



Swimming NSW Forum

July 2020

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Swimming Australia

HANCOCK
PROSPECTING

PRINCIPAL PARTNER

SPORT
AUS



PARTNERS

Integrity in swimming

Our Policy Framework

Safe Sport and behavior



Safeguarding Children
Member Protection
Alcohol
Media and Social media

Anti-Doping



Anti-Doping
Supplements
Illicit Drugs

Race-fixing and corruption



Anti-Gambling and Race Fixing

Fun and enjoyment

Swimming Australia and its Member Associations are committed to providing children and young people with positive and nurturing experiences and will strive to ensure that our organisations, clubs and everyone involved will provide a safe environment for children and young people.



USA Gymnastics

On-line abuse

Redress

Grooming

Safeguarding

Historic child sex abuse

Royal Commission

Counselling

Survivors

2020

Sexual Abuse

Larry Nassar

Teachers, coaches, priests



Child Protection- How is this relevant to you?

- **30 complaints per year**
- **Range of complaints from bullying to criminal behaviour**
- **Some cases go to the criminal court**
- **Sex offender convictions**
- **Custodial sentence**

The new Safe Sport Framework

From 3 August 2020 there is a new SSF

Now two documents:

- 1. Safeguarding Children & Young People Policy**
- 2. Member Protection Policy**

Who does the SSF apply to?

EVERYONE INVOLVED IN SWIMMING

Persons in Positions of Authority:

- *“Persons in Positions of Authority includes everyone who holds a position of authority in our Sport, **whether paid or unpaid**, and includes, but is not limited to, all Swimming Australia and Club staff, coaches, officials and volunteers.”*

Participants:

- *“A Participant includes anyone who participates in a Swimming Body or Club service, event, activity or program, including people who **may not be a Member**.”*



Safeguarding Children & Young People Policy

- Provides **clear standards of behaviour**
- **Clarifies procedures** for dealing with complaints.
- Provides **advice, guidance and tools** for all people in our sport when dealing with incidents or complaints.
- Reflects **best practice in safeguarding children**

Language and tone of voice

DO

provide clear direction, boost their confidence, encourage or affirm them

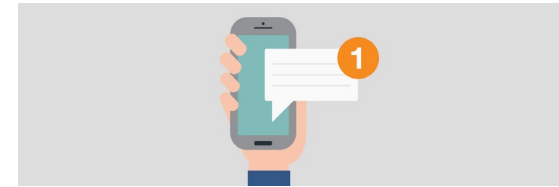
DON'T

- **use language that is intended to be, or is received by the individual as:**
 - discriminatory, racist or sexist
 - derogatory, belittling or negative, for example, by calling a Child or Young Person a 'loser' or telling them they are 'too fat'
 - threatening or frightening
 - profane or sexual.



Sending electronic communications to Children and Young People

should be copied to their parent or carer.



Where a parent or carer is not included in the communication:

- Restrict such communication to issues directly associated with delivering our services eg training has been cancelled
- do not communicate anything of a sexual nature.
- Do not promote unauthorised 'social' activity or to arrange unauthorised contact.
- Do not request a Child or Young Person to keep a communication a secret from their parents or carers.
- Do not communicate with Children or Young People using Internet chat rooms or similar forums such as social networking sites, game sites or instant messaging.

Physical contact with Children or Young People



- Any physical contact with Children or Young People must be appropriate to the delivery of Swimming Australia and its Clubs' services

- *eg fitting sporting equipment like goggles, and appropriately correcting technique.*

Physical contact with Children or Young People

- **Do NOT**
- Touch genitals, buttocks or the breast area
- **Do NOT make physical contact if**
- it has a sexual connotation
- is intended to cause pain eg corporal punishment
- is overly physical – eg wrestling, horseplay
- is unnecessary – eg assisting with toileting
- is initiated against the wishes of the Child or Young Person, except if such contact may be necessary to prevent injury





Transporting Children or Young People

Children or Young People are to be transported by Persons in Positions of Authority **only with prior authorisation from the Child or Young Person's parent/carer.**

- the form of transport proposed, such as private car, taxi, self-drive bus
- the reason for the journey
- the route to be followed, including any stops or side trips
- details of anyone who will be present during the journey other than Persons in Positions of Authority.

Overnight stays and sleeping arrangements

The *“Safe Trips Away Guide”* in the Safe Sport Resources section of the Swimming Australia Limited website provides further information

- The trip must be authorised by the Club and parent.

Standards include:

- Supervision
- Dress standards
- Sleeping arrangements



Change Room arrangements

A balance between supervising children & young people and the right to privacy

- Avoid one-to-one situations
- You cannot undress where children & young people are present unless you are also competing
- If only one change room then choose a different time to undress
- Use the change room of your gender



Sexual misconduct

Except to the extent permitted by law, under no circumstances is any form of 'sexual behaviour' to occur between, with, or in the presence of, Children or Young People participating in any Swimming Australia or Club environment.

- **'Sexual behaviour'**

- **'contact behaviour'**, such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a Child or Young Person through prostitution.
- **'non-contact behaviour'**, such as flirting between adults and Children or Young People, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

Grooming

- Giving gifts
- Asking for photos
- Social contact
- texting
- Becoming a friend



Grooming

“I was 15.

He asked me if I was wearing underwear.

I said no.

I’ll never forget the look on his face, it was almost mischievous as he was trying to gauge my response.

From that point on, everything was different....

We talked all the time. Post-race hugs that lasted just a little too long, coffee meetings outside of practice, and constant texting were the ways he made sure I relied on him for everything. He began by having me sit on his lap when we were alone, then progressed to kissing me in elevators, and touching me over my clothes. He once put a paper ring on my ring finger that read, “My beautiful Ari,” and told me he wanted to spend his life with me. He was 34. I was 16.

That was the year the relationship turned sexual...

Adhering to role boundaries

Many complaints originate here

- Except where **expressly and specifically authorised** by the relevant parents/carers of a Child or Young Person to act otherwise, Persons in Positions of Authority must not:
 - provide unauthorised transportation;
 - engage in activities with, or seek contact with, Children or Young People
 - accept an invitation to attend any private social function at the request of a Child or Young Person.



Member Protection Policy



There is a specific **General Code of Conduct** in the Member Protection Policy which sets out a required standard of conduct including:

- Refrain from any form of **abuse, harassment, discrimination, victimisation and bullying** towards others
- Be a positive role model
- Provide a safe, welcoming and inclusive environment
- Show concern, empathy and caution towards others
- Conduct yourself appropriately while using social media
- Do not engage in or advocate banned performance enhancing or illicit drugs

Incident / Allegation Type	Initial Contact / Referral
Allegations of Sexual Misconduct or Serious Criminal Conduct or complaints concerning the safeguarding of children & young people	Swimming Australia
State-related complaints or inter-club matters not involving Serious Criminal Conduct	State or Territory Swimming Association
General complaints related to adults in Swimming including Bullying, Harassment, dissatisfaction with Member Protection Policy -related decisions or interactions not involving Serious Criminal Conduct	Clubs, ASCTA or ASA

Process for dealing with a complaint

- Receive a formal complaint
- Investigate
- Confidential process
- Provide natural justice to the respondent
- CEO of Swimming Australia imposes penalty
- Right of appeal
- ASCTA provide legal assistance to coaches
- Counselling support



Penalties

- undertaking further education
- a verbal or written apology
- a written warning
- attend counselling
- demote the person to another location, role or activity
- suspension
- termination or other disciplinary action

Changes made to the new Safe Sport Framework

- There is a complaint procedure at the end of each document
- The resources referred to in the documents will be on our website
- There is a new disciplinary sanction which provides that a Disciplining Body may direct a Respondent to undertake appropriate training or education courses
- Provides for an incident categorisation hierarchy

- providing the complainant with a further opportunity to make submissions on sanction before the sanction is imposed by Swimming Australia
- made clear that where a child is interviewed as part of an investigation process their parent or guardian should be present during the investigation process
- the time to appeal a decision of Swimming Australia has been extended from 2 days to 7 days

Swimming Australia encourages all clubs and members throughout Australia to familiarise themselves with the new documents.

<https://www.swimming.org.au/integrity-policies-rules/safe-sport-framework>



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Thank you

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arena

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