult to overcome. These values hold that ‘victimisation’ is a sign of weakness, ‘vulnerability’ is a sign of failure and unflinching resolve is a sign of strength. They are the value base of an already outmoded and obsolete view of masculinity which has dominated previous models of sporting prowess and success.

2.40 The damage which this cultural backdrop does is well understood to many in Scottish football today. Until recently it largely excluded the participation of girls and women at all levels and to a considerable extent still does. In the past, footballing culture has effectively throttled diversity and equality, through exclusion and discrimination, to the overall detriment of the game. The culture of football has seriously impeded the pace of positive change in dealing with racism and homophobia in the modern game and this still remains a serious issue. It creates and sustains hostilities and mindsets which perpetuate, with some sections of the wider public, negative social attitudes to football and its support. The popular appeal of football is considerable but the values now espoused by the clubs and the governing body are not always evident in the overall culture.

2.41 Increasingly people in charge of the game in Scotland are aware of these challenges and are responding. But the issues raised by this Report and which arise from the experiences alleged by those who have come forward only serve as an imperative that cultural change in football is not something to leave to chance but something which requires concerted action. The Review reiterates

the point that without it the capacity to successfully reduce risk and protect young people is jeopardised.

2.42 The Review cannot ignore the cultural context of football and how it influences or supports attitudes and values which are potentially detrimental to the wellbeing and protection of young people. It is not acceptable for either young people or adults who may have experienced abuse to be deterred from speaking out or seeking help because footballing culture implies that to do so is weak, or disloyal, or a failure. The emphasis instead should be on empowerment and protection.

2.43 The Review is of the opinion that the pace of cultural change in Scottish football requires leadership and example. The operational values of football can eventually become consonant with its espoused values but this will require influence, encouragement and inspiration.

2.44 For this to have impact, visibility is everything.

2.45 Young people especially (but not exclusively) can be influenced and inspired by heroes and mentors who reflect ideas, and values, and behaviours that are positive and affirmative. This is good role modelling.

2.46 The Review finds that this should be seriously considered as a way to engage those who participate in and support Scottish football to become more aware, more understanding, more proactive and more involved in the protection of young people and preventing sexual abuse and exploitation. Indeed, the Review holds that this can also be extended to important associated issues such as promoting good mental health and safe behaviours (particularly for boys and men). The Review therefore believes that a recognised and credible 'voice' can go a long way to champion these issues and make a real difference through positively influencing the cultural backdrop of Scottish football. We are fully aware that there are many challenges in doing so but making these issues visible, and tangible, and real is an important aspect in helping everyone in football to make connections about how this affects them, their friends and families, and the game they love. It is a very visible way of stimulating discussion, inspiring change and improving wellbeing in football and in our society.

## **RECOMMENDATION 2**

The Scottish FA should give serious consideration, in partnership with the PFA and others, to identifying and appointing a prominent figure in Scottish football to act as a 'champion' for issues concerning the protection of young people; the needs of people affected by abuse and trauma; and wider mental health issues including through education; awareness-raising; public engagement and promoting key messages.

### **Wider awareness of sexual abuse and bystander engagement**

2.47 The widespread and often targeted 'banter' experienced by those affected by sexual abuse in Scottish Football suggests that other young players and, in some cases, other adults working in football had a level of awareness or suspicion – sometimes apparently substantial - of the alleged activities of some adults. The Review has very little evidence of direct intervention to deter, prevent or challenge potentially harmful conduct or to stop sexual abuse from occurring or recurring. It is possible that an amount of 'denial' would contribute to adults avoiding directly addressing possible concerns in favour of the least problematic or troublesome course of action to them individually which would most often be to say or do nothing or to dismiss their own concerns and those of

others through misplaced humour or rationalisation. At times this would have the effect of passive collusion with abusive behaviour even when that was not the intention.

2.48 This is not particularly surprising since those adults whose behaviour was potentially suspect were often highly regarded in terms of their footballing knowledge and profile and were often popular and well liked within and beyond the Club. Concerns are therefore ‘processed’ by others through this lens, rationalising behaviours that are harmful to make them ‘fit’ with a more benign view thus mitigating concerns and diminishing the possibility of taking preventative action.

2.49 The ‘bystander’ effect has been a significant and prominent issue related to how sexual abuse has been viewed and dealt with according to the accounts of those who have come forward.

2.50 It is clear from many accounts provided that other people had observations, information or direct experiences leading them to have some level of suspicion – sometimes considerable – about behaviours which constituted potential risk to young people within a club. This included young players being ‘warned’ by older boys to avoid certain adults or accounts of other adults being present when clearly inappropriate and concerning sexual language and behaviour was used by other adults with young players. Commonly when this was the case such circumstances were ‘neutralised’ by ‘humorous’ banter having the effect of further adding to the determination of the young player concerned to remain silent. Additionally, it had the effect of ‘normalising’ this conduct within the club context and desensitising all young players further. Young players apparently had no recourse to question or to ‘check out’ their concerns with each other or with adults burdening young people with a sense of responsibility and complicity.

2.51 Where silence persists the conduct of those who pose a risk to young people is emboldened since this is taken as implying that such behaviour can continue with impunity and with little possibility of detection or challenge.

2.52 It is the finding of the Independent Review that the role of the ‘bystander’ plays an important part in the prevention of sexual abuse and in the reduction of risk. With the right information and operating in an environment which promotes a proactive approach those who work within football can intervene positively in situations where they are aware of conduct which may be harmful to young people. The role of the bystander is not confined to reporting concerns after abuse may have occurred but, more importantly, *to intervene to challenge thinking and behaviour in order to prevent abuse occurring or persisting*. This can best happen when people operate in an environment where they are equipped and supported to intervene and to do so proactively. Bystanders, whether other young people or adults, must therefore be enabled to move from being passive or simply ‘concerned’ parties to become active agents to prevent sexual abuse.

2.53 The Review therefore finds that Scottish football should explicitly adopt a targeted ‘bystander approach’ within a wider programme of sexual abuse prevention.

### **RECOMMENDATION 3**

The role and influence of bystanders in both identifying and preventing sexual abuse is significant and this has been borne out in the personal accounts provided to the Review. ‘Bystanders’ include both peers and adults including parents.

The Independent Review recommends that the Scottish FA adopts a ‘bystander approach’ and integrates this into all awareness strategies and campaigns, training programmes, policies and procedures. In doing so the Scottish FA should draw on knowledge and experience from other

areas where this has been applied including the work of White Ribbon Scotland and Mentors in Violence Prevention/VRU etc. and should, in the first instance, engage the support of Mentors in Violence Prevention in developing and embedding this approach within and across Scottish football.

### **Decisions to leave football**

2.54 Sadly, many who have made allegations of sexual abuse in football eventually made the decision to leave the game as a direct consequence of the experiences they described to the Review. However, the Review has also learned of situations where young players were apparently still pursued with the alleged abuser continuing to exploit relationships with parents and family as a means to continuing abusive activity with a young player.

2.55 It has been noted with particular concern by the Review that a number of talented young footballers inexplicably and suddenly stopped playing at the time yet no-one from the coaching or managerial staff of the club made any attempt to establish with them the reasons for this. Had this been done, it is not to say that the young player would have been any more likely to have spoken out about their experiences, but it certainly would have provided an opportunity for them to do so and indicated a clear and ongoing duty of care on the part of the club.

2.56 It was a feature of the information provided to the Review that young players considered themselves viewed primarily as 'potential assets' rather than individual young people with different needs, hopes and aspirations. Where one young player left a club, they were simply replaced with another equally talented player. It is evident that this would be strikingly apparent to other young players remaining at the club and again would contribute to ensuring a culture of silence for those who may have been experiencing abuse themselves. For those with continuing aspirations to a career in professional football the message was apparent ..... they either had to endure what was happening or leave. If they chose to leave this was not sufficiently important for anyone at the club to care or to listen.

### **RECOMMENDATION 4**

There is substantial evidence to suggest that a number of young people have suddenly and unexpectedly left clubs as a reaction to sexual abuse but there has been no system of consistent due diligence for follow-up on the part of clubs. Sometimes this has been in relation to exceptional or highly promising players who cut short their playing careers but with no attempt by the Club to determine why. This should not be a commercially-driven response but one which is focused on understanding what experiences, concerns or issues have contributed to the decision of the young player and making available whatever assistance they might need.

We recommend that all clubs and academies, with the assistance of the Scottish FA and the relevant ANA's put in place proper processes of due diligence in all cases where young players decide to cease participation or inexplicably move club....these processes should be focused on the welfare and safeguarding of young players and responding appropriately to unexplained/undetermined changes in behaviour or decisions to leave.

### **Vulnerability and resilience**

2.57 Throughout the Review we have been struck by the diversity of those who engaged with us in terms of their previous backgrounds and childhood experiences outside of football.

2.58 It is to the credit of football that it provides a tremendous outlet for young people whether to hone skills and interests or to deal with (or sometimes escape) the pressures they face in other parts of their young lives.

2.59 The conversations engaged in during the Review have highlighted some important assumptions about the factors associated with some of the young men in Scottish football who may have been targeted for sexual abuse or exploitation.

2.60 A significant number of those who have made allegations of sexual abuse in Scottish Football did not feature the stereotypical characteristics of “vulnerability” often associated with sexual abuse such as social isolation, poor social awareness, or obvious outward signs that they could be easily ‘targeted’. Indeed, the Review has noted that some of these young men would have been considered ‘streetwise’, confident and self-assured and in some ways perhaps this offered false reassurance that it would be unlikely that this would make it possible for him to be ‘victimised’ in any way.

2.61 The Review believes that this is a clear reminder that, within sport, we should perhaps revise our assumptions of what ‘vulnerability’ means. This has been a recurring theme in the situations described to the Review and a common feature of those young men who have been directly and personally affected by sexual abuse in football.

2.62 It is the view of the Independent Review that within Scottish football any efforts to prevent abuse or to train and equip staff, coaches, volunteers, players or bystanders should take this seriously into account.

2.63 However, it is also the case that many young players had challenges in other aspects of their lives either growing up (before they took up football) or which occurred during the course of their participation in the game such as serious family problems or difficulties in their relationships with their parents.

2.64 Some of those who provided accounts to the Review commented on how adults who may wish to exploit these deficits almost seemed able to ‘sense’ it and therefore move on to ‘target’ the young person.

2.65 The resilience which people develop where there is stability, security and nurture helps them withstand adversity and this has been evident with some of the people who have provided personal accounts to the Review. For them the alleged experiences of sexual abuse at key points in their development have resulted in unimaginable challenges and problems through their teenage years and into adulthood. Many have managed to work through these, largely unassisted, towards greater health and stability over recent years. This does not however mean that these individuals are unaffected but rather that they have found the capacity to cope and to sustain a journey in life towards greater health and wellbeing.

2.66 An important and extremely positive aspect of football is its capacity to engage with children and young people experiencing difficulties, challenges and adversity in their lives and to contribute significantly to improving the quality of their lives and experiences. We should not underestimate the capacity of football to contribute very substantially to improving the lives of young people and subsequently their physical and mental wellbeing as adults. Nor should we underestimate the possibility of others to exploit young people who are experiencing sometimes important deficits in their lives.

## **RECOMMENDATION 5**

The Independent Review recommends that representations of 'vulnerability' in training, policy, public materials, campaigns and targeted intervention in Scottish football (and indeed in sport in general) should take full account of young people who do not conform to predominant stereotypes of 'vulnerability' especially in relation to how they may become exposed to risk of sexual abuse or exploitation in a football context. Care should be taken as to how 'vulnerability' and 'risk' are understood and communicated especially in any interactions with individual young people.

### **Suicide, self-harm and suicidal thinking**

2.67 Most accounts which were provided to the Review described experiences of either suicidal thinking or actual suicide attempts. For some this was repeated at different points in their life even until recently. This has been especially, but not exclusively, where alleged sexual abuse was prolonged and frequent.

2.68 A significant number of people have experienced prolonged or episodic issues with self-harm, substance misuse, gambling, mood disorder, mental health and relationship problems. Many described feelings of shame, humiliation, self-loathing, guilt and despair.

2.69 Where there were overwhelming feelings at any stage that suicide was a possibility it is clear that this thinking and subsequent attempts at suicide or self-harm could be traced back to the onset of the alleged sexual abuse.

2.70 Sadly, however the Review has also been made aware of a number of circumstances where it can reasonably be concluded that people have taken their own lives and so their stories remain untold.

2.71 Many contributors spoke of people they had known, or knew of, from their days in football who had either committed suicide or died through chronic substance/alcohol abuse. They reflected on this and were firmly of the view that football related sexual abuse had contributed to these deaths.

2.72 This is the ultimate price, the ultimate consequence. It is an outcome that is absolutely unacceptable and we owe it to these people, and all those affected, to ensure that the price they have paid is not in vain.

### **Those who have not come forward**

2.73 As previously stated the Review believes that a significant number of people affected by sexual abuse in football, some of whom may still be active in football, have not yet come forward.

2.74 The barriers faced by adults face in coming forward are strikingly similar to those which they faced when they were young. Indeed, it may be that these obstacles are even greater when adults have to consider the implications of coming forward for family members, work colleagues and in some cases professional football clubs.

2.75 If the individual has achieved success and a degree of renown in the game it is very unlikely that they would consider coming forward to disclose experiences of an intimate, personal, and painful nature in the glare of the media interest. To decide not to come forward under such circumstances is not cowardice. Quite the contrary. These considerations are unimaginable and especially so when

the person concerned knows that the alternative to coming forward is to deal with their past experiences and current feeling unassisted and possibly unsupported as a result.

2.76 A positive change in how we in society – including the media - understand and respond to personal accounts by adults of childhood sexual abuse is an essential prerequisite to empowering adults to come forward and to accessing the support and help to which they are entitled. It also is a vital step in creating a society where these issues are visible and our capacity to prevent sexual abuse is strengthened.

#### **RECOMMENDATION 6**

The Independent Review is acutely aware that it is likely that many people personally and directly affected by sexual abuse either in the past or more recently have not come forward. It is of vital importance that barriers, whether real or perceived, which militate against people coming forward to get help or seek justice or personal resolution are identified and removed.

The Scottish FA in partnership with other organisations such as the PFA should put in place measures, including information, training and development and accessible pathways to services which will create an environment of support and confidence capable of enabling and supporting any adult involved in Scottish Football who reveals past experiences or who wishes to discuss how sexual abuse or exploitation have affected them.

2.77 The Independent Review believes that changes in attitude are essential to create a culture within Scottish football capable of listening to and supporting team members. This should include players and all team members being helped to respond positively to team mates who come forward to discuss or share any personal issue which they find challenging including previously undisclosed experiences of sexual abuse. The team and its members should reflect the most positive aspects of mutual solidarity and support.

2.78 All staff and players must be helped to understand how to assist someone affected by sexual abuse (or indeed wider mental health issues) in the first instance but also to follow through on a duty of care, safeguarding and other responsibilities. This should include proportionate information and training across the club on ‘trauma informed responses’ etc.

2.79 At all times clubs must clearly demonstrate that they hold the wellbeing of individuals (especially young people) as paramount and that this is a fundamental prerequisite to team cohesion and solidarity. The capacity to which team members are equipped and encouraged to support each other and express solidarity is indicative of the strength and health of the club as a whole.

#### **RECOMMENDATION 7**

There is a critical issue generally about how non-recent occurrences of sexual abuse are understood within and across a football Club and not just by safeguarding staff or academy coaches.

It is recommended that all staff are made aware of how to respond both interpersonally and in terms of onward safeguarding to personal revelations of experience of sexual abuse. A ‘trauma informed’ approach might assist team members and staff to be more responsive and effective in helping each other and creating greater team cohesion as a result.

This particularly applies to 1st team personnel where adult players may wish to reveal previous

experiences of abuse both within and outwith football and/or other personal issues or mental health problems and there is a possibility that this will not be understood or constructively heard either by other players/peers or by team staff.

### **3.0 STRUCTURES AND THE ORGANISATION OF SCOTTISH FOOTBALL**

3.1 Throughout the Review process we gathered information and made observations regarding whether the current organisational structures and arrangements within Scottish football are 'fit for purpose' in relation to the protection of young people (from sexual harm) and the reduction of risk.

3.2 It has been clear from our interactions with clubs, the Scottish FA and its Affiliated National Associations that the current structure and the relationships within it are complex and, as such, run a serious risk of obscuring responsibility and weakening accountability in relation to the protection of young people and the reduction of risk. Indeed, the vast majority of those within football who engaged with the Review shared this view.

#### **Responsibility and accountability**

3.3 We are unable at this stage to release the personal accounts which the Review has received from individuals and which contain allegations of sexual abuse. These, above any other information received, clearly demonstrate how accountability and responsibility need to be explicitly understood and demonstrated if young people are to be protected now and in future and how, when a duty of care is not pursued vigorously, the outcomes may be extremely serious. Indeed, it is the view of the Independent Review that those clubs and organisations affected can take steps now to ameliorate the situation as it currently stands without the criminal justice processes being completed and irrespective of the prospect of civil proceedings.

3.4 *Responsibility* and *accountability* are key issues in ensuring the proper protection of young people. It should be clearly understood that this requires clarity about who is responsible for what and that who is answerable for actions, decisions and omissions within organisations and structures is unequivocal.

3.5 These two themes were recurring throughout the review process and unsurprisingly were reinforced by those who have been most seriously and personally affected by alleged sexual abuse in Scottish football.

3.6 The matter of acknowledgement of what is said to have happened is inescapable and, de facto, so is the need to show and express contrition for the consequences of any possible harmful events occurring under the ambit of an organisation or club. The Final Report of the Independent Review deals with these issues directly but it must still be said that the action of acknowledging the distress brought about by abuse in childhood and expressing regret about it should not happen because they are a matter of 'procedure' ... but because this is ***the right thing to do***. Similarly, any effort to avoid doing the right thing in a situation such as this is, in the opinion of the Independent Review, a matter for serious dismay.

3.7 There are no barriers to expressing apology or even simply acknowledging where falling short has possibly had serious consequences on others (especially where it concerns children and young people). The perception that, in Scotland, this somehow admits 'liability' in any subsequent civil action is a reductive position which is both unfounded from a legal perspective and is also ethically weak. We would of course like to think that in situations where harm is said to have been done

under the auspices of a particular organisation or club this would be responded to directly, humanely, sympathetically and with a strong sense of justice. Acknowledgement is a start. Creating reasons not to do so where none exist is, in our view, actively counterproductive when it comes to demonstrating a genuine commitment to protecting young people and regaining the confidence of the Scottish public. At this stage we would strongly urge clubs and organisations within Scottish football to pay due regard to the Apology (Scotland) Act 2016 and consider or reconsider their responses accordingly.

### **Developments over recent years**

3.8 The Final Report of the Independent Review goes into considerable detail to describe the 'journey' taken in Scottish football in respect of child protection over recent years. For the purposes of the Interim Report it is sufficient to summarise this leading us to deal with the current arrangements within the Scottish FA, its members and clubs.

3.9 Until the late 1990's there was no discernible structure or arrangements for the protection of young people in Scottish football from abuse (including sexual abuse). Similarly, the identification and reduction of risk were not underpinned by agreed provision, policy or processes either in football clubs or in football organisations.

3.10 Wider developments in sport and in society and advances in government policy then required that policies and procedures be put in place to ensure that the workforce was properly regulated to reduce risks to children and young people. At that point this largely encouraged clubs and organisations to identify someone to oversee these arrangements and to operate, on behalf of the club or organisation, procedures for 'Disclosure checks' (now replaced by Protection of Vulnerable Groups (PVG) processes). Individuals carrying this responsibility (Child Protection Officers (CPO's)) within clubs or organisations were provided with very minimal training and usually these tasks were added on to other responsibilities carried at the club or within the organisation.

3.11 The Scottish FA similarly at the time took very few steps to drive this or to co-ordinate these developments across football. However, due to the efforts and acumen of a very few individuals from within the Scottish FA and from outwith some provision was put in place to improve training for club CPO's concerning child sexual abuse and other technical issues related to Disclosure checking and policy.

3.12 In 2000 clubs and organisations were encouraged to develop model policies related to child protection. This was not governed by any strategy or overall plan within football and was 'evaluated' in an ad hoc way (if at all) as a result. These developments were very much brought about by the right person being in the right place at the right time rather than any coherent approach driven from the top down. Once the individual(s) concerned with resourcing these improvements left the Scottish FA momentum was lost and there is very little evidence of child protection activity within Scottish football consisting of more than a faltering Disclosure checking system in clubs and "policies" which were not adequately checked and seldom reviewed.

3.13 In the early 2000's the main driver for further improvements in child protection in sport (including football) came from the Child Protection in Sport Service (a partnership between Children 1<sup>st</sup> and sportscotland). In 2005 Minimum Operating Requirements (MOR's) were put in place by them for all Sports Governing Bodies to achieve accompanied by the Child Protection Accord (a public commitment for organisations to adopt).

3.14 With the advent of the MOR's, 2005 then signals the actual start of a discernible safeguarding 'journey' within Scottish football where the SGB and the sport was put under any obligation to demonstrate that it was taking the protection of children and young people seriously. This proved to be a difficult progression for the sport.

3.15 Although by 2008 the Scottish FA was largely compliant with the MOR's this was impeded by slow and variable progress within some of the Affiliated National Associations especially the Scottish Youth Football Association (the SYFA). The relationship between the Scottish FA and the SYFA was (and remained until very recently) dysfunctional at best with the Scottish FA unable apparently to exercise much influence on the SYFA to meet the requirements set out in the MOR's.

3.16 Although the Scottish FA was able to sign the Child Protection in Sport Accord in 2008 (two years after it was created) our findings are that there was little appetite within the Scottish FA at the time to demonstrate a clear commitment to child protection through development and investment. This was earmarked by 'lacklustre' leadership and a continuing inability to think or act strategically in relation to child protection and the reduction of risk.

3.17 This lack of overall leadership within the Scottish FA concerning the safeguarding of young people alongside the fractious and problematic relationship between the Scottish FA and the SYFA (one of its Affiliated National Associations) prevailed for the next few years.... indeed, until very recently.

3.18 In 2010, although some football clubs were participating in child protection workshops (provided by the Child Protection in Sport Service) and a new CEO was appointed to the Scottish FA, progress remained slow and problematic with certainly very little evidence of the MOR's becoming embedded whether in the Governing Body or in clubs. In 2010 the Scottish FA took a temporary step back in failing to meet the MOR's although it had again met the standard by 2011. However, substantial and serious concern remained about the capacity and attitude of some of the Affiliated National Associations particularly the SYFA.

3.19 Grassroots football clubs throughout this period were largely left to their own devices other than in respect of disclosure checking which, to some extent, the ANA's (with the exception of the SYFA) did deal with by putting common measures in place to ensure processing mechanisms through and by individual clubs. Some ANA's also helped member clubs develop and put in place procedures and some policies (especially in relation to the management of 'concerns'). However, it is very evident to the Review that much of this was a question of 'ticking boxes' rather than actually embedding safeguarding practice in the active work of the club and developing the capacity of clubs to protect young people.

3.20 What has emerged is an unsatisfactory and random picture across Scottish football. Some clubs did more than others. The SFA supported some developments but not in a coordinated or planned way. The ANA's responded variably and some had almost no active profile in supporting or enabling clubs in improving safeguarding of young people at this time.

3.21 In the opinion of the Independent Review, this is largely attributable to an almost total absence of strategic thinking in Scottish football in respect of child protection and the reduction of risk which could be evidenced by proper planning, a coherent deployment of resources to support this high-risk area of delivery and the measurement of outcomes.

3.22 To our dismay we have found that there is still no national strategy for safeguarding in football which encompasses all of our national game. It is the finding of the Independent Review that this

should be remedied as a matter of priority. Without a clear, coherent and measurable strategic plan the faults of the past possibly may be repeated, progress will remain uncoordinated and variable, and achievements will remain largely obscure. The development of a strategy creates an open and transparent context within which greater participation can be achieved and the entire activity of protecting young people and reducing risk become embedded in the ongoing delivery and experience of football in Scotland.

#### **RECOMMENDATION 8**

Across Scottish football there is a need for clear and consistent leadership in relation to safeguarding of children and young people.

In the first instance a 5-year strategy for safeguarding should be put in place covering all aspects of safeguarding delivery and improvement and clear timescales for achievement of goals, objectives and outcomes. The Strategy should be developed by all constituents in Scottish football along with the Scottish FA and include the participation of young people and external partners. Accountability for the strategy should lie with the SFA and its Board as the governing body.

Measurement of the effectiveness of the Strategy should be based on outcomes not outputs.

3.23 Historically since progress or developments in relation to child protection in football have been seriously impeded by lack of coordination and “buy-in” (to a considerable extent due to the burgeoning membership structure) it is vital that the implementation of any strategy in future is not similarly affected. It is incumbent on the Board and senior management within the Scottish FA, ANA’s and clubs to ensure that this is the case. As such communication within football and across the current membership structure must be improved around a clear and consistent central message that the protection of young people and the reduction of risk is *everyone’s responsibility*.

#### **RECOMMENDATION 9**

To accompany the 5-year strategy, a communication strategy should be developed and put in place to ensure buy-in and the full commitment and participation of everyone involved in Scottish football.

### **Governance and leadership**

3.24 The Independent Review has considered the issue of governance in Scottish football in relation to the alleged events of the past; the developments in safeguarding since; and the current arrangements within Scottish football for the protection of young people and the reduction of risk.

3.25 It is our finding that there are particular weaknesses in the governance arrangements regarding child protection within the Sport’s Governing Body (SGB) and subsequently in the affiliated associations. Similarly, we have consistently found, throughout the ‘journey’ of safeguarding development within football over recent years, an overall lack of leadership capable of driving improvements and sustaining progress.

3.26 At the time of the incidents referred to in the allegations of non-recent sexual abuse there appears to have been an almost complete disconnect between the overall governance and management of the national game and the activities and arrangements within clubs and at grass roots which of course had a significant knock-on effect on how a duty of care to young people was

understood and delivered. This had particularly serious implications for the protection of young people and the identification/management of risk. It is simply not good enough to argue that our society's understanding of sexual abuse and risk was undeveloped and that social attitudes to such issues were very different at that time. A duty of care to young people was well understood at the time of the alleged events across families, communities and institutions yet this appears to have been, to a significant extent, missing from how football was organised and delivered.

3.27 A clear understanding of a duty of care to young people must, in the view of the Review, be evident "from the top down". This means that the governance arrangements for football across the game must not only reflect this as a clear priority but, indeed, this needs to be embedded in all football organisations, structures and delivery. This is a vital step to achieving the clarity of accountability which good safeguarding of young people requires.

3.28 The Review therefore finds that the Board of the Scottish FA should take steps to lead by example and also provide the level of robust governance required to ensure that progress is made, demonstrated and sustained.

#### **RECOMMENDATION 10**

Safeguarding of children and young people carries a high degree of 'organisational risk' and should therefore be a clear and priority aspect of governance within Scottish football. The Board of the Scottish FA should therefore appoint a Director with a portfolio lead for the safeguarding and wellbeing of young people and do so as a matter of priority.

3.29 If the Board are to deliver consistently the level and type of governance required of a high-risk and priority area such as safeguarding of young people and the reduction of risk then the appropriate level and quality of knowledge about the protection of children and young people should be a prerequisite for all Board members in order to maintain a governing overview, provide strategic leadership and ensure proper accountability.

#### **RECOMMENDATION 11**

All Board Members should undertake targeted but comprehensive safeguarding training either retrospectively or as part of induction commensurate with the governance and strategic leadership functions of the Board of a Sport Governing Body. Their ongoing needs for supplementary training and development should be included in the training and development pathway (see Recommendation 28)

3.30 The Independent Review appreciates the considerable challenges for Scottish football in creating capacity capable of meeting the demands of reducing risk and protecting young people in the early 21<sup>st</sup> century. The sheer scale of the young people participating makes this imperative.

3.31 As such the Review takes the view that the Board and senior management of the Scottish FA and across football would benefit from further expertise and support especially when developing, implementing and evaluating a national 'whole game' Safeguarding Strategy. In addition to creating greater resilience on these issues at Board level (and providing leadership from the top down) a more independent voice - a 'critical friend' - might also bring greater capacity to moving things forward particularly given the challenges in changing the culture of football as well as its structures, processes, and practices.

**RECOMMENDATION 12**

The SFA should take steps to establish an independent Safeguarding Advisory Group to both advise the SFA and its constituents on safeguarding development, policy and strategy and to act as a mechanism for overseeing and monitoring continuous improvement in the protection of young people and the reduction of risk in Scottish football.

The Safeguarding Advisory Group should as a matter of course ensure that young players are consulted on safeguarding policy and delivery and that people personally affected by abuse in Scottish football are similarly consulted on all relevant matters.

The Safeguarding Advisory Group should also comprise members from outwith football and be chaired by a person independent of football with a high level of safeguarding expertise.

3.32 The Scottish FA Handbook provides the Memorandum of Association and Articles of Association which govern the Associate Membership structure of the Scottish FA. Additionally, it contains a directory of clubs, associations and leagues; a list of referees; as well as protocols, competition rules, procedures for registration and anti-doping regulations.

3.33 The Review found little or no mention of the safeguarding of young people within the Scottish FA Handbook and views this as an inconsistency and a significant omission.

**RECOMMENDATION 13**

The SFA Handbook should be updated to include a section on 'safeguarding young people' containing the requirements related to standards and required compliance. The contact details of safeguarding officers in clubs, ANA's and the SFA should also be included within lists currently provided within the Handbook.

3.34 The Review understands that, from 2017, the Scottish FA requested and received guidance from UNICEF further to its development of international learning sets (ILS) on safeguarding children in sport.

3.35 It remains unclear to the Review where this currently sits in relation to the current workplan and structures for safeguarding in the Scottish FA. The purpose of support from UNICEF for the Scottish FA is also not clearly evident within any explicit strategy, plan or framework.

**RECOMMENDATION 14**

Concern exists as to the status and relevance of the ILS in relation to Scottish Football, specifically the relevance to Scottish legislation, social policy and organisations including the SIS standards. A review of this should be undertaken jointly between the SFA, The ANAs, sportscotland and the SiS (Children 1st).

In the development of a National Strategy for Safeguarding in Football the Scottish FA should determine the strategic purpose and desired outcomes from continued application of the ILS.

3.36 In having regard to developments to date and the challenges which currently face Scottish football the Independent Review has found that considerable improvements have been made in a short space of time.

3.37 In 2012 a new Director of Football Governance and Regulation was appointed by the Scottish FA. Shortly thereafter, by 2013, responsibility for safeguarding children and young people had transferred from the HR Department of the Scottish FA to this official. This development led almost directly to the creation of a new post of Child Wellbeing and Protection Manager within the Scottish FA in 2014.

3.38 This post and the small number of staff in place to support the functions of this office have, over three years attempted to take on quite daunting tasks to drive forward safeguarding improvement in Scottish football. They are supported more generally by club Safeguarding Officers from across the game.

3.39 The Review finds that these resources and this loose structure are inadequate to sustain the breadth and complexity of tasks and responsibilities which currently face Scottish football in relation to the protection of young people and the reduction of risk.

3.40 The current office capacity of the Child Wellbeing and Protection Manager must be augmented and reformed so that the objectives set in a national and 'whole game' National Safeguarding Strategy can be met, outcomes measured, improvements sustained and new objectives set in an ongoing process of continuous improvement.

#### **RECOMMENDATION 15**

The safeguarding capacity of the Scottish FA should be subject to increased and improved investment and resourcing on a longer-term basis. This should include an expansion of current staffing and resources.

The Review recommends that the SFA conduct a comprehensive review of the desired and appropriate roles and tasks of the safeguarding team based on desired outcomes and the content of the 5 Year Safeguarding Strategy including: -

- Young people's participation and children's rights
- Training and development
- Compliance/quality assurance and evaluation
- Policy
- Consultation and support for affiliates, clubs and members

Amongst other things the Child Wellbeing and Protection Manager should be equipped and tasked to oversee the management of these services; direct and oversee the implementation of the Safeguarding Strategy; work with internal and external stakeholders and partners on continuous improvement of safeguarding practice within Scottish football; oversee the measurement of improvements and changes and report accordingly; and ensure current research, policy developments and legislation at all times inform the delivery of safeguarding within Scottish football.

3.41 However, it is the finding of the Independent Review that the profile of safeguarding within the Scottish FA reflects the priority with which it is regarded. Its place within the organisational structure is important if it is to deliver consistently and successfully on the tasks and functions ascribed to it. To accomplish this, it is our view that the current position of the safeguarding team within the organisational structure of the Scottish FA is insufficient and that, if the team and its functions are properly reformed and investment improved, the safeguarding capacity of the Scottish FA merits

departmental status accompanied by a shortened line of accountability and reporting within the overall management structure, preferably directly to the Chief Executive.

#### **RECOMMENDATION 16**

Greater prominence and effectiveness should be ascribed to the Child Wellbeing and Protection Team in the Scottish FA. Positive consideration should be given to creating and tasking a Safeguarding Department within the SFA headed by a Safeguarding Manager and with a more direct line of responsibility to the Chief Executive Officer.

#### **RECOMMENDATION 17**

Consideration should be given by the Scottish FA to appointing 'regional' safeguarding development officer/s to deliver ongoing support, advice and to supplement capacity for clubs across grassroots and professional clubs. The focus of this role should be on development and as a way of effectively responding on the ground to the needs of clubs for advice, support and resources to improve their delivery of safeguarding and to make the right decisions to protect young people and reduce risk.

### **Commercial sponsorship**

3.42 It is recognised that achieving the necessary improvements to safeguard young people cannot be done without adequate funding (long term) which is ring-fenced and targeted.

3.43 The Independent Review is also very aware that Government funding (through sportscotland) by far does not comprise the "lions share" of investment in the Scottish FA. The contribution of sponsorship and commercial investment is considerably more substantial.

3.44 The Review however do not see a total distinction between safeguarding issues and commercial investment and sponsorship – that somehow the commercial enterprise of today's game is all about "hard cash" (underpinning performance and sporting achievement) and therefore unrelated to other vital aspects of delivering football and sustaining the sport in Scotland. Commercial thinking and investment strategy needs to take account of this in attracting future investment and dispersing/deploying funds.

3.45 In other words, there is an ethical dimension to investment and sponsorship that cannot and should not be ignored - either by those within football engaged in attracting sponsorship and investment or by potential or actual commercial sponsors themselves.

3.46 The Review takes a strong view that failure to improve the capacity of **all** of Scottish football to protect and safeguard young people should have investment consequences. We are minded that commercial investors should be alert to this. The Independent Review would urge all potential investors to seriously consider these issues as part of examining investment conditions and ensure that these are included in fulfilling their agenda for ethical and social responsibility.

3.47 Allegations of non-recent sexual abuse in Scottish football have scandalised the world of football and the wider Scottish public. Confidence in the game and its organisation has understandably been damaged. This will also not have escaped commercial sponsors. Efforts to singularly and genuinely improve the protection and participation of young people may in part act to restore public and commercial confidence. Without this the Review would question why commercial

sponsors would wish to invest in a game which has not proven itself dedicated and motivated to protect its young players.

#### **RECOMMENDATION 18**

Commercial sponsors should be made alert to safeguarding issues and arrangements in the Scottish FA, ANA's and Clubs as part of their ethical and social responsibility agenda concerning investment and sponsorship.

As such any activity to attract sponsorship, investment and funding should factor in the efforts and achievements of Scottish football in ensuring the protection and wellbeing of young people in all aspects of the game to reinforce investor confidence.

Where possible commercial sponsorship should be sought for individual safeguarding projects or initiatives within a clear framework of ethical investment in the game.

#### **The Affiliate Membership Structure and Accountability**

3.48 In Scottish football, as in other organisations and areas of life involving young people, clarity about who is answerable for their protection and ensuring their wellbeing is fundamentally important. Otherwise, why would young people or their parents, let alone the wider Scottish public, have any confidence that Scottish football has the best interests of young people at heart?

3.49 The Independent Review has consistently found, from those working within football as well as from parents and other stakeholders, that accountability for safeguarding within the current structural arrangements is far from clear.

3.50 Our examination of the development of 'safeguarding' in Scottish football over recent years leaves us unimpressed by a structure which has contributed, if not directly enabled, impediments to progress, ineffective and troubled communication, dysfunctional relationships, confusion of responsibility and the evaporation of accountability leaving young people in football potentially at greater risk.

3.51 Equally the Review was unimpressed by the 'light touch' which the Scottish FA has taken in approaching the problems concerning child protection essentially exacerbated by a cumbersome, complex membership structure which is as difficult to navigate as it is to understand. The Review has often reflected, like others, on what needs and interests are actually served by maintaining the structure as it is as it does not, in our view, best serve the needs of the (almost 100,000) young people who participate in the sport.

3.52 Inconsistency has been an evident aspect of a structure where the governing body often acts more to advise or guide rather than to govern. Such was the difficulty in implementing improvements in safeguarding throughout the early 2000's and beyond it is abundantly clear that one constituent part of the game could pretty much do as it pleased with very limited control, or even influence, by the governing body.

3.53 The current organisational structure of Scottish football is such that lines of direct accountability are not clear. Where there is any dubiety about who is answerable specifically or overall for the safeguarding of young people (and how developments should be progressed) assumptions, conflict and duplication are immediately factored in and accountability is in danger of haemorrhaging out.

3.54 The structure and constitution of Scottish football needs to have simple, clear and recognisable lines of accountability for safeguarding young people. In the opinion of the Independent Review nothing short of wholesale reform of the affiliate membership structure is required to bring this about. This view was shared by very many in football during the process of the Independent Review.

#### **RECOMMENDATION 19**

The Review recommends an urgent review of the SFA affiliate membership structure is undertaken with a view to reform. This should place centre-stage the need for lines of accountability to be clear, concise and transparent and demarcation of responsibilities in safeguarding of children and young people to be exact and clearly defined.

#### **Football Clubs**

3.55 In 2013 there appears to have been a clear shift in momentum in relation to child protection/safeguarding within Scottish football clubs.

3.56 Celtic FC were, in 2013, the first club in Scotland to create a salaried dedicated post of Safeguarding Officer with wider duties and responsibilities and subsequently recruited to this (part time) post. This came about following an in-depth review which produced a code of ethics and good practice and vetting procedures for staff and volunteers. This review recommended that a post of Child Protection Officer (Safeguarding Officer) be created to continue this process at Celtic FC.

3.57 The Independent Review has been impressed by the commitment and leadership shown by Celtic FC to progressing improvements in the protection of young people and the reduction of risk at the club especially over the last six years and we are aware that more recently steps have been taken to continue this process of improvement and delivery.

3.58 We are also aware that both Aberdeen FC (by 2015) and Ross County FC (in 2017) followed suit by also creating paid dedicated (part time posts) of Safeguarding Officers and see this as an exemplar for good practice at senior professional clubs (especially for those with academy structures in place).

3.60 However, this has not to date been replicated elsewhere although the Review have only very recently been made aware that Rangers FC have created a salaried dedicated post of Safeguarding Officer. Currently most senior professional clubs still allocate safeguarding responsibilities as an 'add on' to other posts at the club .... such as Human Resources or the Safety Officer. The Independent Review finds that this is inadequate to meet the expanding responsibilities of the role and the imperative to imbed safeguarding arrangements and practices across and throughout clubs. This is particularly so in the context of a new regime for football academies and the increasingly important developments of community outreach and involvement initiatives at senior clubs.

3.61 The nature and demands of this role have developed considerably since (some) clubs first put in place Child Protection Officers in the late 90's/early 2000's. This now needs to be reflected in how this role is managed and how it is performed.

#### **RECOMMENDATION 20**

In senior professional clubs the Safeguarding Officer role should not be an "add-on" to other functions/roles within clubs but should be a dedicated salaried post within the club. In clubs with youth academies and/or active community programmes and outreach work the Review

recommends that these posts be full-time.  
Serious consideration should also be given where relevant to clubs appointing to such a post on shared basis (particularly in relation to smaller clubs who may face particular challenges balancing requirement with resources).

3.62 The Review consistently received information that club Safeguarding Officers (at whatever level) were not known to participants, parents, supporters, or indeed other club personnel. If this role is to be taken seriously and undertake effectively the important and sometime difficult tasks it involves then it must be both proactive and accessible. This means that in all instances everyone connected to a club should know who the Safeguarding Officer is and how they can be contacted. Moreso, the Club Safeguarding Officer should become a prominent and active role within the club. The responsibilities of the role should be understood by all and the Safeguarding Officer should be able to engage with a wide range of people so that safeguarding becomes increasingly embedded in the culture and delivery of the club in all aspects.

#### **RECOMMENDATION 21**

Safeguarding Officers should be visible across all club functions, events and activities concerning children and young people's participation and competition including interface with parents. Club Safeguarding Officers should be identifiable and visible at all events where they are present or have a role. This should include making themselves known to everyone involved in the Club (parents, players, coaches, staff, etc) on an ongoing basis. Some Club Safeguarding Officers wear clear identifiers such as branded clothing, badges etc so consideration should be given by all clubs to adopting similar practices.

#### **RECOMMENDATION 22**

The details of club Safeguarding Officers should be prominent throughout all relevant documents including 'public facing' literature. Club handbooks should clearly and accessibly include the names and contact details of designated Safeguarding Officers and their duties/deputising arrangements. These should be routinely updated.

3.63 It is a matter of concern to the Independent Review that examples were received of club staff being unaware of the role of Safeguarding Officer and who the incumbent was. Indeed, the Review itself had similar experiences when trying to make direct contact with club Safeguarding Officers. This is unacceptable. Members of the public, professionals, parents, supporters, young people, players and club staff should have no difficulty in identifying the Safeguarding Officer and making contact with them or a depute as necessary.

#### **RECOMMENDATION 23**

Clubs must ensure that Safeguarding Officers and others charged with safeguarding responsibilities are easily accessed. This should include ensuring that safeguarding information is clearly and easily identified on websites and ensuring all 'front of house' staff can route calls and enquiries to the relevant person for prompt attention. All automated options menus on switchboards should include the Safeguarding Officer for the club with clear instructions and arrangements for messages to be left.

3.64 In grassroots football it is recognised that the club Safeguarding Officer is likely to be a volunteer. The Review of course welcomes and encourages the use of volunteers in the running of clubs. Nevertheless, careful thought should always be given as to who is designated Safeguarding Officer and the extent to which these responsibilities can best be carried out by one person or more.

3.65 Similarly, the Review does not accept that allocation of the role to someone from a (supposed) relevant professional background (e.g. a teacher, social worker, police officer) is automatically the right thing to do. It cannot be assumed that an individual from a particular occupational background necessarily has the requisite knowledge, ability or experience to act as Safeguarding Officer in and on behalf of a club.

3.66 Recruitment to the Safeguarding Officer role within clubs, even when this is a voluntary role, should occur on the basis of demonstrable ability and experience and the right level and quality of knowledge as a prerequisite. To achieve this there requires to be a consistency of core functions for this role across football accompanied by a 'person specification' that reflects a common standard.

3.67 The Independent Review supports the requirement for Safeguarding Officers at every club but believes that this role and function needs to be properly defined and understood in general and constantly demonstrate that it is proportionate to the particular needs of different clubs and levels within the game and especially to the needs of young people and their protection (including the reduction of risk).

#### **RECOMMENDATION 24**

There should be a standard core role and person specification for Safeguarding Officers across all clubs which make clear the requisite expertise and knowledge base for undertaking this role. Club Safeguarding Officers should be recruited and appointed on the basis of their knowledge, skills and experience in relation to the safeguarding of children and young people and not solely on the basis of their previous broad professional or occupational roles outside of football.

3.68 It is recognised that Safeguarding Officers in Clubs carry considerable responsibility. This needs to be met with provision of the right training, support and development opportunities so this pivotal role is fully effective and engaged.

#### **RECOMMENDATION 25**

The Review recommends that the Scottish FA with assistance from partner agencies develop a comprehensive but applicable framework for making decisions in relation to initial assessment and discernment of reported concerns.

This is to ensure that there is not a 'one size fits all' response and that concerns are dealt with proportionately based on what is known and what is discerned in the first instance. The handling of concerns is often delicate and should not be reduced to a painting by numbers which is procedurally driven (often denoting a back-covering rather than focussing on the protection of young people and the reduction of risk).

The framework should be viewed as a tool and like any tool it is only effective and purposeful in the hands of those confident and competent to use it.

The framework then should be subject to refinement ongoing but underpinned by a training and development regime which continually improves the skill, knowledge and confidence to apply in

practice.

### **Historical and current relationships between senior football clubs and grassroots clubs**

3.69 Historically in Scotland, in some areas, community-based youth football clubs have come into existence, developed and grown with an identity shared with the local senior professional club. There are a few examples of this across Scotland and, in some cases, these are quite prominent.

3.70 The historical 'value' seems to have been that these community-based youth football clubs, in the days before football academies, acted as a prime environment for young players to practice, learn and hone their skills and, often, transition to a trial or contract with the senior club itself. Essentially, they were 'feeder' clubs but with a relationship that went well beyond the through-put of young talent.

3.71 In these days the ties between those community-based youth football clubs and the senior professional club were clear and strong. It was acknowledged implicitly and explicitly that the youth football club was a part of the 'family' of the senior club; acted as a 'feeder' for young talent; and shared a tradition, history and heritage with the senior club. The relationship was strongly established to the point that officials of both clubs knew each other well and interacted; officials of the senior club were often involved in the activities and profile of the youth football club; the senior club would allow the youth football club to freely use its premises and facilities; branding, badging, colours and strips were almost if not completely identical.

3.72 When the senior club celebrated achievements, victories and successes this was shared by the youth football club as much as commiseration in footballing defeat.

3.73 However, the Review concludes that if the relationship and history between the youth football club and the senior club was so shared, so close, and so inextricable on positive achievements then when alleged sexual abuse of young players formed part of the history of one then it too formed part of the history of the other. A shared heritage is not confined to trophies, victories and celebration. It also extends to defeats, failures, and deficiencies.

3.74 There are many downsides to this which sometimes overshadow the positives. Perhaps the most evident to the Review has been the extent to which, at times, the closeness of this relationship might, in the past, have manifested in a 'closing of ranks' if not a collusion. This is not surprising since any "reputational damage" to one is therefore shared by the other. This evokes a defensiveness that in no way serves the interests or the reputation of either well in the longer term. However, this is so often the case with knee-jerk reactions and a misplaced sense of loyalty but it is certainly not conducive to protecting young people from harm or reducing risk.

3.75 Where the Review has found that when allegations of sexual abuse have been made concerning the community based youth football club our expectation would have been that the senior club (almost like a parent) would have taken steps to put this right permanently by doing the right thing. Unfortunately, we have seen some instances where this has not been the case and the senior club's response has centred on protection of its reputation and standing rather than addressing the core problem with a view to achieving a permanent solution which protected young players properly and permanently.

3.76 Although, particularly with the advent of club football academies, these relationships have eased off, the Review is not confident that this has been addressed sufficiently satisfactorily to deal

effectively with the issues. In most cases now there are no constitutional or legal connections between youth football clubs and the local senior professional club with which it had previous formal and informal ties and allegiance. However, if the youth football club persists in using the same branding, badging, colours, and name as the senior club then it is disingenuous to claim that all ties and connection are severed. Indeed, the Review has considered cases where the local youth football club still has access to (and uses) the facilities of the senior club and its stadium without charge. This does not denote a genuine separation.

3.77 Many individuals who had given the Review personal accounts of alleged sexual abuse at such youth football clubs expressed intense dismay at senior club's current assertions that former connections were ended as this seems to them a thinly disguised attempt by the senior club to distance itself from its past shared relationship and, with it, a shared accountability. The Review entirely sympathises with this view.

3.78 The Review urges an openness and transparency about this issue on the part of the clubs concerned so that acknowledgement and accountability are evident to all.

3.79 The Independent Review recognises that some senior clubs and community-based youth football clubs may have taken steps to clarify their relationship over recent years.

3.80 Nevertheless, the Review concludes that this has not either gone far enough or been completed. Issues of heritage, history and tradition are aspects of this and sometimes only act to obstruct a move towards greater transparency and accountability across the clubs concerned.

3.81 The Review concludes that facing and resolving this serious residual issue properly and completely will act to restore public confidence and especially that of the wider 'family' of the clubs concerned for whom this is an active source of concern.

3.81 The Review believes that the leadership of the senior club should take the initiative in resolving the residual issues arising from a close relationship between clubs where, in either, alleged sexual abuse has been an issue. It is not enough to arrive at a constitutional and legal separation without addressing the 'mixed messages' that perpetuate through continued shared name, brand, colours, facilities and resources.

3.82 Where this continues the public perception, rightly in the view of the Review, is that the old ties are as strong as ever and that these ties signify a deeper systemic problem which runs counter to the protection of young people and the reduction of risk.

***3.83 The Independent Review is unequivocal in its view that the protection of 'reputation' whether of a club or of an individual should not and must not supersede the imperative to protect young people from harm and to pursue a clear duty of care to individual young people and to young people in general.***

#### **4.0 PROCESSES, POLICIES AND PROCEDURES**

##### **Training and Development**

4.1 The Review has found a wide range of issues concerning the organisation's delivery of training and development on safeguarding and protection of young people in Scottish football.

4.2 A knowledgeable, competent and confident workforce, both paid and voluntary, from governance and senior management level to ancillary, part-time and volunteer staff is essential if,

across the game, young people are to be properly protected, risk reduced, and football play a full part in the wellbeing and cohesion of our communities and nation.

4.3 'Training' should not be viewed in the narrow sense as didactic education. The point of providing 'training' and developing the workforce is to effect change....in understanding and in attitudes. In turn this change should bring about a change in behaviour....in other word by *thinking* differently people will start to *act* differently. It is towards a shift in what people *do* that training and development in Scottish football should be aimed.

4.4 The findings of the Independent Review based on our consideration of the personal accounts provided and our examination of the development of 'child protection' arrangements in Scottish football indicate that important changes are required to ensure young people are properly protected and risk reduced. Good, targeted, effective and proportionate training and continuous development for staff, volunteers, players and anyone engaged in the delivery of football in Scotland is required.

4.5 Furthermore, the entire area of training and development in relation to young people and their protection requires a strategic and systematic approach.

4.6 Any current tendency to view and deliver 'training' across football as a 'box – ticking' exercise should be confronted and changed. It is easy to see why this would occur where a large and disparate workforce is concerned and the protection of young people is seen as an 'add on' to other issues considered more 'core' to the delivery of football. This is a cultural issue which requires to be urgently addressed. With almost 100,000 young people participating in football the Review is of the view that training and development in relation to young people and their protection is a central to the delivery of football in Scotland and to its future success.

#### **RECOMMENDATION 26**

A Safeguarding Training and Development Strategy for all of Scottish Football should be developed jointly between the SFA; ANA's; Clubs (Professional & Grass Roots); and involve external partners such as Children 1st and sportscotland.

4.7 If the delivery of training and the ongoing provision of staff and volunteer development is about achieving *change* then this requires to be measured. It is also vital that change is embedded in the delivery of football and in the culture and norms of clubs and organisations across the national game. Constant measurement tells us what works and what needs to be done differently and requires a robust system based on desired outcomes that can also assure that quality is assured.

#### **RECOMMENDATION 27**

A Safeguarding Training and Development Quality Assurance system should be developed and implemented which ensures that training and development programmes have positive outcomes in the continuous improvement of safeguarding in Scottish football.

4.8 In taking this forward, it is essential that provision is targeted and proportionate to the needs of different parts of the workforce depending on their responsibilities, functions and need. Different roles require different levels of training and different development input. Some require greater depth and detail than others while some may need a greater focus on one aspect more than another. A Safeguarding Training and Development Strategy therefore should be underpinned and

informed by a clear pathway which can ensure that all part of the diverse workforce have the right provision at the right time.

#### **RECOMMENDATION 28**

A Safeguarding Training and Development Pathway should be developed which identifies the needs of *all* roles and categories of those involved in football in Scotland; how these needs should be met; what is mandatory and what is 'optional' according to the role/post/need etc. as a means ensuring training and development is both proportionate to need/role and strategic in terms of delivering desired outcomes.

The Pathway should also take account of training and development needs arising from appraisal and what needs to be delivered or accessed in an ongoing way.

4.9 The Review finds that no person entering football in any capacity should be in any doubt as to their responsibilities to safeguard young people and to respond to the wellbeing of others in the game whether as young people or as adults. This means that the point of induction is a key to engaging all newcomers with the values and requirements of football to protect young people and reduce risk.

#### **RECOMMENDATION 29**

All induction for staff, volunteers, board, management and players across Scottish football should include input on safeguarding (as reflected in the Safeguarding Training Pathway at an appropriate and proportionate level).

#### **Standards and evaluation (quality assurance)**

4.10 If Scottish football is going to continue to move forward in relation to safeguarding young people and reducing risk it is vital that it develops tools, frameworks and processes capable of measuring progress and outcomes. This should be considered and put in place as part of the development and implementation of a Safeguarding Strategy for Scottish football.

4.11 It is the finding of the Review that the Safeguarding in Sport Service 'Standards for Child Wellbeing and Protection in Sport' (developed by Children 1st in partnership with sportscotland) provide a robust basis for ongoing evaluation and quality assurance making it incumbent on Sports Governing Bodies to demonstrate and evidence the achievement of the standards through their actions, delivery and outcomes.

4.12 Through a commitment to meeting these Standards, Scottish football will be required to evidence much of the implementation of its Safeguarding Strategy and do so in consistent and systematic way.

#### **RECOMMENDATION 30**

The Review recommends that the 'Standards for Child Wellbeing and Protection in Sport' are embedded into a Safeguarding Strategy for Scottish Football and any evaluation regime with a view to ensuring that any achievement and progress in the arrangements for protecting young people and reducing risk is measured against the Standards on an ongoing basis.

4.13 The issue of 'buy-in' is vital to achieving and sustaining standards and measuring continuous improvement. A regime of 'self-evaluation' by clubs and other parts of Scottish football will assist both the Scottish FA as the governing body and others responsible for the delivery of football.

4.14 A process of self-evaluation is already built in to some existing safeguarding processes in clubs and ANA's. All incidents and concerns are already subject to a review as to how they were handled, whether this was effective (or not) and what lessons can be learned to improve. However, the Review has found that this process is used very variably across football clubs and that this is not always undertaken following every concern that has been dealt with. This needs to be remedied and any regime or process for self-evaluation extended into other safeguarding responsibilities and requirements within clubs and ANA's.

#### **RECOMMENDATION 31**

All 'managing concerns' reviews should be undertaken after every concern case as part of a self-evaluation process within each club. The results of each review should be communicated to the Scottish FA who should hold responsibility for analysing these and integrating them into an overall assessment of safeguarding practice and improvements.

Self-evaluation tools and processes should be developed and used within clubs and ANA's in relation to the discharge of other safeguarding responsibilities and requirements and results communicated to the Scottish FA.

#### **Partnership with parents**

4.15 The Review understands that for responsibilities to be exercised properly in Scottish football a working partnership or alliance is required with others who have responsibility for young players especially their parents or caregivers.

4.16 To support the development of such a partnership and to maintain a common understanding of the issues that young players may face the Scottish FA, clubs and other constituent parts of football must be open to parents and work closely with them to safeguard young people. Information and discussion can facilitate good communication and common understanding which will strengthen any measures put in place to protect young people or reduce risk.

#### **RECOMMENDATION 32**

The Scottish FA in conjunction with clubs and others should develop or provide a proportionate programme of awareness for parents and caregivers about how sexual abuse or exploitation occurs and how grooming might be carried out including how parents and adult bystanders might also be groomed.

Such awareness should be proportionate, informed and accessible and form an important focus for partnership and good communication between the Scottish FA, clubs and parents/caregivers.

#### **Policies and Procedures**

4.17 The Review has conducted an extensive examination of existing club policies and processes in relation to the safeguarding of young people and the reduction of risk. As a result, the Review has concerns that an ongoing perception of the value of these policies is limited and that in some cases they are simply put in place because this is 'required' of them. In other words, these policies and the

processes and procedures contained in them may not be regarded as ‘living’ documents or with any true value to the operations and life of the club itself.

4.18 This mindset is not unique to football. Where policies and procedures are approached as a strictly ‘compliance’ issue (done because the organisation is compelled rather than because they bring real value) this is bound to happen and is further exacerbated by an organisational culture that does not embed the safeguarding of young people and reduction of risk within its thinking, values and behaviour.

4.19 It is the finding of the Independent Review that the ‘ownership’ of club policies and processes on the protection of young people and the reduction of risk should be immediate, clear, and obvious. This has to start with the governance and management of any club making clear statements that the policies and procedures form part of a commitment at all levels of a club to ensure the protection of young people and to reduce risk.

4.20 The Review recognises that some clubs have already put in place policies that are unequivocal in that the CEO and/or Board have declared a firm commitment to the protection of young people. This demonstrates a sense of leadership, good governance and ‘ownership’ on the part of the Club.

4.21 It is now incumbent on all clubs and organisations within football to follow suit and for the Governing Body to ensure that this happens.

#### **RECOMMENDATION 33**

All club safeguarding policies should have an introduction from CEO/Board Chair or both.

4.22 The Review has found considerable evidence of a widespread ‘cut and paste’ approach to developing club safeguarding policies. This is the most obvious indicator of this being generally regarded as a ‘box ticking’ exercise. The Review finds that this is unacceptable.

4.23 It is understood that often template policies are made available by the Governing Review Body and others to reduce effort and achieve consistency. However, where this is done there needs to be better compliance measures put in place (both by the Scottish FA and by clubs) to ensure that such policies are genuinely bespoke to clubs.

#### **RECOMMENDATION 34**

Clubs should not simply adopt and rebrand the SFA Child Wellbeing Handbook or any other template policy or procedure without doing more to ensure it is integrated into the identity and delivery of the club itself. There is a need for clubs and organisations to ‘bespoke’ policies to their individual clubs needs and conditions without compromising the consistency of core requirements across Scottish football.

The Review recommends that all clubs and organisations revisit their documents and policies to ensure that the structure and identity of their club is clear and consistent throughout with the branding and ownership of the policy clear in their presentation and the delivery. All such policies and procedures should clearly reflect the vision and values of the particular club and its community.

4.24 Concerningly the Review found an amount of confusion arising from different terms being used for the same thing in safeguarding policies and procedures across Scottish football. The Review

advises the Scottish FA to examine this and arrive at a set of common terms that are universally understood within football and commonly applied in all policies and procedures.

4.25 The Review is aware that terminology often changes and that it can often be used without true regard to its meaning. This is especially so in safeguarding young people where interchangeable terms are often used to mean the same or similar things. Terms such as 'child protection', 'safeguarding' and 'wellbeing' are commonly used without a real sense of what they mean or why they are used differently. For the activity of safeguarding young people to be meaningful and for people to feel connected to it the Review takes the view that people should be encouraged to use the same terms to mean the same things and should never be unsure of what is meant.

**RECOMMENDATION 35**

Terminology and nomenclature across all clubs ANA's and organisations within football should be consistent and include consistent definitions of what is meant.

**RECOMMENDATION 36**

To prevent confusion and promote consistency all safeguarding policies should be known by the same title across all clubs and organisations.

4.26 It is also a matter of concern that different clubs had used different definitions within their safeguarding policy and this was especially worrying when there was no clear and consistent use of the word 'child'. In some clubs' policies this term still applied to anyone under the age of 16 years while in others it had been amended to anyone under the age of 18 years.

**RECOMMENDATION 37**

The definition of 'child' should be clarified and consistent across all safeguarding policies and processes in Scottish football.

The Review is acutely aware that many young people participating in Scottish football do not identify with the term 'child' and indeed feel that it is a misrepresentation. Whatever legal definitions are used it is important also to ensure that young people themselves fully identify with policies and processes in place for their protection and therefore terminology needs to be adjusted to ensure this is possible.

4.27 The Review has already noted that the personal accounts received universally allege sexual abuse which took place within the context of a relationship between a trusted adult and a young person. This particularly involved coaching, scouting, and physio/sports therapy.

4.28 The Review therefore finds that all policies should address the issue regarding abuse within relationships of trust more effectively and clearly and that this needs to have more focus within Codes of Conduct.

**RECOMMENDATION 38**

The Scottish FA should refer to the spirit of the 'relationships and position of trust' legislation with a view to broadening the 'relationships' definition within organisation and club policies and handbooks. Clubs, with the assistance of the Scottish FA, should also ensure that this is reflected

in Codes of Conduct for particular roles.

4.29 With many club safeguarding policies and procedures, the Review finds that it was not always clear that these applied to all young people under the auspices of the club (e.g. mascots, ball-boys and girls, young volunteers, and young spectators) and not just young players. This needs to be made clear in all policies and statements including those entered on club websites or social media sites.

**RECOMMENDATION 39**

Club Policies and Procedures should directly and explicitly make clear that they apply to all children and young people participating in club activities and delivery in any way, not just young players.

4.30 The core part of many procedures refers to the 'management of concerns' yet the Review found that these procedures were not always presented with clarity and ease of access within club policies. In many they appeared wordy, complex and confusing. While these procedures might make sense to those with specialist roles they sometimes do not make sense to other readers and users.

4.31 It is vital that the how concerns that are observed or reported are to be managed within a club or organisation are understood and applied is essential to ensuring the protection of young people, the reduction of risk, and the delivery of a duty of care.

4.32 The Scottish FA in conjunction with clubs should make sure that this is the case so that such procedures are not misunderstood or daunting. Similarly, all processes supporting these procedures should be straightforward and as easy to apply as possible.

**RECOMMENDATION 40**

Reporting and management of concerns processes should be standard, simple, and clearly set out in all Safeguarding Policies.

4.34 Similarly, the Review finds that club and organisations safeguarding policies themselves are often quite unwieldy and inaccessible to parents and any supporter or member of the club family who wished to satisfy themselves that safeguarding measures were in place and acceptable or who wished to find out how they should communicate concerns, opinions or complaints.

4.35 The Review also believes that safe recruitment packs should be stand-alone partly to reduce the burden on the general safeguarding policies but also to make these easier to distribute and use.

**RECOMMENDATION 41**

Consideration should be given to making club and organisations safeguarding policies/handbooks as user-friendly as possible - this should include separating out recruitment materials (e.g. codes of conduct; application forms etc) from the core handbook.

Where clubs have Football Academies operating within or attached to them (and this is especially relevant following the implementation of the Project Brave reforms) it is important that the arrangements and policies of the Academy are covered by the policies and processes of the 'parent club.'

Club Football Academy safeguarding processes, policies and procedures should not be separate from club processes, policies and procedures. The Club Policy should overarch and inform all delivery across the Club concerning protecting young people and reducing risk including the Football Academy.

4.36 The Independent Review considered some circumstances where some clubs who had in the past been affected by allegations of abuse or confronted with risk later undertook internal enquiries ostensibly to ensure how and whether the club had discharged its responsibilities and had not put young people at risk in doing so. However, this was a decision taken by individual clubs who in turn decided and pursued its own 'terms of reference' for such a review without any degree of independence or scrutiny being built in or without making clear what arrangements would be in place for how lessons from any findings to be applied or shared. The conduct of such reviews is seen as good practice but requires to be underpinned by agreed criteria, terms of reference and processes for implementing lessons learned. This should be consistent across all levels of football in Scotland.

#### **RECOMMENDATION 42**

Consideration should be given to the development of a template or standard 'Terms of Reference' to assist any club who may wish to embark on internal review related to specific safeguarding concerns or allegations whether recent or non-recent.

4.37 To the serious dismay of the Review a number of club safeguarding policies were found to make reference to or had chapter headings "*Protecting Yourself Against Allegations of Abuse*". The Review understands from the content of these policies that actually they are intended to convey how staff should acquit themselves in an open, transparent and accountable way. Therefore, the title of these policies should reflect the content and the intention. Any such reference therefore should be remedied immediately to ensure that the protection of young people is the paramount concern and remove any inference that protecting adults from allegations is a desired aim.

#### **RECOMMENDATION 43**

No section in any policy should be titled 'Protecting Yourself from Allegations of Abuse'. Where this is the case this should be remedied immediately by clubs and organisations. The Review recommends that the term 'Safe Working Practices' is adopted instead and that the content of such policies is made consistent with this term.

### **Online conduct and social media**

4.38 The Review is encouraged to see that current concerns are increasing about online and social media conduct and this is being incorporated into club and organisation safeguarding policies in Scottish football. However, this is an uneven picture.

4.39 The Review has seen some good practice by some clubs in responding to the challenges of social media and how it can be used to increase risks to young people. This includes carefully restricting and managing the online and social media communications between adults and young people in Scottish football without losing the benefits of social media platforms in assisting communication and sharing club information.

The Review believes that this issue should no longer be viewed as something 'new' or outside of the mainstream of safeguarding practice and policy in Scottish football.

**RECOMMENDATION 44**

Safeguarding children and young people on and through social media should be included and embedded in club and organisations safeguarding policies across Scottish football.

4.40 The Review also finds that the online and social media conduct of all adults in Scottish football in relation to young players should be subject to clear standards and expectations by clubs and organisations.

**RECOMMENDATION 45**

Standards of expected communication and behaviour on social media (whether towards young people or adults within football and outwith) should be included and clear requirements set in all Codes of Conduct at all levels in football including in the professional game and including communication by club players and staff with young people outside of football.

4.41 For Football Academies and Youth Football the Review recognises that even more detailed guidance on social media etc. might be a positive advantage and support efforts to reduce risk. The sheer volume of young people participating and the special conditions this issue creates place considerable pressure on the Academies/Clubs to oversee their protection and wellbeing. Establishing and maintaining clear boundaries and safeguards on interactions and communication through social media etc. reflects the commitment of the club or organisation to protect young people and reduce risk wherever and however it might occur within Scottish football.

**RECOMMENDATION 46**

'Stand-alone' social media safe practices and guidance for Academies and Youth Football should be developed and put in place.

4.42 The Review has considered information concerning alleged sexually abusive behaviour which included the taking of photographs of young people. Furthermore, we have become aware of the increasing practice of using video assisted medium to assess young players and observe their training and physical performance.

4.43 The Review understands that all clubs take their obligations to use such methods with young people carefully and sensitively. However, the Review finds that consistent practices and standards should apply across Scottish football and believe that these require to be developed and put in place.

**RECOMMENDATION 47**

The Scottish FA should conduct a review of the arrangements for photography, visual recording and video analysis concerning young players in all settings across Scottish Football including the regulation and monitoring of this and the use and storage of photographic/recorded images of young players with a view to developing and putting in place consistent standards and practices.

## **Risk assessment and recruitment**

4.44 The Review found that a number of clubs (at all levels) and organisations had put in place mechanisms for considering risk including examining and processing 'blemished' PVG disclosure returns. We take the view that such a mechanism is necessary across all clubs and organisations in which young people participate. Processing and understanding vital information from PVG checks requires careful consideration and the Review takes the view that this should be done by people that have both the knowledge and the confidence to assess this information and make recommendations or decisions.

4.45 Furthermore, the Review finds that there is widespread confusion in Scottish football about how many roles within football 'fit' within the definition of 'regulated work' in the PVG legislation. Those charged with safeguarding responsibilities at club level frequently have found this complicated and difficult terrain to navigate.

4.46 The Review has learned of numerous examples of clubs who wish to undertake checks on particular applicants mainly to satisfy due diligence but the role is not covered by the PVG legislation (regulated work). It is unacceptable for people with responsibility for recruitment or safeguarding in football to have to see it as necessary to rewrite role descriptors so that these 'fit' with the definition of regulated work. If the aim of PVG is to protect young people and to reduce risk then the interface between football and PVG/Disclosure should be as simple and smooth as possible so that all checking processes and requirements are fit for purpose in relation to the modern game and all its requirements.

### **RECOMMENDATION 48**

The Scottish FA should draw up guidance on risk assessment (Including processing blemished PVG reports) for all clubs and covering the makeup, responsibilities and expertise/training of risk assessment panels.

### **RECOMMENDATION 49**

Consideration should be given to centralising Risk Assessment functions on behalf of clubs and ANAs including referral to the List; critical cases; liaison with investigatory authorities; and developing a single 'clearing house' /process discernment for all blemished disclosures and cases of concern through a single, central system/mechanism invested with the right expertise and supported by procedures and processes that are proportionate and fit for purpose.

### **RECOMMENDATION 50**

Consideration should be given to grassroots football clubs sharing risk assessment capacity, perhaps on a district/regional basis as part of the consideration of centralising these functions.

### **RECOMMENDATION 51**

The Scottish FA should undertake a comprehensive review of roles and posts across Scottish football to clarify categorically those which require PVG checks and those which don't in terms of current legislative provision and the definition of 'regulated work'. Where anomalies or contention arises as a result of such a review, the Scottish FA should, on behalf of Scottish

football, enter into discussions with the Scottish Parliament and Disclosure Scotland (as the relevant arm of Government) to address and rectify these promptly and clearly. Confusion or lack of clarity about 'regulated work' and how it applies to those engaged in the delivery of football in Scotland should be eliminated.

#### **RECOMMENDATION 52**

Where notification of an individual for listing to Disclosure Scotland is a possibility, consideration should be given to this being undertaken through a single 'clearing house' within Scottish football so that individual cases are tracked and subject to consistent processes and to facilitate statistical reporting and analysis.

4.47 'Safe recruitment' is a key aspect of making Scottish football safer for young people and reducing risk. Across all aspects of the game there is a need to incorporate safeguarding considerations and requirements into recruitment processes.

4.48 The Review is aware that safe recruitment training is available in other countries in the UK and believes that, in Scottish football, safe recruitment training should underpin the work of recruitment and appointment panels as appropriate.

#### **RECOMMENDATION 53**

The Review recommends that the Scottish FA scopes existing provision for safe recruitment training in Scotland and thereafter ensures that all recruitment and appointment processes reflect expected standards of safeguarding. Consideration should be given to relevant HR staff undertaking safe recruitment training so that this features prominently in the execution of HR tasks and roles.

The Review further recommends that all recruitment/appointment panels should comprise at least one member who has successfully undertaken relevant and accredited safe recruitment training. Where applicable consideration should be given to the practicalities of extending such safe recruitment standards (beyond PVG checking) to the recruitment of volunteers.

#### **Team and squad trips**

4.49 The Review recognises that when teams or squads are required to travel it is required that a 'safeguarding lead' for the trip be identified. This is often a coach or another official who is a delegate on the trip. The Review has considered some instances where it is not evident that the safeguarding lead (on trips) fully understands their responsibilities or takes these seriously. The Review urges that this function is considered properly and fully. The attitudes, activities and responses of adults charged with responsibility for teams or squads on trips away was a crucial aspect of many of the situations considered by the Review in relation to allegations of non-recent sexual abuse and risk to young people in Scottish football. In some cases, coaches and other officials were important bystanders who could have done much more to prevent possible abuse and reduce or remove risk.

**RECOMMENDATION 54**

Anyone acting in the capacity of 'safeguarding lead' for the purposes of squad/team trips should be properly trained and equipped to carry out the identified functions and responsibilities of the safeguarding lead working closely with the squad/team manager.

Safeguarding leads should be required to submit a report at the conclusion of every squad or team trip which should be held by the relevant club. Where incidents form part of this report the report should also be copied to the Scottish FA who will keep an overview of incidents and how these have been handled. The club must ensure that any incidents are subject to proper review as part of the process for 'managing concerns'.

**RECOMMENDATION 55**

All arrangements for squad or team trips should be properly risk-assessed in advance, including accommodation, travel, supervision of young people, etc.

**Due diligence and access to certain roles at clubs**

4.50 The Review has been consistently concerned about the manner in which some adults in the past have been able confidently to insinuate their way into undertaking a range of roles and functions within a club at any one time. This was often done with the, at least, tacit approval of managers and Board at the time.

4.51 The Review understands that this may be less likely to happen currently but checks and balances still need to be in place within clubs at this time and in the future.

4.52 Individuals operating within clubs – especially where this involves young people – should be required to work to a specific role to which they have been properly recruited and appointed. The conditions for recruitment and appointment should be transparent and not based on 'word of mouth' or simple 'personal recommendation'.

4.53 The Review has come across various incidences in the past where someone was able to occupy a role in relation to young players simply because someone else (whose reputation was well thought of at the club) had spoken up for their reliability. Often this was based on a version of an 'old boys network' which was more about "who knew who" rather than due diligence.

4.54 This is an unsatisfactory process where the reduction of risk to young people is a critical consideration. Simply because an individual is "well thought of" does not imply that they do not represent a potential risk to young people. Due diligence therefore needs to go a long way beyond word of mouth or the recommendations of informal networks.

**RECOMMENDATION 56**

The Review has substantial concern that adults in the past have been able to function within Scottish Football under a variety of guises simultaneously. The task or role for which they have ostensibly been engaged has allowed them to become 'peripatetic' and gained them 'access all areas'.

There is an urgent need for a clear and consistent definition of all roles within football and checks and balances to be put in place to ensure roles are adhered to.

The Review recommends that a full review of *all* roles in football is undertaken with a view to these being clearly defined and demarcated so that a proper system can be put in place which reduces the possibility for people to hold multiple functions without due consideration and overall accountability being held by the club or organisation itself.

The Review recognises the need for some flexibility particularly in grassroots football but this must be balanced with sufficient rigour and vigilance to ensure individuals are not able to expand their range of activities or engage in functions with young people beyond those for which they are trained, qualified, engaged or permitted before or unless they satisfy processes that formally allow them to do so (including and beyond personal recommendation and Disclosure checking).

### **Physiotherapy and sports therapy**

4.55 Seldom are possible risks clearer than where individuals operating in clubs as coaches or managers are permitted to engage in hands-on, sometimes intimate, physical activity with young players under the pretext of ‘physio’ or ‘rehabilitation’. Muscle warming and rub down is the most common example of this but it extended as far as the treatment of alleged injuries. In some accounts considered by the Review this was often, but not always, undertaken in private with no other persons present. The Review recognises that creating private and secluded spaces to engage with young people is far less likely to be permitted these days but, (especially with the advent of personal communication devices), an adult who is determined may potentially do so undetected.

4.56 The Review is aware that, particularly in grass roots football, muscle warming or rub-down during intensive training or play is often required to rehabilitate players and to prevent injury. For many of these clubs this would be administered by team personnel usually coaches.

4.57 On no occasion such as this should any such hands-on ‘treatment’ be applied in private. When private treatment is required this should be undertaken only by a qualified, registered and accredited practitioner and with the consent of the young player or their parent/caregiver.

4.58 The Review has considered cases where someone managed to be referred to as a “physio” when they were nothing of the sort.

4.59 In Scotland ‘physiotherapist’ has been a protected professional title with the Council for Professions Supplementary to Medicine (CPSM) since 1960. Since 2002 the competent authority and registering body is the Health and Care Professions Council (HCPC). All professions registered with HCPC (including physiotherapists) are held to standards of conduct, performance and ethics but what an employer requires a physiotherapist to do within their role (provided it does not conflict with any of the HCPC standards) is at the discretion of the employer.

4.60 Sports therapists however are a different but associated discipline and they too are trained and qualified to a high degree. Sports therapists are regulated by the Society of Sports Therapists (SST) however this is not a mandatory registration body and is not part of the HCPC.

4.61 The Review is of the opinion that qualified Sports Therapists should be mandatorily required to register and be subject to the same codes and standards as physiotherapists are under the HCPC and that would further assist their recruitment and deployment within football across all levels of the game.

4.62 The Review is aware that in other areas of the game and especially in grassroots football the term “physio” is still used generically to cover a wide range of activities and interventions with young

players. This needs to be addressed so that any misinterpretation or any potential abuses of the title are eliminated.

#### **RECOMMENDATION 57**

The Review has concern about the provision of physical remedial or 'therapeutic' interventions with young players. We recognise that in professional clubs, physiotherapy will strictly be delivered by trained, qualified and registered physiotherapists. In grass roots football injury or suspected injury will (or should be) dealt with by qualified and trained First Aiders until proper medical attention is given.

However, when young players have or complain of sore or exhausted limbs or minor aches during training or play, the Review has concerns as to what type of treatment is administered, what the conditions and arrangements are for this and who is permitted to provide this. The Scottish FA should scope and review this issue comprehensively with a view to developing and putting in place a full protocol governing these circumstances across Scottish football for under 18s.

#### **Host families**

4.63 The Review has concern about the recruitment and management of 'host' families for visiting young players including those on trial with clubs. The Review found that arrangements and policies differed between clubs and there was some discrepancy also in respect of the overall protection for visiting young players particularly from other countries and where they could not be accompanied by a parent. Any such arrangements should always contain a proper assessment of risk and cover the entire visit from entry into Scotland to ensuring (if the young player is returning home) that there are safe arrangements for their collection at the other end. On no occasion should a young player who has been 'released' by a club be left to their own devices.

#### **RECOMMENDATION 58**

The SFA in partnership with Clubs should conduct a full review of the arrangements for young players (U18) visiting or coming to reside in Scotland for trials or to play. This is with a view to ensuring consistency and compliance across Scottish Football including transport, chaperone, accommodation, support, integration etc. Where such players are to return to their country of origin, an exit strategy focused on their wellbeing and support should be put in place with the responsibility placed on the host club to implement this.

#### **RECOMMENDATION 59**

The Scottish FA in partnership with clubs should conduct a full review of recruitment, designation, training, and support of 'host families' for young players, ensuring consistency and compliance across Scottish Football.

#### **Football Scouts**

4.64 According to some personal accounts received by the Review the role of scouts emerged as a key area of concern. The Review found that there had been considerable improvement in how football scouts are recruited and organised since the time of the alleged events considered by the Review. At that time the role of football scouts, it seems, could just be assumed by anyone with

connections and wishing to engage with the process of identifying new talent and young players and broker their introduction to clubs.

4.65 Direct access to young players was virtually unmonitored and equally they would commonly also contact parents and establish relationships. Very often they carried with them a degree of credibility for no other reason that they claimed to be or were 'well connected' and had some sense of what potential in a young player looked like. It seems that parents readily put their trust in people who were often relative strangers and young people were exposed to risk of abuse or abuse.

4.66 The Review would positively view a move towards registration of scouts by the Governing Body even when individual clubs are responsible for their work, output, and deployment.

4.67 Any features of the scouting role and activity which are 'independent' and therefore not subject to scrutiny need to be reined in. Additionally, the Review believes that the role of club scout should be standardised and subject to a clear complaints procedure consistent across Scottish football. Similarly, the Review urges all clubs to adopt a clear and consistent practice of accreditation of scouts.

#### **RECOMMENDATION 60**

The Scottish FA along with clubs should identify best practice for the recruitment, management and monitoring of football scouts to be agreed and implemented across Scottish football. This should be with a view to developing a standardised protocol governing the activities of scouts including a conduct and complaints/disciplinary procedure. Football scouts should be subject to consistent accreditation and their identities published on club websites so that other clubs and parents can readily check their credentials. Similarly, they should always carry identification from their club which verifies their role.

#### **RECOMMENDATION 61**

The Review understands that it is common across clubs for scouts to be prohibited from having direct and unsupervised contact with young players. The Review recommends that this requirement is made standard across Scottish football and protocols devised and put in place accordingly.

#### **Intermediaries**

4.68 In the personal accounts provided to the Review the role of the intermediary (the football agent) was not a noticeable feature. However, in discussions with stakeholders in football this was frequently referred to as an area of potential risk which requires attention.

4.69 The Review has received and considered a range of information concerning the role and function of intermediaries with young players including concerns about the possibilities of abuse and exploitation. The Review takes these concerns very seriously. The Review has consulted with players organisations as well as with ex-professional footballers themselves who started in youth football and represented by agents in their transition to the professional game. Our main area of concern is the possibility that such a role might be able to be accessed relatively easily by someone who may pose a risk and that without effective and consistent due diligence they may be able to enter into relationships with young players which become abusive or exploitative.

4.70 Given the nature of modern football in Scotland the Review shares the views of others that it is difficult to see a case for young players actually needing the ‘services’ of an intermediary. The general view of those who have contributed to the Review is that young players on a trajectory to elite level football and the professional game do not require this kind of representation but their needs are confined mainly to financial advice which can be given without the representation of an intermediary.

4.71 The Review concludes that intermediaries should not engage with or represent young players under age 18 years. The PFA along with the Scottish FA should look at how good independent financial advice can be made available to young players under age 18 and their families without the need for intermediary representation.

4.72 Football intermediaries (formerly ‘agents’) were regulated by FIFA until 2015 when de-regulation came into force. As it stands the national SGB’s are left to decide if and how intermediaries should be regulated domestically. Some have chosen to implement basic requirements such as registration, a registration fee, and background checks.

4.73 The Independent Review understands that some in football in Scotland would view re-regulation as bureaucratic and cumbersome. From a safeguarding point of view however the Review is of the opinion that minimum requirements should be introduced in order to monitor and regulate the activities of intermediaries (whether or not they are allowed to represent young players).

#### **RECOMMENDATION 62**

It is recommended that a joint review should be conducted between the Scottish FA, the PFA and other relevant parties of the role of intermediaries in relation to young players with a view to agreeing and putting in place a system of regulation to satisfy proper safeguarding standards. Serious consideration should also be given to the appropriateness of intermediaries representing young players.

The Review recommends that minimum requirements for football intermediaries operating in Scotland be introduced in any case. These should include a system of registration, PVG checks and a code of conduct.

Should intermediaries be permitted to continue to represent under-18 players the Scottish FA in relation to mandatory PVG checks should enter into discussion with Disclosure Scotland with a view to making this possible through changes to the definition of ‘regulated work’.

The view of the Review overall is that, as far as we have been able to determine, there appears to be little justification for intermediaries to represent players under the age of 18 at all.

#### **Workplace practices, facilities and spaces**

4.74 The Review has heard a wide range of concerns about the security and management of spaces and how this has been an important aspect in respect of the prevention of sexual abuse in Scottish football.

4.75 The Review accepts that much work has been done to properly monitor and regulate this including the use of vehicles for transporting young players; the general prohibition of visits by young players to private homes of adults; adults’ presence in changing facilities and showers; etc.

4.76 However, the issue of the management of 'spaces' and situational prevention has been a concern which the Review believes requires further attention.

4.77 The Review has heard of circumstances where parents have had ease of access to training facilities leased by local clubs where it was possible to enter the facility, go past the changing rooms to meet their child but do so unchallenged or not interrupted by anyone.

4.78 The Review appreciates that for grassroots football particularly, the monitoring and management of premises and facilities which are leased and do not belong to the club presents a challenge.

4.79 The Review finds that there is considerable benefit in understanding and applying the principles of 'situational prevention' across Scottish football which looks at a range of environmental factors which need to be taken into account to prevent opportunities for child sexual abuse and to reduce risk. This is particularly the case, for Scottish football, in relation to preventing opportunity for sexual abuse and reducing risk in both public settings and in 'institutional' settings.

#### **RECOMMENDATION 63**

The Scottish FA should conduct a review of arrangements and protocols concerning clubs use of local premises or leasing from other bodies such as Local Authorities; private or community facilities. This should determine security arrangements to protect young players as well as clarifying responsibilities and accountability for risks. This should be with a view to producing a simple framework for assessing risk prior to leasing or usage of non-club, third-party premises/facilities.

#### **RECOMMENDATION 64**

The Review recognises the improvements to the security arrangements of buildings and pavilions across Scottish Football. We also recognise the difficulties faced, particularly in grassroots football, in monitoring and staffing all premises at all times in a way that guarantees proper ratios and supervision of spaces.

The Independent Review recommends that the Scottish FA and clubs jointly develop a framework for 'situational prevention' of sexual abuse in Scottish football. This should include a review of arrangements for premises access, adult and young person ratios, security safeguards, safe working practices etc. towards the improved management of safe spaces and environments in football where young people are involved.

#### **Planning fixtures, matches, tournaments and events**

4.80 To ensure that the assessment of situational and environmental risk is applied to considerations of the protection and reduction of risks for all young people in Scottish football (not just young players) the Review concludes that full consideration of risks and the protection of young people should also be prominent in the organisation of any event including tournaments and matches. This also means fixtures across Scottish football where security plans or briefing are put in place on a match by match basis.

**RECOMMENDATION 65**

Safeguarding responsibilities and actions concerning the protection of young people and the reduction of risk should be addressed in security contracting agreements and in pre-match briefings.

**Communication**

4.81 The Review has considered the range of ways in which Scottish football communicates its purpose, arrangements, obligations and structures in relation to the protection of young people and the reduction of risk. While some progress has been made in this, the picture is uneven and inconsistent.

4.82 The Review has considered key documentation such as club safeguarding handbooks where the content can be out of date, inaccurate or just plain wrong. All serious errors have been brought to the attention of the club concerned.

4.83 However, it is evident that a number of basic things need to still be put in place and sustained so that communication by clubs remains relevant and current.

**RECOMMENDATION 66**

Safeguarding policies/procedures should be accessible and presented in a way that is appealing and available in a variety of formats for immediate access and display. The Scottish FA and Clubs where possible should consider the use of apps and other platforms to host relevant information for users, staff and the general public.

**RECOMMENDATION 67**

Detailed attention should be given by the Scottish FA and clubs to website content to ensure that all safeguarding information and material is current, prominent, clear, accessible and easily navigated. This should also include a visual representation of accountability within club structures (such as a simple organogram).

4.84 The sheer number of documents, policies and procedures is an issue. The Review recognises that, at some point, all of these have been considered necessary and much effort has been put in place to develop these and put them in place. But the efficacy of and need for policies and procedures lies in their quality and ease of use and not in the quantity that is produced.

4.85 Where there is an abundance of documents and policies it is easy for people to become overwhelmed and confused as to which iteration is current or how each relates to the other. To adequately protect young people and reduce risk it is vital that policies and procedures are accessible, usable and current. They also need to be codified, simplified and streamlined.

**RECOMMENDATION 68**

There is a superfluity of material and documents on safeguarding across Scottish football - this is often/sometimes confusing, duplicative and contradictory. Individuals and Clubs therefore become confused about accountability and responsibilities.

The Scottish FA together with clubs should take measures to ensure that all policies, documentation, procedures and protocols are properly codified and simplified to ensure accessibility and ease of understanding and use across all organisations and clubs. Extraneous and obsolete information, policy and guidance should be removed and one simple, straightforward suite of safeguarding information and policies provided. A continuous common updating process should also be put in place.

### **Information sharing**

4.86 The Review finds that one of the major barriers to the effective protection of young people and the reduction of risk was that information was not effectively shared by those with either knowledge or suspicion about situations of possible risk or persons of concern.

4.87 Current processes for sharing such information within Scottish football and between constituent parts is set out in a protocol on information sharing. The Review is encouraged that this protocol is in place, however considers that the protocol does not deal adequately with the storage and retention of information including clear statements about who is responsible for these actions. Confidentiality and secure storage are concerns which need to be addressed and clarified.

#### **RECOMMENDATION 69**

The protocol for information sharing between the constituent parts of Scottish football and the Scottish FA requires further refinement and clarification so that it provides an effective, accountable and proportionate way of dealing with safeguarding matters and concerns. This must include provision of secure and confidential processes and systems for transmitting and storing information.

4.88 The flow of relevant information within Scottish football is a vital area for improvement. However, the Review finds that there is a need to put in place and sustain good processes for sharing information *between sports* since both some athletes and some adults (including those about whom concerns may have been raised) may be active in more than one sport.

#### **RECOMMENDATION 70**

The Scottish FA should review arrangements for sharing of information between sports. This should be done in consultation with sportscotland with a view to putting in place improved mechanisms which fully take account of the role of Disclosure Scotland and Listing/Barring processes.

### **Responding to complaints**

4.89 The Review considered some input from parents and others who had cause to submit complaints concerning issues in relation to the treatment of young players particularly in youth football.

4.90 It seems that the process for managing these complaints, from the complainer's viewpoint, was far from objective and parents were sometimes left feeling that they had been treated discourteously, unfairly and without due transparency.

4.91 In considering their possible next steps some gave up because effectively they would be making a complaint to the person who dealt with their original grievance about that same person. This is not a transparent or appropriate way of dealing with and remedying grievances particularly those involving young people.

4.92 The Review has noted there are differing processes across Scottish football in how complaints about the handling of safeguarding issues are managed. Under no circumstances should anyone be in a position where they deal with a complaint made against themselves.

#### **RECOMMENDATION 71**

It is recommended that the Scottish FA and its affiliate members and clubs review all processes for the handling and management of complaints where these are about the way safeguarding matters have been dealt with a view to ensuring that an effective, transparent and consistent complaints process is put in place within all clubs/organisations. This should also address how a complaint is to be progressed if it is related to anyone who might ordinarily be charged with the responsibility to deal with the complaint.

#### **Club licensing and compliance**

4.93 The Review understand that compliance is a key issue in achieving and sustaining the best possible standards to protect young people and reduce risk in Scottish football. But compliance is only a means to an end. That 'end' must entail the complete and permanent embedding of safeguarding values, thinking and practice across the Scottish game and particularly in football clubs.

4.94 As the Minimum Operating Requirements eventually were met within the Scottish FA it became evident that safeguarding should also form an important part of the compliance and licensing regime for football clubs. These often centre around the presence, quality and application of safeguarding policies and processes at club level.

4.95 The process and conditions of club licensing have been examined by the Review especially with regard to protecting young people and reducing risk. There is a varied picture but the Review is encouraged that safeguarding is considered an important aspect of football club 'fitness', effectiveness, and delivery and that criteria for assessing this in licensing processes are in place.

4.96 However, the Review finds that the level of criteria in respect of safeguarding for club licensing purposes is too low. The presence of policies is not an accurate indicator of a club's capacity to effectively protect young people or reduce risk. The *content* of policies is crucial since these have to be accessible, understandable, relevant, current and applicable

4.97 The criteria for licensing also have to be underpinned by Codes of Conduct for all staff and volunteers that are fit for purpose from a safeguarding point of view.

4.98 The Review notes that licensing staff are not adequately equipped to assess these issues since they have little or no training in relation to risk reduction and safeguarding.

4.99 The relationship between the Children and Young People's Protection and Wellbeing staff at the Scottish FA and the licensing team is crucial since they need to work in close partnership to take this forward.

**RECOMMENDATION 72**

The Review recommends that the level of criteria for safeguarding by clubs in relation to club licensing should be raised.

**RECOMMENDATION 73**

Licensing staff at the Scottish FA should be trained in safeguarding proportionate to their needs as identified in the Safeguarding Training Pathway (see Recommendation 28).

**RECOMMENDATION 74**

In the conduct of club licensing processes and examining club's compliance and 'fitness' to meet required standards, licensing staff at the Scottish FA should engage and utilise the expertise of SFA safeguarding staff to assess /agree compliance of clubs for licensing purposes. Similarly, mutual support and advice should be provided in the conduct of safeguarding auditing functions.

**RECOMMENDATION 75**

The Licensing Committee should receive appropriate training and ongoing information on safeguarding to ensure its decision-making is proportionate, informed and effective. Their training needs should also be identified and proportionately met through the Safeguarding Training and Development Pathway (See Recommendation 28).

**Human Resources and records**

4.100 It was a matter of concern and inconvenience to the Review that no documentation relevant to the cases of non-recent sexual abuse which were considered by the Review were available from the clubs concerned.

4.101 Every relevant club confirmed in writing that it either did not hold or could not trace/retrieve a range of documented records which could confirm that certain people were employed or engaged by the club at the time; dates when they were employed or engaged at the club; how key decisions were made; allegations, complaints or relevant information said to have been submitted to the club; reports that the club was said to have made to the authorities; etc.

4.102 Whilst records concerning individuals are subject to Data Protection requirements and employment records are also governed by statutory conditions, it is a matter of concern that key information is not subject to proper and proportionate retention policies that make sense for safeguarding. The Review has been told that employment records are normally destroyed according to the regulations which apply to PAYE. There appears to be little consistency in relation to volunteer records.

4.103 The Review accepts that records in respect of allegations and concerns which arise in Scottish football are now subject to protocols for recording and information gathering. However, there is need for clarification and strengthening of arrangements and processes for the retention of records for future safeguarding issues.

**RECOMMENDATION 76**

The Scottish FA should undertake (along with relevant parties) a full review of record retention policies and practices across Clubs/ANAs/SFA with a view to ensuring that this is commensurate with the needs and requirements of cases arising concerning alleged non-recent abuse and compliance with current legislation on data-protection and record retention. This should apply to all records including, but not exclusively, employee and volunteer records.

4.104 The Independent Review appreciates the importance of good human resource management and practice in relation to the safeguarding of young people and the reduction of risk. In the past safeguarding responsibilities were usually discharged by human resource managers within senior professional clubs. In some clubs, this is still the case. The Review questions the appropriateness of this arrangement since HR staff do not have the necessary training, experience or expertise required to undertake these functions.

4.105 The Review appreciates the continuing importance of HR functions in relation to protecting young people in football and reducing risk within clubs and organisations.

**RECOMMENDATION 77**

In improving processes and structures for safeguarding young people and reducing risk the Scottish FA, clubs and organisations should pay due regard to the interface between safeguarding practice and delivery and the functions and responsibilities of Human Resources leading to improving accessibility and communication between these two functions within organisations and clubs.

**RECOMMENDATION 78**

In responding to and considering cases of 'non-recent' alleged or suspected sexual abuse, the role of HR directors in collating relevant information is critical - particularly past employment/volunteer records; financial and payroll records etc.

The Scottish FA and clubs should review and improve HR processes and ensure that these are fit for purpose. Safeguarding training or development issues for HR Personnel should be properly assessed and their needs addressed through their inclusion in the Safeguarding Training and Development Pathway (see Recommendation 28).

**Coaching**

4.106 The Review recognises the significant improvements in coaching training, quality, methods, and philosophy in recent years across all sports. In football, these changes continue to have a positive impact.

4.107 During the period of concern addressed by the Review Team, coaching of young players was a very different picture. The Review heard numerous accounts of excessive practices, bullying and harassment of young people as part of an accepted coaching regime at the time. Indeed, the Review also heard accounts of how this was reproduced in the adult professional game too.

4.108 The previous coaching culture determined that force and command was used as a tool to instil physical discipline and stamina and that the young player should expect to endure harsh physical

training which took little account of their physical or mental wellbeing but was solely focussed on competitive success at all costs.

4.109 However, this coaching culture also represented a more general cultural imperative in Scottish football – that young players were seen and treated as ‘assets’ rather than as young people. The competitive drive for club success was fuelled by reputational glory and commercial value to the exclusion of pretty much everything else.

4.110 But it is easy to see how this approach might be used to disguise abusive intentions or behaviour and, indeed, this was the case in the personal accounts provided to the Independent Review. Under the guise of harsh uncompromising coaching young players were apparently dehumanised and stripped of almost all capacity to refuse consent or cooperation.

4.111 A more ‘sympathetic’ coaching approach however was, for others, manifested through favouritism and preferential treatment which included constant affirmation and being rewarded by material purchases and gifts. This now clearly could be construed as an aspect of ‘grooming’ which may lead to sexual abuse and sexual assault.

4.112 The Review has been impressed by the improvements not only in coaching practice but the requirements in place to recruit, support, monitor and regulate coaches in the delivery of their work.

4.113 A coaching relationship with an athlete is perhaps a unique one. It is predicated on the trust, confidence and reliance of the athlete in the coach in a way unlike any other relationship perhaps with the exception of parenting. It is, above all, a relationship constructed on a fundamental power differential between coach and athlete.

4.114 The prerequisites of good coaching are that the young athlete is in ‘safe hands’ and can trust the coach with their body, their interests, their success and their wellbeing.

4.115 In today’s sports coaching, it is understood that communication is at the heart of helping the young athlete achieve their goals. Mentoring is a key method which comprises patience, dedication, example, stewardship, support, solidarity and protection.

4.116 The Review considers transformational coaching to be the right way to help young athletes learn, improve and develop using this platform to nurture and transform young people.

4.117 The Review is encouraged that some clubs have already engaged with Positive Coaching Scotland to develop a positive coaching environment for young people.

4.118 The Review is aware that, in some respects, coaching in Scottish football is still in a process of transition.

4.119 The Independent Review believes that now is the time for Scottish football to articulate in a coherent and decisive way the underlying ethics and principles of the coaching it expects and to recruit and develop coaches who are committed to these principles and who are able to integrate these into their coaching practice with an acceptable level of skill and ability to best enable young players. This should also be reflected in coach recruitment and in all public facing statements about how young players will learn and be treated.

#### **RECOMMENDATION 79**

A standard role/person specification for coaches engaged in coaching players under the age of 18 should be developed and put in place.

**RECOMMENDATION 80**

An agreed Ethical Framework for coaching activity with under 18s in Scottish football should be developed and put in place and this should form the basis for the coach Code of Conduct.

4.120 The Review found that the recruitment of coaches was a variable issue across Scottish football. For many grassroots football clubs, coaches are often sought out through word of mouth. This is often seen as not only the most efficient way of identifying coaches but also the most effective (and economical). The Review fully understand that the needs of grassroots football clubs vary considerably and, in some cases, there isn't a lot to choose from when a coaching role is created or becomes vacant. Since football can be a small family (with a big reach) putting out 'feelers' and spreading the vacancy by word of mouth is not only less expensive but also sometimes the best way of attracting potential coaches with a good track record. We are also well aware that in grassroots football coaches are more often than not 'specialist' volunteers. Their contribution to the sport (when coaching practice is safe and of good quality) is immense. However, the Review also must reflect on whether this is entirely squared with the protection of young people and the reduction of risk. In most cases, the coaches will be parents of one or more players in the team.

**RECOMMENDATION 81**

The SFA with partners should review coach recruitment practices across all levels of Scottish football with a view to aligning these with safeguarding processes across the board. In reviewing, the Scottish FA should also take into account 'informal' identification and recruitment of coaches in order to develop a workable system for many grassroots clubs which should be more explicit, accountable and auditable.

**RECOMMENDATION 82**

Recruitment and appointment of coaches with young players should also include an 'assessment' of the values and attitudes of candidates in relation to children and young people and their diverse needs and based on the Ethical Framework (see Recommendation 80).

**RECOMMENDATION 83**

Coaching development programmes in Scottish football should be amended to ensure a focus on the needs, abilities, inclusion, potential, skill, knowledge, rights, and protection of children and young people participating in the game at every level. The training and development framework for coaches therefore should equip coaches to respond *holistically* to individual children and young people as well as groups and to ensure that they are effective in communicating with children and young people.

The conclusion of the Review is that effective mentoring, motivation and learning are predicated on this approach and not simply on the coaches footballing knowledge, skills or experience. The Review recommends that the SFA along with relevant constituents should review coach education to ensure that all programmes reflect this in both content and delivery.

4.121 The Review believes that the capacity for coaches to communicate effectively with young players and to support them is fundamental to their protection and the reduction of risk. Communication with young people is a core skill which is important to the technical aspects of coaching and vital to the broader responsibilities and obligations of coaches to young players.

4.122 Therefore, the Review believes that communication, as a core skill, should be assessed at entry/accreditation level and ongoing in re-accreditation. It should also feature within development programmes for coaches. The Review thinks that innovative and effective means to assess communication and behaviour in coaching should be put in place so that coaching practice can continuously improve and young people become more fully respected and protected.

**RECOMMENDATION 84**

Coach education and assessment should also assess how coaches/trainee coaches interact and communicate with young players as part of periodic or ongoing accreditation.

**RECOMMENDATION 85**

Those with responsibility for coach education should explore the best ways of helping coaches communicate effectively with young players thereby improving their capacity to protect and safeguard them as well as develop them as individuals and as players. Consideration should be given to promoting and extending the use of body-worn camera equipment as a professional development tool for coaches with under-18s to monitor and improve their interactions with young players. The use of such technology should be subject to strict protocols and oversight.

4.123 In consideration of the personal accounts received by the Review questions arose about individuals who had been alleged to have sexually abused young people or about whom substantial concerns had been raised and therefore were considered a risk and were then required to leave the club as a result. Consequently, our residual questions concern the activities of the individual once they no longer were engaged by a football club.

4.124 The Review has become concerned that in such cases it may be possible for an individual to then move on to provide 'freelance' one-to-one coaching in the community.

4.125 The Review finds that there is a need to examine the arrangements for and extent of freelance coaching in Scotland and the need for regulation, compliance and monitoring.

4.126 The Review is aware that some ex-footballers also currently provide one-to-one coaching and tuition in communities. Such coaches are usually 'badged' but operating outwith the auspices of a football club or academy.

4.127 Nevertheless, the Review remains aware of the possibilities for abuses in freelance football coaching and believes that efforts should be made to set minimum standards for regulating this.

4.128 The Review also has some concern about the oversight of and arrangements for badged coaches who operate under the auspices of several clubs simultaneously.

#### **RECOMMENDATION 86**

The Scottish FA should conduct a full review of independent/freelance football coaching activity in Scotland with a view to developing a regime for proportionate regulation and monitoring including codes of conduct, compliance, coaching standards and PVG checks.

#### **Football Academies**

4.129 The creation and expansion of football academies attached to senior clubs has obvious benefits to both young aspiring players as well as the clubs.

4.130 Currently academies operate under the auspices of Club Academy Scotland (CAS) which is part of the structure of the Scottish FA. Academies develop players from age 11 to age 17 (this is due to rise to age 18 in the summer of 2018).

4.131 Project Brave reforms, endorsed by the Scottish FA in 2017, set out to improve the overall standard of footballing in Scotland with a view to enhancing the through-put of elite homegrown players in the domestic game as well as elevating the performance and successes of the national team. This entailed streamlining the football academy structure in Scotland. Through Project Brave clubs are assessed in relation to performance outcomes across a range of domains and as a result are grouped into three levels of academy performance/delivery: - Elite Level, Performance Progressive Level, and Performance Level.

4.132 It is the finding of the Independent Review that safeguarding of young players and the reduction of risk should have featured prominently within the arrangements and delivery of academies, the academy structure and the assessment regime.

4.133 The Review positively notes that some aspects of safeguarding are integrated into the six minimum criteria areas that all clubs must be compliant with in order to be awarded Performance Academy status. However, similar to our findings about club licensing, the Review concludes that these criteria (as they apply to safeguarding of young people and the reduction of risk) should be elevated. If this is implemented then evidence supporting these criteria should therefore be drilled down into more deeply during compliance audits in respect of the consideration of academy status.

4.134 For example, where there is a criterion for safeguarding policies to be in place this should be increased to assessing that the *content*, rather than the existence, of policies is compliant.

#### **RECOMMENDATION 87**

Safeguarding principles and practice should be a central and prominent aspect of club football academies and the academy structure in Scottish Football. The Review recommends that the level of criteria for safeguarding by club academies in relation to the awarding of performance/elite academy status should be raised.

#### **RECOMMENDATION 88**

CAS staff charged with the responsibility to conduct audits of academies or clubs applying for performance/elite academy status should receive proportionate training in safeguarding young people and reducing risk. Their training and development needs should be agreed in accord with the Safeguarding Training and Development Pathway (see Recommendation 28).

**RECOMMENDATION 89**

It is recommended that, in considering awarding club academy status, Club Academy Scotland will engage and utilise the expertise of Scottish FA safeguarding staff to assess /agree compliance of clubs.

4.135 The Review also considers it desirable that club academies involve young players in the decision-making processes of the Academy and take into account their views. A model of participation of young people should therefore be adopted across the academy structure.

**RECOMMENDATION 90**

All Football Academies should consider establishing a Young People Council or an equivalent mechanism to facilitate the participation of young people across club and academy delivery (not just concerning safeguarding issues) including peer support, mentoring, consultation, and any policy matter affecting them etc.

**Participation of children and young people**

4.136 The Review has placed considerable importance on engaging with young players to seek their views concerning their own experiences in Scottish football and contributing to the learning of the Review.

4.137 The Review was interested in current approaches in football to young players wellbeing and protection and therefore commissioned the Children's Parliament to facilitate two workshop sessions with young people at two different football academies in Scotland.

4.138 It was agreed that young players would be engaged in discussion about 'trust' and 'relationships' in Scottish football since these were key issues featuring in the personal accounts provided to the Review. A total of 31 boys and 3 girls took part in activities that helped them understand their rights and share their opinions about participation in football. The young players talked about what helps motivate them, makes it fun and helps them feel successful and safe. They also discussed what they would like to change.

4.139 It is clear from the consultation that young people derive a lot of positives from their experience of playing football, feeling connected with others, developing discipline and being proud of representing their club are all important factors in building resilience for young people. Young players also identified that coaches are key to keeping them safe. However, it was confirmed through this consultation that young players can feel enormous pressure to do well.

4.140 The full Children's Parliament Report can be found in the Appendices to this report..

4.141 The value of this exercise was considerable and the Review finds that consultation with young players should be a widespread and continuing responsibility in shaping and delivering football in Scotland especially in respect of ensuring the wellbeing of young players and their protection.

## **RECOMMENDATION 91**

The Scottish FA and its constituents should undertake further and regular participation exercises with young players in partnership with the Scottish Children's Parliament so that their views and perspectives are embedded into all plans and measures to improve the safety and wellbeing of young footballers ongoing.

### **Consultation with supporters.**

4.142 Probably the largest constituency of interest in Scottish football are supporters themselves and the Review is aware of the increasing involvement and participation of supporters in the governance of Scottish football including associated community engagement legislative provision. Since the issue of sexual abuse in football (as a result of high levels of media interest and public concern) is critical to the reputation of the game and its public credibility the Review saw it as essential to invite supporters to provide their own views and suggestions. Through Supporters Direct Scotland an online survey was posted so that individual supporters could participate in the Review and their views obtained.

4.143 Supporters were most concerned about the training of staff and volunteers, followed by policies and procedures and disclosure checking. They indicated that they felt that young players are at greatest risk in youth football and at least risk in community football.

4.144 Most supporters said that they knew nothing of their own club's child protection policies or only a moderate amount.

4.145 Regarding what could be improved a number of supporters would like to see more transparency and spoke of various ways to publicise the club's child protection policies.

4.146 Some felt a public campaign might raise the profile of the issue and others felt that it was important that parents/carers are educated about policies and child protection issues.

4.147 Others felt that supporters should not require to be kept abreast of details about policy but that this should be implicit within the role of the Scottish Football Association as the governing body.

4.148 In terms of protecting young people in future some supporters commented that the structure of Scottish football hindered progress.

4.149 It is clear from the consultation that some supporters are concerned about child protection and the safety of young players.

4.150 The Review finds that Scottish Football also has a responsibility to those who attend matches to reassure them that their club is at the forefront of keeping young people safe and reducing risk. The Review suggests that clubs could extend their leadership to openly addressing issues such as child protection, mental health, homophobia etc.; in raising awareness among supporters' groups to encourage a climate of inclusion and respect as well as through their community outreach activities and programmes.

Further details of the consultation survey are contained in the Appendices to this report.

## **Services for people affected by sexual abuse in Scottish football**

4.151 The Review concludes that many people who have been personally and directly affected by sexual abuse in Scottish football in the past have still not come forward to either the investigating authorities or to the Review.

4.152 Furthermore, we have looked at the barriers and obstacles that exist which form a very serious consideration in deciding whether to come forward or not.

4.153 The Review acknowledges that many people will have experienced issues and challenges in other areas of their personal lives which are related to, if not directly attributable to, their experiences of sexual abuse. Some may have sought services to help with these issues but without identifying their past experiences or realising they might be related. These include possible mental health problems such as anxiety and depression; substance abuse and alcohol related problems; anger; violent behaviour; domestic abuse; gambling and other addictions; sexual dysfunctions etc.

4.154 Many others will not have sought out services to deal with difficulties because they fear that this may lead to a direct confrontation with the painful experiences of the past and simply have tried to deal with issues privately with varying degrees of success.

4.155 Some of those who have faced these issues and challenges will include people who have gone on to have successful careers in professional football and achieved a high degree of public profile and admiration as a result.

4.156 The Review is acutely aware of the responsibility this places on all of Scottish football to ensure that anyone who has experienced sexual abuse in the past under the auspices of football receives the right response now including access to a level of support and assistance which is right for them and which is able to effectively help them.

4.157 The Scottish FA, in response to allegations of non-recent sexual abuse, immediately put in place a 'pathway' for the needs of those coming forward to be assessed and met. The Review appreciates the efforts of the Scottish FA in doing so and the value of this to some individuals but also notes that for others this has not been clear or sustainable.

4.158 Given that the Review is convinced that many people who have been affected have not come forward we believe that the Scottish FA should ensure that a sustainable, clear, and deliverable pathway to access services and support should be developed and put in place so that in future anyone who decides to come forward can access the right sort of service promptly and easily. Recognising that some individuals require other kinds of support this should not be limited to 'psychological' help. The needs of those personally affected should not always be conflated with the need for psychological or counselling services.

4.159 For the Scottish FA this means that there needs to be a sustainable process for managing future allegations of non-recent sexual abuse effectively and professionally and that this needs to be carried out in a way which puts the person affected first. Whoever acts as first contact at the Scottish FA should have the confidence and expertise to deal with the person sympathetically, openly, and professionally and not just act as someone who receives and processes information.

4.160 The first point of contact for people contacting the Scottish FA is crucial. It is likely that the majority of people affected by sexual abuse in Scottish football do not have 'complex needs' but some do. The first point of contact therefore should be capable of understanding and responding to a range of need and experiences. A sensitive and clear-headed response is important so that

expectations are not created that cannot be met and callers are properly 'listened to' and their circumstances understood. It is also important for clear 'boundaries' to be kept so trust is maintained and the Scottish FA can be a positive and constructive help in enabling the individual to access the right services proportionate to their needs.

4.161 The Review accepts that such a capacity does not currently exist in the Scottish FA but advises that this be included in the restructuring of safeguarding services within the Scottish FA (see Recommendation 12). Indeed, where non-recent abuse has occurred through a football club the Scottish FA may wish to consider what contribution clubs might make to funding the capacity of the Scottish FA to provide a high quality and effective contact service for people who have experienced sexual abuse in football.

#### **RECOMMENDATION 92**

The Scottish FA should immediately review the arrangements in place for enabling access to services by people affected by sexual abuse in football with a view to developing a process for receiving and managing future allegations of non-recent sexual abuse in football centred on the needs of the individual as well as the proper processing of information and assessment of risk. This should include the right approach to confidentiality and the capacity to enable individuals to access the right services and exercise choice in doing so.

#### **RECOMMENDATION 93**

The Scottish FA should commission and retain a professional service to undertake assessment of the needs of those coming forward in future and thereafter, as required, to provide ongoing support and mental health programmes of help/care if these are appropriate and desired. The cost should be included in the reconsideration of investment and funding of safeguarding in football (See Recommendation 12). Indeed, this arrangement should extend beyond people affected by sexual abuse in football to anyone involved in the game who experiences difficulties with mental health. Where appropriate, this should be addressed and developed with relevant partners within and/or external to football such as the PFA and others.

4.162 The Review is of the view that the movement to bring these events and this aspect of the history of Scottish football should not be hidden from view. The need to openly address these issues within our most significant national cultural institution is clear and this Review should mark the first stage in this, and associated issues, being openly acknowledged and where shortcomings persist these should be remedied.

4.163 The Review remains determined to ensure that the experiences and sacrifices of those who have come forward are not lost but, instead, are openly understood as forming part of the history of football in our country. This may be an aspect of the legacy of the sport which many would want to play down or move on from but the Review is firmly of the view that lessons identified should lead to permanent positive change. The greatest memorial to the failures of the past is to ensure that such events are not repeated. This issue will be evident more substantially in the Final Report of the Independent Review when it is submitted and published.

4.164 However, the Review also finds that a more concrete response is required. To support people who have experienced sexual abuse in Scottish football is an emphatic and constructive testimonial to their experiences and a tangible way of making reparation. The Review concludes therefore that Scottish football should consider how this can best be done including consideration of the creation

of a fund which might underwrite support and assistance for those who have been personally affected by sexual abuse in Scottish football and indeed those in Scottish football who are experiencing other mental health challenges and issues. The Review sees no reason why this might not also be contributed to by commercial donation and sponsorship (see Recommendation 14).

#### **RECOMMENDATION 94**

The Independent Review recommends that the Scottish FA and clubs and organisations in Scottish football consider the establishment of a permanent testimonial to the experiences of and impact on those affected including consideration of the creation of a fund which might underwrite support and assistance for those who have been personally affected by sexual abuse in Scottish football and indeed those in Scottish football who are experiencing other mental health challenges and issues. The Review sees no reason why this might not also be contributed to or underwritten by commercial donation and sponsorship.

### **Sexual Abuse Prevention**

4.165 The Review notes that there is an absence of useful information and resources related to the prevention of child sexual abuse across Scottish football. Issues like PVG, noticing signs of concern in children and young people, and safe practices are often included but there is no substantial prevention framework in place. The emphasis is mainly on what steps should be taken *after* abuse has occurred (reactive) rather than on taking steps to prevent sexual abuse from happening in the first place (proactive). The Review takes the view that efforts should be made to refocus activity and resources within Scottish football to support a prevention approach rather than solely responding to concerns after the event.

4.166 As a whole therefore many of the recommendations contained in this Report are aimed at making prevention of abuse and reduction of risk more effective.

4.167 The Review believes that effective measures for the very early identification of risk are essential to prevent the occurrence of sexual abuse. One key component of this (although not the only one) is the need to understand what risky (potentially sexually harmful) behaviour might look like in adults or indeed young people themselves. The effective prevention of child sexual abuse is predicated on changing the way that adults think and behave so it is vital that everyone across football understands what problematic or risky behaviour 'looks like' if a 'bystander approach' is to be successful as a key strand in a prevention programme.

#### **RECOMMENDATION 95**

A range of clear and simple information and material on child sexual abuse prevention should be visible and included on the Scottish FA and club websites and across training and policies - this should include signs in adult behaviour that may indicate concern and how to respond to this, sources of help to change/make safe adult thinking and behaviour, actions that bystanders can take to intervene to prevent abuse from occurring, to reduce risk and to protect young people.

## 5. 0 CONCLUSION

5.1 This Interim Report has presented a wide range of recommendations for change based on extensive discussions with those within Scottish football and those who were formerly involved. The Review has also considered over 250 documents mostly policies and guidance as part of its deliberations. However, it has been the personal accounts received from individuals concerning their experiences in Scottish football when they were young people that have been the most significant factor in shaping and influencing the findings of the Independent Review.

5.2 It is important therefore that we emphasise again that the Independent review has concluded and this Interim report is provided only to allow the Scottish FA and the ANA's and clubs to progress work pending the publication of the Final report. The painstaking process of gathering information, discerning what has been learned and formulating findings and recommendations was complete before the Interim Report was written. Nevertheless, the Review absolutely recognises the urgency of improving the capacity of Scottish football to address the protection of young people and reducing risk as a priority and without delay. This is the reason why the Interim Report is submitted in an effort to permit and encourage those responsible for Scottish football to begin the process of change and improvement now and not delay until after current criminal proceedings are concluded.

5.3 Irrespective of the changes which may have been out into effect by the time that relevant criminal proceedings have reached a conclusion, the Final Report will still be released so that as much as possible of what we have learned is in the public domain especially concerning issues of accountability and responsibility.

5.4 Whilst the contents of the Interim Report are as comprehensive as possible to allow the maximum opportunity for improvement, we recognise that the findings and recommendations of this Report do not address newly emerging problems and issues nor can it predict what other challenges might arise or be identified going forward. We urge those within Scottish football also to consider this when planning whether and how to take these matters forward.

5.5 A process of continuous improvement is needed. It is the belief of the Review that this can only be undertaken with the right investment, resources and organisational support.

5.6 The Review recognises that the delivery of football in Scotland is a diverse activity involving many thousands of staff and volunteers. To initiate and monitor change and to ensure that outcomes are achieved is a complex and expansive task and the Review does not underestimate the challenge.

5.7 However, the Review believes that the protection of young people and the reduction of risk in football cannot be achieved by cutting corners or short-termism. The lessons of the past are clear (and will be clearer when the Final Report of the Independent Review is submitted). These indicate that the pace of change needs to accelerate but not at the expense of doing things properly.... that is putting the right improvements in place and measuring their impact.

5.8 For this to be effective the commitment of *everyone* in football, all organisations and clubs, all staff and volunteers, all players and participants, and all parents and supporters is a prerequisite.

5.9 The Review is acutely aware of the significant and serious sea-change that is required in the culture of Scottish football so that the protection of young people and reduction of risk are shared responsibilities and the entire football family acts as a source of support as well as a force for the prevention of abuse.

5.10 Between 97,000 and 100,000 young people participate in Scottish football. The sheer scale of the participation of children and young people alone places child protection and safeguarding at the very heart of football delivery. It is however concerning that this has not always been evident from the way that Scottish football does business. Indeed, it remains a concern that considerable effort still needs to be made to ensure that this situation is changed and that young people are afforded every possible protection in taking part in our national game.

5.11 The events of the past are only partly known and understood. We fully expect people to continue to come forward with accounts of abuse that has occurred in Scottish football in past years and hope that the likelihood of such experiences occurring has diminished significantly since then.

5.12 Despite considerable improvements in safeguarding arrangements in very recent years, the Independent Review remains unconvinced that Scottish football has addressed this satisfactorily. It is our view that, even currently, considerations within clubs and organisations do not always place the protection of young people as paramount but rather give precedence to the reputational interests and concerns of the club or organisation itself or individuals within it. This is as much a cultural issue as it is systemic and structural but one which urgently needs to be changed.

5.13 The Review has found that the role of the ‘bystander’ has been a critical factor in the experiences of young people in the past and has been a very significant consideration in their decision not to speak out at the time. The Review therefore finds that where there exists any level of ‘suspicion’ about the activities or behaviour of an individual this needs to be confronted effectively and not become the subject of innuendo or misplaced humour, not passively disregarded, minimised or trivialised. Disbelief, scepticism and personal ‘loyalty’ should not replace the need to be proactive to prevent sexual abuse. Everyone in the football workforce should have a keen understanding of what constitutes risk to young people and how to respond to prevent it.

5.14 The argument that wider public concern and knowledge of child sexual abuse at the time meant that understanding and actions were very different to those which would occur now does not, in the opinion of the Review, stand up. Irrespective of what was widely understood about child sexual abuse in the past there was, throughout that period, a clear understanding in society of what constituted a duty of care to young people. It is our finding that it is that this has, in the past, largely been missing from the considerations and actions of many within football.

5.15 In the early 2000’s Scottish football began to address some of the structural issues which might help to better deliver safeguarding for young players. The Review has found that these were often relatively random and mostly due to the right people being in the right place at the right time rather than any discernible strategy taking into account all of what needed to be done, how it should be done, when it should be done and how outcomes would be measured. The absence of a coherent and comprehensive Child Protection/Safeguarding Strategy in an area of provision with approaching 100,000 young participants is bewildering.

5.16 In the last 5 years the pace and quality of change in the capacity of Scottish football to protect young people has escalated and increased and the Independent Review is encouraged by this. Most of these changes have been due to external ‘drivers’ such as PVG legislation, Minimum Operating Standards for Sport, external audits and governmental priorities. Consequently, it remains the conclusion of the Review that change instead should be driven by a vision, a commitment and a resolve within football itself and not simply be ‘reactive’ to external pressure or mandate.

5.17 The consequences of not progressing with urgency and making/sustaining the right changes and improvements are now well understood. The price for not pursuing an explicit and collective

duty of care to young people in the past has not been borne by the institutions of football but by those who were personally affected .... young people with limited choices, little support, and few safeguards. This should be constantly kept in mind by those in Scottish football when considering the findings of the recommendations contained in this Interim Report and planning the way forward.

5.18 There is considerable individual commitment to the protection of children and young people and a lot of ideas for improvement across the Scottish game. Scottish football requires a structure and a culture capable of harnessing this. But the need for structural, systemic and cultural change runs deeper. It is the conclusion of the Review that the measures necessary to create an organisational and participation environment fully capable of properly protecting young people as well as preventing sexual abuse demand that accountability is clearly held and responsibility is consistently met and in which the protection of young people and the reduction of risk is a clear and genuine priority. These are not ancillary issues but ones which are central to the future of the game.

5.19 The Independent Review looks forward to Scottish football putting in place the right measures to ensure that the experiences of the past are not repeated in the game of today or the future. This is the most powerful and lasting tribute that can be made to those who have come forward .... those whose personal accounts have been the catalyst for this vital opportunity to learn lessons and decisively address potential solutions. This, above all, should shape a clear and solid commitment by Scottish football to the many tens of thousands of young people who participate in Scottish football, to their families, to supporters, to communities and to the wider Scottish public.

This Interim Report is submitted to the Chief Executive and Board of the Scottish Football Association in accordance with the Terms of Reference agreed.

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**June 15<sup>th</sup> 2018**