

CODE OF CONDUCT FOR THE PREVENTION AND HANDLING THE CASES OF ABUSE AND HARASSMENT FOR COACHES AND SUPPORT PERSONNEL

I GENERAL

There is no place for harassment or any form of abuse in sport. The cornerstone of Estonian sport is the agreement that everyone must have the opportunity to participate in an environment that respects human rights and follows the principles of fair play and other principles of sports ethics.¹ Nevertheless, we know that abuse and harassment can occur in sport, also covertly and without the public's knowledge of the fact. There are specific dangers in sport that may lead to children (up to 18 years old) and young people (up to 26 years old) becoming victims of abuse or harassment. The main risk factors for abuse in sport are more frequent physical contact, greater tolerance for pain and injury, authoritarian leaders and unequal power relations between athletes and coaches, shared changing rooms and showers, etc.

UN [Convention on the Rights of the Child](#) states:

- **Article 19: A child must be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse and other abuse. The child has the right to special protection and assistance from the family, society, local government and the state.**
- **Article 34: every child has the right to protection from all forms of sexual exploitation and sexual abuse.**

In sport, all parties must respect the personal space of athletes and other participants and must not in any way behave or tolerate inappropriate behaviour. Particular attention must be paid to children, as the adult is responsible for ensuring a safe training environment for the child, including the prevention of inappropriate behaviour. People working with children need to be aware of the [signs of abuse](#) and be [able to react to](#) cases and suspicion of abuse. Everyone is responsible for implementing this Code and takes responsibility for reporting violations of the rules of the Code of Conduct. The implementation of and compliance with the Code of Conduct is coordinated by the management board of the sports organisation.

II Definitions

Sports staff are any instructor, coach, manager, team assistant, official, medical professional, physiotherapist, masseur, judge or other person in a sports organisation.

A **coach** is a sports specialist who supervises athletes and other persons participating in sports and who has the professional qualification of a coach within the meaning of the Professions Act.²

¹ <https://eok.ee/organisatsioon/hea-juhtimistava>

A sports organisation shall ensure fair treatment based on rules and guidelines for all its active members, athletes and amateurs and shall preclude any form of discrimination, regardless of gender, age, nationality or special needs, among others.

² <https://www.treenerikutse.ee/>

A **child in need of assistance** is a child whose well-being is threatened or in the case of whom doubt has arisen concerning his or her abuse, neglect or any other situation violating the rights of the child

and a child whose behaviour threatens his or her well-being or the well-being of other persons (section 26 of the Child Protection Act). The Child Protection Act states that

all persons who have knowledge of a child in need of assistance are required to notify of the child in need of assistance to the local government or to child helpline service 116 111 (section 27 of the Child Protection Act).

A **child in danger** means a child who is in a situation which endangers his or her life or health and a child who endangers his or her life or health or that of the others through his or her behaviour (section 30 of the Child Protection Act). All persons who have knowledge of a child in danger shall be required to notify of the child in danger through the **emergency call number 112** (section 31 of the Child Protection Act).

Child abuse is any behaviour towards a child that degrades their physical and mental well-being, endangering their age-related development and health.³

Sexual abuse is the involvement of a child in any sexual activity with which they do not consent or the consent of which they do not understand, and which is committed by an adult or another child who is in a responsibility, trust or authority relations with the child in terms of age or level of development.⁴

- For example, a coach touches a child from inappropriate areas during training; training partners provoke others to perform sexually explicit acts (e.g. sexually explicit videos).
- **Sexual abuse is a crime and must be reported to the police.**⁵
- If a sexual relationship does not take place by mutual consent, **it is any case a criminal offence**, regardless of whether the relationship is between young people or people of a greater difference in age.

The age limit for sexual self-determination in Estonia is currently 14 years of age (punishable is to have sexual intercourse or engage in sexual acts with a person under the age of 14), but in **some cases the age limit is 18 years of age.**⁶ According to current law, engagement in sexual intercourse or commission of another act of sexual nature by an adult person with a person of

³ Kutsar, D. (toim). (2007). Lapse väärkohtlemine 2. Tartu: AS Atlex.

⁴ [Linno jt 2011: Juhendmaterjal perevägivalda vähendamiseks ja ennetamiseks.](#)

⁵ Cooperation between the state and sports organisations is critical for the detection, prosecution and prevention of crimes against children and other crimes, and the police should definitely be informed of possible crimes. Hereby, we recall that according to section 307 of the Penal Code, **failure to report commission by another person of a criminal offence in the first degree**

is punishable under criminal law. Criminal offences in the first degree are all criminal offences punishable by a maximum of more than five years' imprisonment or life imprisonment for a natural person. This includes, but is not limited to, contact sexual offences committed against minors.

⁶ The age limit is raised, i.e. to 18 years, in the case of sexual intercourse or commission of another act of a sexual nature (section 143² of the Penal Code) and in the case of some other criminal offences. For example, **it is a criminal offence to buy sex from minors or to handle works depicting minors in pornographic and/or erotic situations.**

less than eighteen years of age by **taking advantage of the dependency of the victim on the offender or with abuse of influence or confidence** (subsection 143 (2) of the Penal Code).

Physical abuse is the deliberate use of physical force that can cause the child minor, severe or life-threatening physical and psychological harm. In sport, physical abuse can occur, for example, in the following situations:

- the intensity of the training cycle exceeds the physical ability of the child;
- directing the child to compete despite an injury or support for this;
- the coach forces the child to do exercises despite risks to health.

Psychological abuse creates a state of stress that can cause severe or irreversible damage to a child's emotional development. In sport, psychological abuse can occur, for example, in the following situations:

- constant criticism, use of sarcasm and irony towards the athlete or the lack of feedback;
- insults, humiliation, detraction, mockery;
- ignoring and excluding the athlete;
- excessive pressure.

Neglect is the failure of a parent, caregiver and others (also the coach) to perform their obligation for the child's physical, mental, emotional and social development, which may impair the child's age-appropriate development and mental and physical health. Failure to ensure the safety of the child, including the child's dependence on an adult, includes leaving an athlete without food or drink, allowing inadequate rest and recovery, failure to provide a physically safe training environment, failure to use developmentally or physically suitable training methods, over-training and lack of avoiding of stress-related injuries, ignoring, lack of attention and lack of feedback, etc. Neglect also includes refusal of appropriate medical care and the non-use of sports safety equipment during training or competition.

Harassment is another person's unwanted behaviour that creates inconvenience, degrades the person being harassed or their dignity. Harassment can be sexual or gender-based.⁷

Abuse and harassment must be prevented and combated, as they have a variety of short- and long-term effects:

- decreased ability to concentrate;
- sleep disorders and insomnia;
- anxiety, depression, stress;
- low self-esteem or overconfidence;
- poor performance in training/competitions;
- negative impact on other club members and relatives;
- loss of confidence;
- problems in close relations;
- deterioration of the relationship between the athlete and the coach (or other sports staff);
- giving up sports;

⁷ <https://volinik.ee/mis-on-ahistamine/>

- negative impact on social life;
- feeling of guilty and shame and other psychological consequences.

III Preventive rules of conduct for sports staff

Abuse can often be an expression of abuse of power by the abuser. A coach is usually an authority and a trustee for the athlete. Unfortunately, this trust and one's position may be exploited, and unequal power relations may arise between the athlete and the coach. It is therefore vital that all adults who work with children and young people treat their work professionally and with respect, adhere to codes of conduct, take responsibility and maintain critical thinking. If abuse is seen as a bystander, it must be addressed. Abuse must be addressed as a problem of everyone, not just as a concern of an individual.

The following rules of conduct are aimed primarily at coaches, but these should be followed by all sports staff (e.g. doctor, physiotherapist), taking into account the specifics of the nature of the work.

1. Treat everyone with respect and refrain from conduct and actions that may be considered inappropriate or offensive. Respect the private life and privacy of others.
2. Avoid physical contact that may be considered inappropriate and/or undesirable.
3. Avoid verbal communication that has an offensive, ridiculing or sexual undertone.
4. Avoid inappropriate, negative jokes and/or jokes with a sexual undertone addressed to an athlete.
5. Avoid individual, isolated stay with athletes in a private space, unless a parent or other representative of the athlete is present.
 - An individual training session or other extracurricular activities outside of training should be discussed with the young athlete in advance and the parent should preferably be informed.
6. Avoid developing personal relationships and conflicts of roles outside the training environment (i.e. crossing the border of a coach-athlete relationship). If such a situation has arisen, the trustee of the sports organisation must be notified without delay. Further behaviour/action is decided according to the internal rules of the sports organisation.
7. In the event of an unintentional inappropriate comment or such conduct, apologise and explain what happened to ensure the other party's continued safety and well-being. Also inform the parent of the situation related to the child.
8. Under no circumstances may remuneration or other benefits be offered for the purpose of soliciting participation in an improper activity.

Both athletes and sports staff are jointly responsible for ensuring that the rules of conduct established within the sports organisation are followed. Parents, fans and other persons involved in a sports organisation should also recognise and follow the established rules. Sports staff must take responsibility and act as soon as breaches of the agreed code of conduct are noticed (see Part IV).

There is zero tolerance for all forms of discrimination, abuse and harassment in Estonian sport. The general rules of conduct for coaches are set out in the [Code of Ethics for Coaches](#), which also states:

- The coach must respect human rights - all trainees have equal rights, and they must not be discriminated against on the grounds of gender, race, sexual orientation, skin colour, language, religion, political or other views, national or social affiliation, being a part of a national minority, birth or other social status.
- The coach must respect the dignity of all trainees, recognise everyone's contribution and their right not to be verbally, physically or sexually harassed or exploited.
- A coach must behave in a correct manner and set an example for everyone.

What else can a sports organisation do to prevent child and youth abuse?

- Follow the restrictions for working with children in accordance with the Child Protection Act (section 20 of the Child Protection Act).
- Agree on trustees⁸ to whom children, parents and employees can turn if they suspect abuse. In the absence of a trustee, introduce other support services such as the child helpline service 116 111 and the emergency number 112.
- Organise yourself or allow coaches and others to participate in trainings on child protection, child development and well-being and prevention of abuse. To order a thematic training, contact us at info@antidoping.ee.
- Be aware of the possibilities where to turn in case of suspected child abuse, who to consult and where to ask for advice.
- Distribute prevention materials within the organisation, also to coaches, children and young people as well as parents, and keep information about options for getting help (e.g. contact number of the trustee, child helpline service 116 111 and victim support crisis line 116 006) visible.

The sports organisation should establish more detailed **day-to-day communication and conduct guidelines** for the sports organisation based on this Code and the specificities of the sport.⁹

IV Rules of conduct for solving cases

1. Helpful instructions for children and young people

Have you experienced abuse and/or harassment in sports or do you know anyone who has experienced it?

- Tell an adult you can trust of this.
 - Telling someone about harassment or abuse helps to stop such an activity. It is very important to speak boldly so that the abuser could not continue the activity and that the number of victims would not increase.
 - The victim of abuse is never to blame.
- If you have been abused, contact the police, child support or victim support.
 - Telephone numbers: emergency service - 112, child support helpline - 116 111, victim support helpline - 116 006.

⁸ The trustee should be as independent as possible from the management and day-to-day work of the sports organisation.

⁹ Examples of possible agreements: coaches and other sports staff are not allowed to consume alcohol with athletes (trips, competitions, camps, etc.); minor athletes are not to be accommodated in the same room as the coach or other sports staff; the coach should not conduct individual discussions with minor athletes in a separate room (discussions should be attended by at least two adults); see also the guidelines of the Ministry of Justice [for sports clubs and institutions to prevent abuse and harassment](#)

- You can also notify the police in writing using the [application form](#) or by writing an e-mail to: ppa@politsei.ee. You can also report the crime to [the nearest police station](#). If you have experienced sexual harassment or abuse, call the police on 112. In case of sexual violence that has occurred less than 8 days ago, contact the [Sexual Violence Crisis Centre \(SVCC\)](#).
- You can also notify child support using the chat window at www.lasteabi.ee or by writing directly to info@lasteabi.ee. You can write to victim support in the web chat at www.palunabi.ee.

If necessary, tell someone you trust to help you turn to child support, the police or victim support.

- Children's houses¹⁰ intended for helping children who have been sexually abused or are suspected to have been sexually abused; the houses are located in Tallinn, Tartu and Jõhvi, but are available to all children in need of assistance in Estonia. You can contact a children's house by phone at 5854 5494 or by writing to info@lastemaja.ee, as well as by using the child helpline at 116 111. _
- If for some reason you do not dare to contact the police or child support, there are still reliable people you can turn to:
 - tell your loved ones whom you can trust (friends or family);
 - tell the management of your sports club or sports federation;
 - forward the information to the sports club or the sports federation; if you do it by e-mail, add info@antidoping.ee to the copy line;
 - if you feel that you cannot tell the officials of the sports club/sports federation about this, then contact the Estonian Center for Integrity in Sports either by phone (682 5985) or using the anonymous [hotline](#).

2. Helpful instructions for sports staff

Note! The Child Protection Act (section 27) obliges all persons who have information about a child in need of assistance to immediately notify the local government or the child helpline service 116 111 and of a child in danger (section 31) to the emergency number 112.

If you are aware of a case of abuse and/or harassment or have a suspicion of it.

- Try talking to the person in need of assistance who has been abused or harassed in another way.
 - If you see that the child is worried, encourage them to speak in their own words of what has happened.
 - Listen to the child carefully. Commend them for telling the story.
 - Tell the child that they are not to blame.
 - Believe the child. Often, the child abuser can be someone they know, a family member, a neighbour or a friend. The child may not always realise that they have been the victim of harassment or bullying.
 - Do not question the testimony of the child; this may prevent the child from giving a true testimony, making them think that no one believes them anyway.

¹⁰ The children's house assesses the social and health situation of a child suspected of being sexually abused and the need for further assistance in a child-friendly manner, investigative measures are taken to resolve the case and provide the child with necessary assistance, counselling and, if necessary, referral to a family psychologist or therapist.

- Avoid disparaging the perpetrator in front of the child - it may be a person that the child really cares about. Although abuse must be condemned, contempt for a person close to the child may exacerbate the effects of abuse.
- Children should be informed that talking about abuse of a friend will not lead to bullying or a punishment (e.g. being dropped from competitions, changing attitudes of coaches, etc.); this promise must also be kept.
- Contact the necessary people so that the child can get help quickly! Call the emergency number 112, notify your child protection officer or consult and call 116 111.
- If you are sure or suspect that an act may be considered to be a criminal offence or a misdemeanour, call the police on 112. Be sure to do this if you think that abuse may continue!
- Inform the management of the sports club/sports federation or ESTCIS of the possible incident.

3. In case of suspicion of abuse and/or harassment, the head of a sports club/sports federation must proceed as follows:

- Respond and help the person in need of assistance who has experienced abuse and/or harassment. In responding, the person in need of assistance must be believed and the information must be acted upon in the knowledge that abuse has taken place.
- If you are sure or suspect that this may be a criminal offence or a misdemeanour, you must notify the police without delay. It is necessary to make sure that the case is dealt with in the sports club/sports federation (e.g. with the involvement of the police, child support and management) and that the necessary measures are taken, such as:
 - provision of support to other children and young people in the organisation and to parents who may be affected by what happened and need to be heard;
 - provision of psychological counselling and knowledge of the mechanisms of abuse.
- Be aware that behaviour or talk which reflects suspicion or accusatory attitude towards the statements made by a child may result in re-victimisation of the victim and their family, as well as the training partners of the victim. **The assumption must be that child abuse is behaviour that degrades a child's physical and mental well-being, endangers their development and health.**
- Offer the worker suspected of abuse in connection with the organisation the opportunity to share their views and listen to them. Give them information about the options to help prevent violent behaviour and to ask for help if they have problems with sexual behaviour.

The helpline for abandoning violent behaviour¹¹ can be contacted by phone at 660 6077 or by e-mail at tugiliin@sotsiaalkindlustusamet.ee.

- **Sexual behaviour counselling** for a person who is worried about their sexual thoughts or behaviour or who has lost control of their sexual behaviour. Registration Th–Fri tel 5343 1551 or by e-mail: skan@vmh.ee. Place of provision of the service by agreement, incl. the possibility for online counselling.
- Ensure the safety of everyone involved in the organisation, both children and adults. Organise work so that the person suspected of abuse would not endanger the safety of children and young people in the future.

¹¹ violent behaviour is a learned behaviour that can be abandoned.

4. What to if the sports club/sports federation has been notified of a case of abuse and/or harassment?

- All reports, tips and suspicions must be taken very seriously, and these must be responded to.
- The analysis of the reported cases and the planning of further activities is the responsibility of the head of the sports club.
- If the victim informs the coach or a worker of the sports club/sports association, they are obliged to forward the information to the head. In the event of a potential conflict of interest of the head, the management board shall be notified of the case.
- If the victim is an adult and has reported the incident to a sports club/sports federation, they should be encouraged to contact the police in the case of sexual abuse or other violence. It is recommended to offer the victim support when contacting the police and to make sure that they are aware of possible psychological and other help.
- If the victim is a minor, first make sure:
 - whether or not the parents of the minor victim are aware of the incident;
 - whether the victim agrees to parents knowing of the incident (or does not want parents to know of it for some reason).
- If parents do not know how to proceed, help should be sought from child support. The adult acting on behalf of the club must contact the parents themselves to report the incident and agree on further action. It is important that the responsibility would not remain with the child.
- If there is a suspicion that the abuser is a parent, the sports club/sports federation must help the child and, depending on the nature of the case, contact the local authority, child support or the police.

Note! All the above points should be considered as urgent.

- If you are convinced that the case may be a criminal offence or a misdemeanour, you must contact the police immediately on the same day (emergency number 112). You can also notify the police in writing using [the application form](#) or by e-mail at ppa@politsei.ee. The sports club/sports federation should coordinate further activities with the police so as not to obstruct the police investigation. You can also report the crime to [the nearest police station](#). If you suspect a sexual offence, call the emergency number 112. If there is a suspicion that the case may be a criminal offence but is not necessarily one, you should also contact the police and seek advice. You can also seek advice from the child helpline service 116 111, which is available 24/7 in Estonian, Russian and English.
- Children's houses are located in Tallinn, Tartu and Jõhvi, but the service is available to all children in need of assistance in Estonia. You can contact a children's house by phone at 5854 5494 or by writing to info@lastemaja.ee, also by using the child helpline at 116 111. Both an ordinary citizen and a specialist can turn to a children's house.
- The employer must be aware of the situation in which a person works with children against whom there are grounds to suspect that offences have been committed against children.
- If the employer does not suspend the employment relationship or the suspect does not leave work temporarily, the police or ESTCIS must be notified of this.

5. How to handle cases of abuse and harassment in a sports club/sports federation?

- The child in need of assistance must always be given notice of by calling the child support helpline 116 111. The child in danger must be given notice of by calling the emergency number 112.
- The management board shall establish internal codes of conduct in writing in accordance with this Code.
- The management board must assess the potential conflict of interest when dealing with the case and record the relevant information.
- The management board must appoint the person(s) involved in the case within the organisation.
- Once the case has been reported to the police, the sports club/sports federation must assess whether the suspect can continue to work for them.
- If the police are not involved in the handling of the case, all the circumstances must be considered in resolving the case, even if the accusation or punishment of the accused is abandoned. The workers responsible for managing the case must conduct individual interviews with those involved, evaluate and analyse the available information. On the basis of this, a general summary containing proposals for further action should be submitted to the management board.
- In case of abuse, the sports club/sports federation has the obligation to register the information. This means that all events, activities and contacts related to the case are recorded, including the date, time and description of the case.
 - It is important to avoid asking unfounded questions and questioning the victim out of sheer curiosity.
 - Demonstrate understanding and care during the interrogation.
 - Listen actively and reflect on what you have heard.
 - Notice possible emotions during the interrogation and behave with care.

Example of documenting case information:

- [Date] [Time] X received information about the case by telephone/e-mail from person Y.
- [Date] [Time] X talked about the case with a worker of the sports club.
- [Date] [Tie] Worker of the sports club talked to person Y.
- [Date] [Tie] Worker of the sports club informed the head of the sports club.

Note! Avoid writing down personal information when documenting an incident.

- The purpose of documentation is to provide a clear and detailed overview of the handling of the case within the organisation. This is important if the case is later investigated by the press or the police.
- Documentation must be treated as strictly confidential, and this will be handled by a limited number of people.
- Management must ensure that information about cases is not passed on to anyone other than those involved in a particular case.
 - In cases that may be punishable under criminal law, the sports organisation, before notifying the sports club or training group, must seek advice

from the police, this must be done also before informing parents/caregivers and other children and young people. If necessary, the information provided to the media must be short, specific and without details.

- Rumours complicate the police investigation and the handling of the case by the sports organisation and add undue pressure to the people involved. It is also forbidden to give assessments about the person who reported the information and about the victims. Behaviour or statement which questions the victim's version can be re-victimising and have consequences for their or other potential victims' health. It is the responsibility of the organisation (head) to prevent and, if necessary, stop such behaviour.

Contact ECTCIS if you require additional information.

PUNISHMENTS

- Depending on the content and circumstances of the case, the court punishes the offender in accordance with the Penal Code.
- The Child Protection Act (section 20) imposes a restriction on working with children for persons who have been convicted of criminal offences stipulated by law.
- The Estonian Olympic Committee may revoke the professional certificate of a coach either on its own initiative or on the proposal of a sports federation/sports club.
- The sports club/sports federation punishes the offender in a disciplinary manner, incl. termination of the employment contract.
- The sports federation may impose a ban on the offender for engaging in the sport.

This Code of Conduct has been prepared in cooperation with the Ministry of Justice, the Ministry of Culture, the Social Insurance Board, the Police and Border Guard Board, the Union for Child Welfare, the Estonian Olympic Committee, SA Noored Olümpiale, Spordikoolituse ja -teabe SA, Eesti Antidopingu ja Sporditeabe SA and other experts.