



ENTERTAINMENT INDUSTRY GUIDE

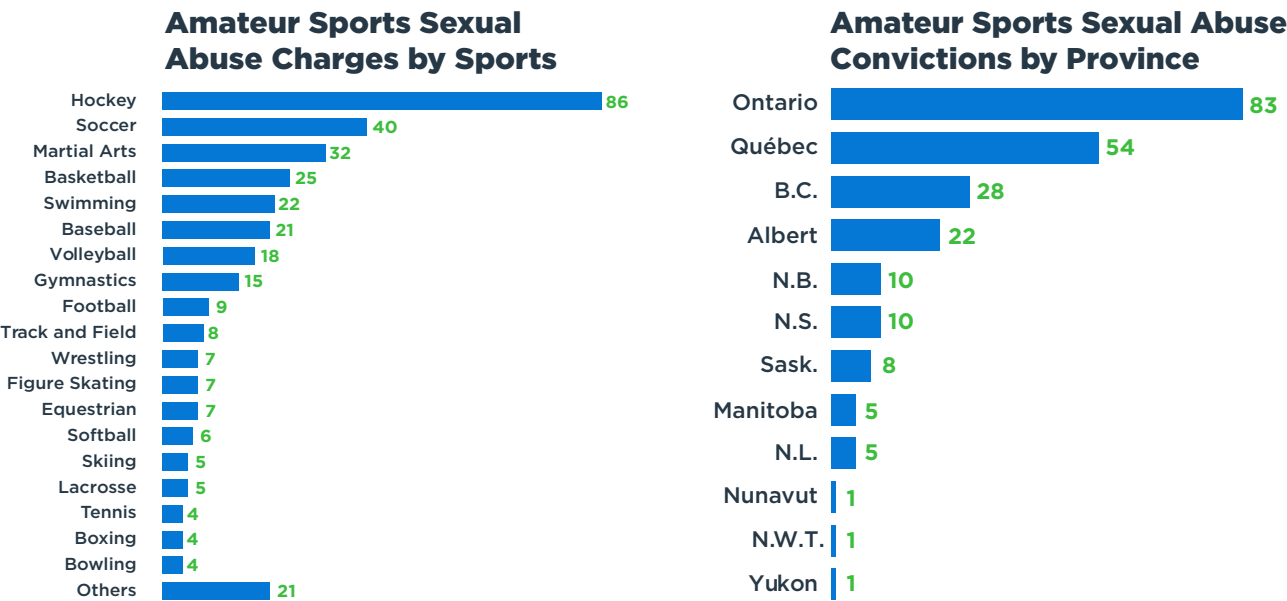
Countering Abuse Risks in Amateur Athletics

As revelations rise, regulations, insurance and preventative programs gain new prominence

It took over 20 years from the time the first accusations of abuse were lodged against Larry Nassar for him to be convicted of the sexual assault of minors and sentenced to up to 175 years in prison. During the years he was the USA Gymnastics national team doctor and osteopathic physician at Michigan State University, at least 322 young women were alleged to have been his victims.

The Nassar/USA Gymnastics sexual abuse scandal is among the most egregious in amateur athletics to surface in recent years. But it's not alone. Spurred by extensive media coverage of revelations of abuse by people in positions of trust and power and given a megaphone by the #MeToo movement, a growing number of abuse cases are being reported across the U.S. and Canada, in organizations of all sizes and team levels and every single sport.

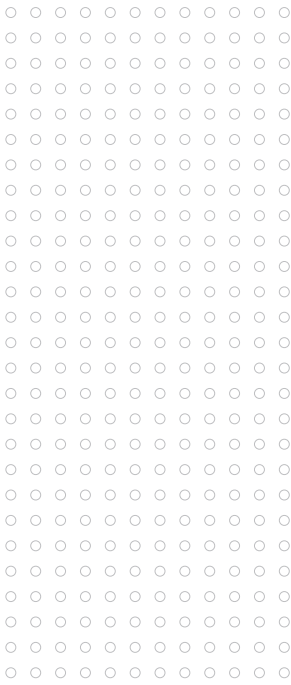
No comprehensive data for such offenses across U.S. amateur sports are available. However, in Canada, a joint investigation by CBC News and Sports uncovered abuse charges between 1998 to 2018 against 222 across a variety of sports – the most in hockey (86), followed by soccer (40) and martial arts (32). Experts believe this represents the tip of the iceberg - and that thousands of cases go unreported.¹



¹ <https://www.cbc.ca/sports/amateur-sports-coaches-sexual-offences-minors-1.5006609>

As other high-profile cases have dominated the headlines — from the abuses committed by Penn State’s assistant football coach Jerry Sandusky to former Canadian youth hockey coach Graham James — it has become obvious that abuse of young athletes is not a new risk. Nor is it one that has been guarded against effectively.

Clearly, change is long overdue. These cases and others have caused U.S. and Canadian national and provincial governments to enact a strict range of measures to help athletic groups avoid putting youths in situations where they could be compromised, and to report, monitor and safeguard against abusers. The complexity of the laws can make compliance a challenge, however, especially for smaller groups with fewer resources. In response, the insurance industry — insurers themselves, brokers and risk management firms — are devising solutions to help.



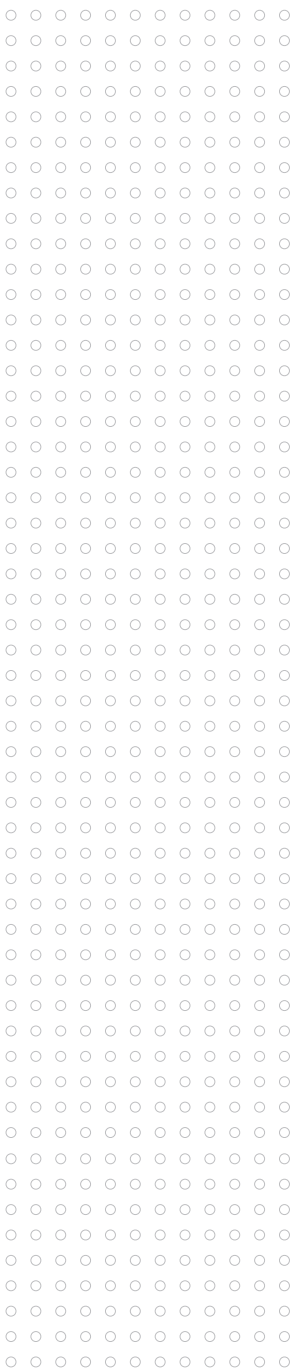
Today's Regulatory Landscape

Policymakers in both the U.S. and Canada have responded to growing revelations of player abuse in amateur sports by putting more teeth into their regulations:

- In the U.S., the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (or Safe Sport Act) makes it imperative to follow preventative “best practices.” Youth sports groups are required to have policies, procedures and training for child sex abuse prevention and response. It also established the U.S. Center for SafeSport to address the problem and develop a central database of all disciplinary cases across all amateur sports.
- Canada has both national and provincial policies aimed to prevent abuse of children. Effective in 2020, sports organizations that receive federal funding are mandated to have a sex abuse prevention policy in place and provide training to members. A third-party investigative unit was established by the government in 2019, available to national sports organizations.

Compliance is a challenge. On one hand, many major U.S. amateur sports organizations with national governing bodies have implemented comprehensive programs that are provided to their affiliates for compliance purposes. But smaller local groups (like those run by schools, camps and churches) don’t necessarily have such national affiliations or the financial wherewithal or expertise to develop programs to meet the new rules.

And in Canada, local sports clubs and associations are provided little guidance from their national governing bodies on how to work with rules and policies that vary from province to province.²

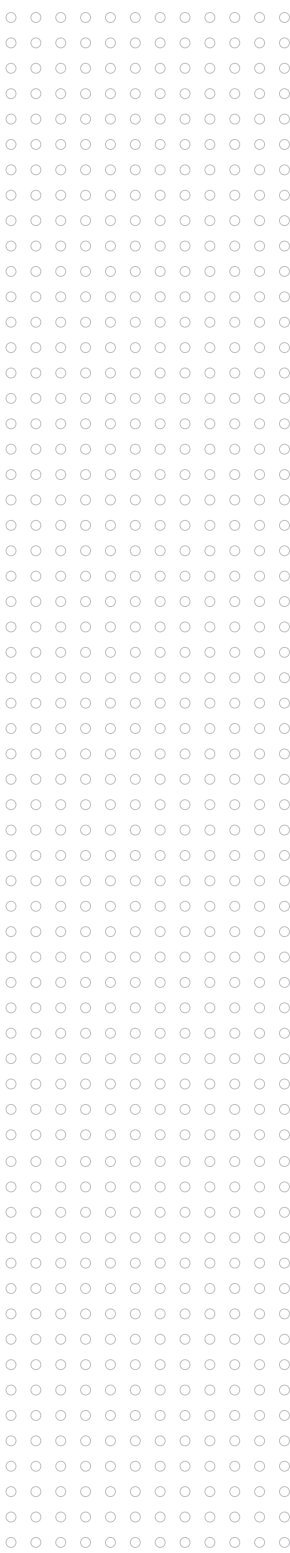


² <https://www.cbc.ca/sports/the-buzzer/the-buzzer-sexual-abuse-in-sports-1.5014821>

What a Sex Abuse Risk Management Plan Should Cover

The compliance starting point for amateur sports organizations in any location is a risk management plan. This must clearly articulate the policies and procedures that are in place to counter abuse and other forms of misconduct involving minors. All parties — youths, their parents, staff and volunteers — should be trained and made aware of the risks. Among the plan’s components:

- Specific types of sexual misconduct that are prohibited and among whom (as one-third of sex abuse cases are child peer-to-peer³) must be defined. Other forms of misconduct should also be covered, such as physical misconduct, bullying, or hazing. The types and circumstances for permissible physical contact should be described.
- Policies must outline acceptable procedures and protocols for handling digital communications, locker room use/privacy, and travel to and from competitions. Staff and chaperone responsibilities should be specified, whether for practice or competitions at home or away.
- Reporting protocols for sexual or physical abuse of a minor must be specified. The Safe Sports Act requires suspicions of any form of abuse to be reported to law enforcement within 24 hours. The organization’s board should be notified, as well. A response to misconduct or a policy violation that isn’t reportable to law enforcement also should be outlined, including specific sanctions to be applied to staff or participants as warranted by the situation.
- Any volunteer or staff member who might have access to youths must pass a background check that includes, at the minimum, records from national crime and sex registry databases. Subsequent checks should be conducted every one to three years. Criteria for disqualification can be customized – security consultants or local school boards can provide guidance.
- All staff and volunteers should be required to review the plan annually and agree to its guidelines and requirements. Training for minors on preventing and reporting abuse is required under the Safe Sport Act; it should also be a routine practice in Canada in provinces where it’s not specifically required.



³ https://www.stopitnow.org/sites/default/files/documents/files/do_children_sexually_abuse_other_children_0.pdf

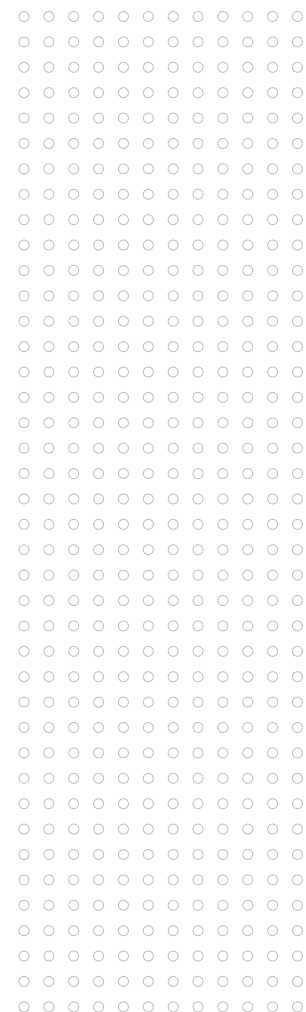
How the Insurance Marketplace Has Stepped Up

The insurance industry has also begun introducing various solutions to help amateur sports organizations achieve compliance with stricter laws, secure coverage and better manage abuse risks.

Some insurers are launching specific packages of comprehensive coverage for sexual abuse and molestation claims that are tailored to specific sports segments. Others are creating programs that respond to the pressure on smaller groups to comply with U.S. and Canadian regulations.

- A specialty insurer that also offers risk services offers a program of multi-line coverages for ice rinks and multi-sport complexes that includes general liability for sexual abuse and molestation.⁴
- One insurer in amateur sports launched a new program designed for eSports teams and events that includes commercial liability coverage for sexual abuse and molestation.⁵
- Another carrier has addressed compliance concerns among organizations without national governing bodies with a risk management plan⁶ for child abuse and other misconduct. It's designed to prevent occurrences and reduce liability potential and has been endorsed by American Youth Football and American Youth Cheer.

Other partnerships have formed to provide risk management services with innovative digital tools to help sports organizations prevent abuse, while also giving victimized athletes a discreet pathway to making reports.



⁴ <https://www.insurancejournal.com/services/newswire/2016/12/01/433437.htm>

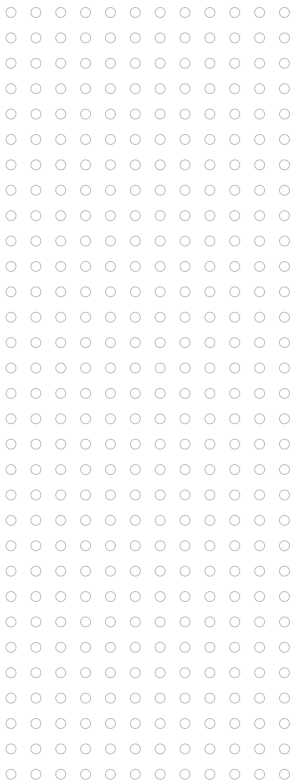
⁵ <https://www.insurancejournal.com/news/national/2018/04/23/487023.htm>

⁶ <https://abusepreventionsystems.com/phly/>

One solution has come from a partnership between HUB International's Sports and Entertainment practice and Player's Health, which specializes in risk management for amateur athletes and sports organizations. Together, they are providing the tools and resources support compliance and ensure a safe environment for young people in the U.S. and Canada.

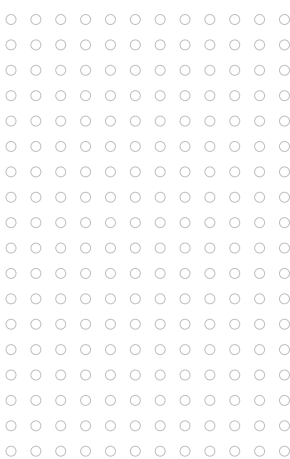
Player's Health's Circle of Care digital management platform allows users to quickly assess and provide guidance on the best care for the health and well-being of young athletes, including capabilities for background-check services, injury protocols, training session monitoring, and private, anonymous reporting of abuse and misconduct.

The need to facilitate a reporting pathway was underscored when Player's Health⁷ launched a phone app, Player's Health Protect, last year in the U.S. Within four months, it had gained 70,000 users, and 40 documented abuse incidents have been reported, with 35 of them actionable.⁸



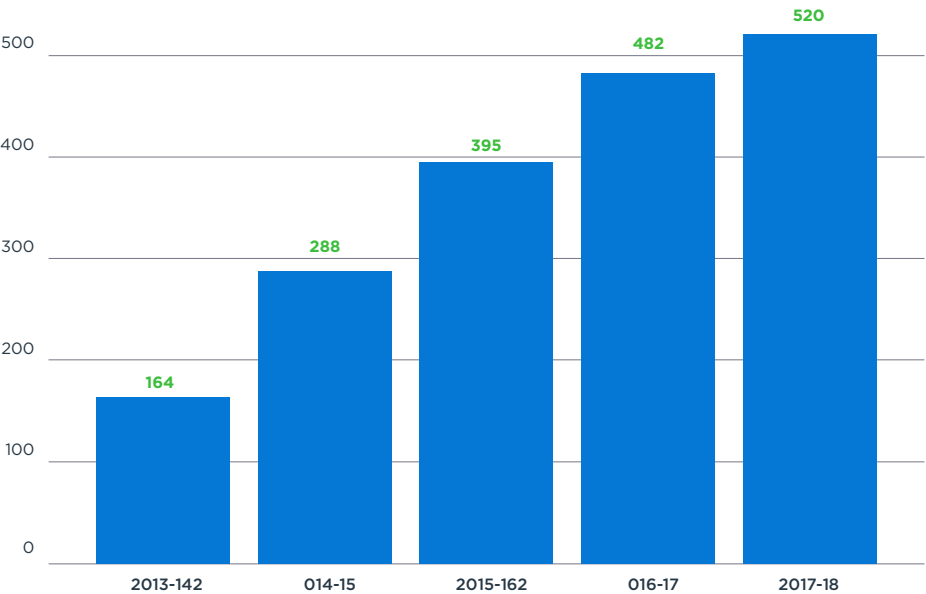
⁷ <https://finance.yahoo.com/news/hub-international-players-health-announce-120000301.html>
⁸ <https://www.peninsulanewsreview.com/news/new-app-provides-pathway-for-young-athletes-to-report-abuse/>

Preventative Measures Remain In Progress



It’s unlikely that sexual predators in amateur sports will ever be truly rooted out, any more than they will be in schools, scouting, the priesthood or other environments where positions of trust are too easy to violate. But the ultimate effect of today’s focus on the issue is to bring it out into the open, which has led to dramatic growth in reports of abuse and misconduct.⁹ It also makes the point that there’s still a long way to go before the abuse stops happening.

Number of Reports (U.S. data only)



⁹ Player’s Health

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