



Chapter 6

SPORT IS FAILING VICTIMS OF ABUSE

Public reactions to the exposure of doping, corruption, match-fixing, and other crimes in sport all seem to have one thing in common. At first, most people find it difficult to accept that a publicly recognised force for good like sport can also be a scene for crimes. Then it often takes years for sports organisations and public authorities to realise the scale of the crimes and sometimes decades to decide how to prevent future crimes.

The public reactions to revelations of sexual abuse in sport is no exception. One of many examples of public denial of sports-related crimes is the exposure of a rape culture in North American junior hockey.

The hockey rape culture was revealed 30 years ago when Canadian freelance journalist Laura Robinson decided to investigate a case of alleged violence and sexual assault in Canada's national sport.

In the summer of 1992, an informant told Toronto-based Laura Robinson to go to Swift Current in Southern Saskatchewan because “some hockey players had raped a girl and got away with it.” After having interviewed the girl's lawyer, the investigating officer, the minister from her church, and the coach of the local junior hockey team, Laura Robinson found several discrepancies in the way in which the justice system had handled the case.

Canadian reporter Laura Robinson on her way to the podium at Play the Game 2002 where she was the first to receive the Play the Game Award for her courageous research into a culture of sexual abuse in Canadian junior hockey.

Photo: Niels Nyholm/Play the Game

According to her research, the trained investigating officer was taken off the case and replaced with an inexperienced investigator. The guidance counsellor at the high school the girl and the hockey players attended was the wife of the major owner of the hockey team, who was also a former law partner of the Crown attorney who was supposed to be prosecuting the players. The counsellor had told the girl to drop the charges because the two alleged rapists were “good boys, they wouldn’t do this.”

The girl had just turned 17, went to church every Sunday, was a virgin, and had learning disabilities. On 1 November 1989, she was interrogated by the police for more than two hours with no counsel or parents present.

When the girl finally said: “Maybe I didn’t say no”, the charges against the players were stayed. Instead, public mischief charges were laid against the girl. At the trial in January 1990, the two players agreed that they had done everything to the girl that she had described, including penetration in three orifices. But although the girl said she begged them to stop and was terrified, the players said she begged for more.

At the end of the trial, the judge found the girl not guilty and said that because of the “degrading and disgusting” incident, the girl “suffered considerable physical and emotional pain,” adding “That’s not sympathy, that’s a fact” and that the girl “honestly believed that what happened to her was not by consent.”

Nevertheless, the sexual assault charges against the two hockey players were dropped. They continued to play for other teams in another province, and when the lawyer representing the girl asked the provincial justice department to hold an inquiry into the case, his request was denied.

“I could understand how a rape could happen, but how could such a travesty of justice happen? The initial investigating officer, Ian McLean, told me it was very important for this story to be told,” Laura Robinson told the Play the Game conference in Copenhagen in 2002.

Six years of research

After the trial, Laura Robinson spent five more years investigating sex crime charges in Canadian hockey which made it clear to her that junior hockey had what sport sociologists call ‘a rape culture’, which she then described in detail in the book ‘Crossing the Line: Violence and Sexual Assault in Canada’s National Sport’.

“It wasn’t difficult to find more junior hockey teams that had been charged with sexual assault. In all but one case, gang rape was alleged. What was difficult was getting anyone in the hockey establishment to talk about this phenomenon or any convictions,” the Canadian journalist told the audience.

At first, she was doing the investigation for Saturday Night Magazine, one of the oldest and most respected journals in Canada. But when a new editor-in-chief took over, he wasn’t satisfied with her information and asked her to re-write the story.

After one year of rewritings, she decided to contact CBC TV. A documentary on the story was aired in 1996. Within the same week, Graham James, the hockey coach from Swift Current that she had interviewed three years earlier, had been charged with 350 counts of sexual assaults after two players went to the police.

“The next six months were like no other in Canada. The sacred sport of hockey had a dirty secret,” Laura Robinson said in Copenhagen, referring to huge media coverage when several NHL players decided to break the silence and more perpetrators went on trial.

By then, she had signed a book deal and began writing ‘*Crossing the Line*’. But when the book was released in 1998, Laura Robinson noticed that every time the publisher advertised their hockey books in newspapers, her book was missing.

“I believe my publisher didn’t really want to delve into the culture of abuse I had chronicled because it would upset the Canadian hockey myth to such an extent that the ‘hockey cheerleading’ books that Canada publishes each year would be seen in a completely different light.”

Writing and researching ‘*Crossing the Line*’ was one of the most difficult experiences Laura Robinson had ever had:

“I was twice denied media accreditation by the Canadian Hockey Association or Canada Hockey League. It made me physically and emotionally ill, and it seems to have permanently robbed me of a certain energy to really ‘attack’ projects. I can’t write into the morning hours anymore, and don’t look forward to intricate, investigative stories that will take months or years of digging and stepping on important toes.”

But in the end, the first winner of the Play the Game Award believed ‘*Crossing the Line*’ told a truth about Canadian hockey that most people found very difficult to hear.

“I am honoured that so many young people trusted me with their stories that contained so much pain and hurt and that I was able to tell them,” Laura Robinson said.

Patriot hearts

Almost a decade later, the Canadian journalist had recovered from the difficulties she had writing 'Crossing the Line'. She was investigating another case of abuse that would upset Canadian sport because it involved 'JF', CEO of the committee organising the 2010 Olympic Winter Games in Vancouver. (Note: We do not mention the person's name out of respect for a recent name protection court order in Canada).

In 2011, Laura Robinson wrote a comment for Play the Game in which she reviewed JF's recently released biography, 'Patriot Hearts', and questioned why his past as a member of an international missionary movement called Frontier Apostles was kept secret in the book.

In 2012, Laura Robinson wrote an article for Georgia Straits Times in which she revealed that the Irish immigrant JF had arrived in Canada as a Catholic Frontier Apostle missionary in 1969, five years prior to what he had written in his book. During the five years, JF was teaching physical education at the Catholic Immaculate Elementary School in remote Burns Lake, one of 26 schools run by the Catholic Prince George Diocese in British Columbia.

Eight of his former First Nations students had signed affidavits for the newspaper alleging JF had abused them physically and mentally, and many more students confirmed his abusive conduct.

Two years later, the police closed the investigation without laying charges. And for years, Laura Robinson and JF were involved in a legal battle over the publication of the allegations. But JF's former students did not accept the police's decision to close the investigation. They asked the Canadian Human Rights Commission for an inquiry into the handling of the JF case by the Royal Canadian Mounted Police, which the students accused of discrimination and racism. They wanted all 26 schools in the diocese to be investigated.

In 2018, the Canadian Human Rights Commission said that the arguments of the Royal Canadian Mounted Police to stop the investigation of the former students' allegations against JF had been speculative and misleading.

In 2021, the Canadian Human Rights Tribunal announced that it would organise an inquiry, and by late 2023 the case was still open and ongoing. According to Laura Robinson, the inquiry was going to be very different because the complaint was written a year before the remains of 215 children in 2021 were found in mass graves near the Kamloops

Indian Residential School in British Columbia, at a time when public awareness of racial discrimination against First Nations was on the rise in Canada.

“I am really, really, really tired of the revisionist history that was passed around. Especially, I have to say, from the sports community that has supported JF all these years. I have always asked people in the sports community, ‘Why don’t you at least talk to the people of Northern British Columbia and listen to their stories before you decide that they’re liars?’” Laura Robinson told CANADALAND.

A depraved sub-culture

The Canadian inquiry into the alleged abusive conduct of the CEO of the Vancouver Games came after a decade where many serious sexual crimes in North American sport had been exposed and the global MeToo movement had changed the way sexual crimes in general were viewed in public and investigated by the police.

One of the first cases to indicate a change in public opinion on sports-related sex crimes was the arrest of a former assistant college football coach at Penn State University in the US. In 2011, Jerry Sandusky was arrested on charges of molesting eight boys, using his status as a football coach and founder of a charity foundation for at-risk boys he created through his position at the university to obtain easy access.

In 2012, a jury found Jerry Sandusky guilty of 45 counts of child sexual abuse. The former coach was sentenced to 30 to 60 years in prison. Four other high-ranking university administrators, including the head coach Joe Paterno, were fired for not acting on reports of an assault Jerry Sandusky had committed in 2001, and Penn State University paid out over 100 million US dollars to more than 30 victims.

Since then, many sexual abuse scandals have emerged at other major universities in the US, revealing what Laura Robinson has described as a “deeply depraved sub-culture of North American sport” where administrators are protecting the predators instead of the victims by not investigating reported sexual abuse. In 2016, the most horrific example of the depraved sub-culture was exposed by investigative journalists at the Indianapolis Star.

While investigating why Indiana high schools hadn’t reported instances of school officials having sex with underage students to state authorities, a source suggested that Indianapolis Star journalist Marisa Kwiatkowski should examine USA Gymnastics’ handling of allegations of sexual abuse.



No less than 156 women confronted the former doctor of USA Gymnastics and University of Michigan, Larry Nassar, in court before he was sentenced to 175 years in prison. The sexual abuse scandal led to new legislation enhancing safeguarding and athlete representation in US sport. Photos: Scott Olson/Getty Images

In August 2016, on the eve of the Olympic Games in Rio de Janeiro, she and colleagues Tim Evans and Mark Alesia wrote the first article that led to the exposure of abuse committed by Larry Nassar, a faculty member at Michigan State University and former team doctor at USA Gymnastics during four Olympic Games.

“Top executives at one of America’s most prominent Olympic organisations failed to alert authorities to many allegations of sexual abuse by coaches – relying on a policy that enabled predators to abuse gymnasts long after USA Gymnastics had received warnings,” the article began.

The article went on to expose how USA Gymnastics in secret had compiled complaints dossiers on more than 50 coaches and filed them in a drawer in its executive office in Indianapolis but still declined to disclose the total number of sexual misconduct allegations it received each year.

Even without access to the secret USA Gymnastics files, the Indianapolis Star journalists tracked down four cases in which the national sports organisation was warned of suspected abuse by coaches but did not initiate a report to authorities. According to police and court records, those coaches went on to abuse at least 14 underage gymnasts after the warnings.

USA Gymnastics defended its handling of child abuse complaints by stating it followed reporting laws and was doing enough to protect children. Its president, Steve Penny, declined to be interviewed but released this statement:

“USA Gymnastics has a long and proactive history of developing policy to protect its athletes and will remain diligent in evaluating new and best practices which should be implemented. We recognise our leadership role is important and remain committed to working with the entire gymnastic community and other important partners to promote a safe and fun environment for children.”

“I am damaged goods”

After reading the Indianapolis Star article, Rachael Denhollander, a former gymnast living in Kentucky, filed a criminal complaint against Larry Nassar and approached the newspaper with accusations against the doctor, alleging he assaulted her when she received treatment for lower back pain as a 15-year-old gymnast in 2000. She said Larry Nassar gradually became more abusive over five treatments, massaging her genitals, penetrating

her vagina and anus with his finger and thumb, and unhooking her bra and massaging her breasts.

“I was terrified. I was ashamed. I was very embarrassed. And I was very confused, trying to reconcile what was happening with the person he was supposed to be. He’s this famous doctor. He’s trusted by my friends. He’s trusted by these other gymnasts. How could he reach this position in the medical profession, how could he reach this kind of prominence and stature if this is who he is?” Rachael Denhollander said, while her husband explained how she had felt dirty because of it and when dating him had said that she was damaged goods.

Parallel to Rachael Denhollander, a former Olympic gymnast and medal winner living in California filed a civil lawsuit, alleging that USA Gymnastics failed to act on suspicions about Larry Nassar’s conduct which included anal and vaginal examinations of gymnasts in the care of USA Gymnastics “without gloves, a chaperone, and/or any form of lubricant.”

The woman told the Indianapolis Star that the abuse started when she was 12 or 13 and continued until she was 18, but that she didn’t report the abuse at the time because she didn’t know it was wrong.

“It felt like a privilege to be seen by him. I trusted him,” the former gymnast said.

According to the lawsuit, during examinations Larry Nassar would fondle and grope her feet, ankles, thighs, buttocks, hips, waist, breasts, arms, shoulders, and neck while talking about sex, describing oral sex, and telling her that other underage gymnasts were doing it.

The former Olympic medal winner wept when she told the newspaper it took her more than a decade to understand what Larry Nassar had done and that she had suffered immensely from anxiety, depression, a lack of trust and self-medication.

In response to questions from the Indianapolis Star, USA Gymnastics told the newspaper that it suspended Larry Nassar from clinical and patient duties on 30 August 2016 when it received the criminal complaint:

“Doctor Nassar is no longer affiliated with USA Gymnastics. Upon learning of athlete concerns, USA Gymnastics immediately notified law enforcement. Since then, we have cooperated fully with the law enforcement agency, including refraining from making further statements or taking any other action that might interfere with the agency’s investigation. We are grateful to the athletes for coming forward to share their concerns,” a USA Gymnastics statement said.

175 years in prison

The Indianapolis Star interviews with Rachael Denhollander and the Olympic medal winner, who requested not to be named in the article, led to the arrest of Larry Nassar in September 2016. Two years later, the former doctor for the US Olympic team, USA Gymnastics and Michigan State University was sentenced to 175 years in prison after pleading guilty to sexually abusing seven girls and possessing child pornography. But that wasn't the end of the worst sexual abuse case in sports history.

Four months after the Larry Nassar sentence, Michigan State University agreed to pay 500 million US dollars to settle claims from over 300 women, who said they were assaulted by the sports doctor. And in December 2021, USA Gymnastics and the US Olympic Committee reached an additional 380 million dollar settlement with more than 500 victims. More than half of the victims said they were abused by Larry Nassar, while the remaining victims were abused by individuals affiliated with USA Gymnastics in some capacity.

In December 2018, an independent investigation by the law firm Ropes & Gray provided insight into the US Olympic Committee's role in the scandal, criticising the organisation for participating in a culture that facilitated the crimes and wilfully ignored warning signs.

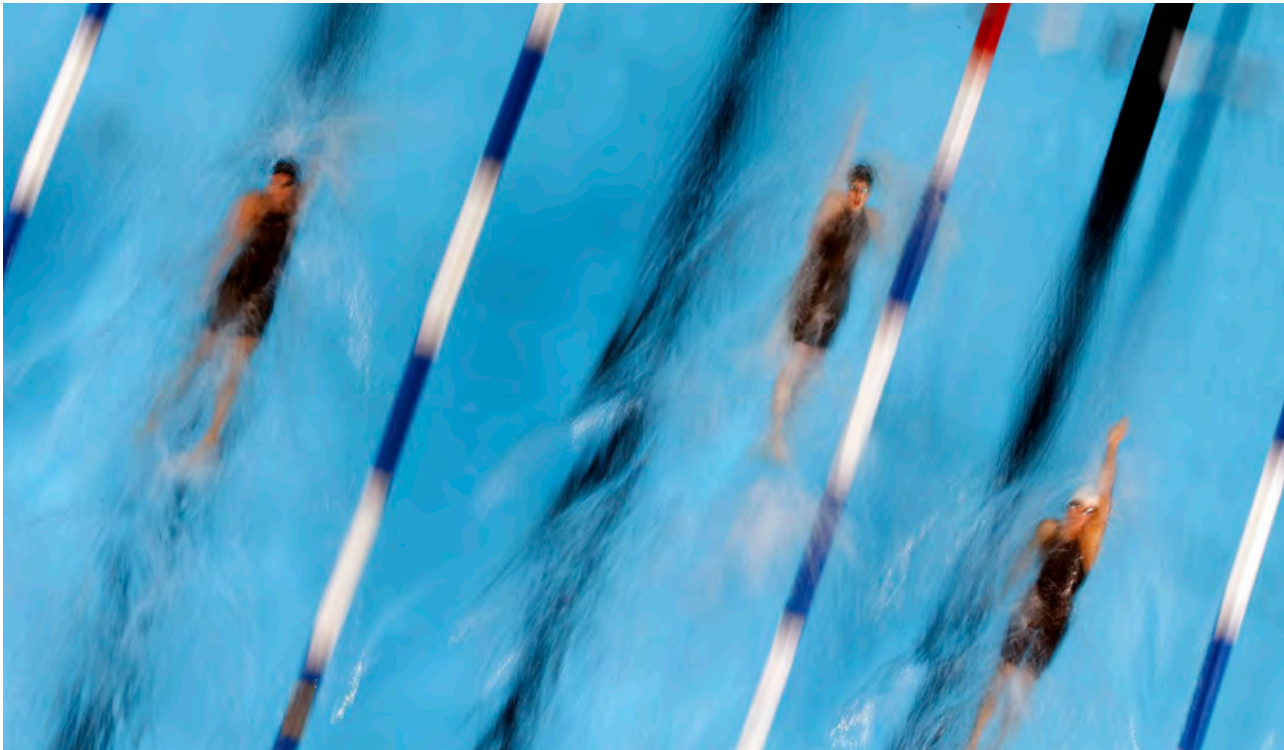
“While Larry Nassar bears the ultimate responsibility for his decades-long abuse of girls and young women, he did not operate in a vacuum. Instead, he acted within an ecosystem that facilitated his criminal acts,” the report said noting that USA Gymnastics and the US Olympic Committee's inaction and concealment had consequences.

The independent report confirmed that Steve Penny, then president of USA Gymnastics, contacted the US Olympic Committee to discuss allegations against Larry Nassar in July 2015, more than one year prior to his arrest following the allegations in the Indianapolis Star. But Scott Blackburn, chief executive at the US Olympic Committee, and Alan Ashley, the committee's chief of sports performance, deleted emails about the matter and kept the conversation to themselves without informing their colleagues or anyone at Michigan State University.

A symptom of the problem

USA Gymnastics also contacted the FBI in 2015. But during the investigation, Steve Penny tried to keep the allegations from going public and offered to help an FBI agent get a job with the US Olympic Committee. Over the next 14 months, Larry Nassar quietly stopped working for USA Gymnastics but continued to see patients.

In July 2021, a report released by the US Justice Department’s inspector general, Michael Horowitz, noted that about 70 young athletes were abused by the sports doctor during this period and that the FBI had made “fundamental errors”.



Some sports seem more prone to abuse than others. Between 1997 and 2017, at least 252 coaches in US swimming had been arrested, charged by prosecutors, or disciplined for sexual abuse or misconduct against individuals under 18. Photo: Jamie Squire/Getty Images

According to the Horowitz report, FBI agents in both Indianapolis and Los Angeles failed to act with “prudence or sound judgement” when they neglected to alert local and federal authorities of the allegations against Larry Nassar. The report recommended that the FBI should clarify when agents must alert local authorities to potential crimes against children, improve how the bureau documents and oversees the transfer of investigations between offices, and develop a policy on when child victims may be interviewed by phone.

But to Rachael Denhollander, the first victim to pursue criminal charges and speak publicly against Larry Nassar, the US Justice Department’s report on the FBI’s failures in the Larry Nassar case was a great disappointment.

“There is no accountability. No criminal charges. No justice. No restitution for the damage they caused. No punitive actions. The rest of us are left with lifelong consequences and already bore the cost of pushing for the truth. And these agents retire on government pensions while survivors fight to stay alive. Nothing happens now,” Rachael Denhollander wrote on Twitter.

One month later, the former gymnast who is now an attorney and a leading voice on the topic of sexual abuse, was asked by National Public Radio whether the conviction of Larry Nassar was the end of widespread sexual abuse in USA Gymnastics:

“Oh. Absolutely not,” Rachael Denhollander said, claiming that what happened in USA Gymnastics was an entire system of abuse, a system of covering up sexual abuse, adding that there are still sexual abusers within the gymnastics industry who haven’t been brought to justice yet:

“I know for a fact that there are because I know the victims. Larry was not the problem. Larry was a symptom of the problem.”

Presidential predator

And the problem was not one of USA Gymnastics only. In 2018, a report into USA Swimming claimed that the national sports governing body ignored and actively covered up hundreds of abuse cases taking place in a culture that accepted sexual relations between coaches and underage athletes.

The Southern California News Group found that between 1997 and 2017, a minimum of 252 coaches in US swimming had been “arrested, charged by prosecutors, or disciplined for sexual abuse or misconduct against individuals under 18” affecting more than 590

alleged victims. And other exposures in recent years of cases across sports in countries all over the world confirm that sexual abuse in sport is not a North American problem only.

In 2019, the French NGO Disclose published an investigation of sexual abuse in French sport since the beginning of the 1970s. The investigation revealed 77 cases involving at least 276 victims. Most of the victims were under 15 years old, and the cases involved 28 different fields of sport, including football, gymnastics, athletics, as well as archery, roller skating and chess.

According to Disclose, the French abuse cases unveiled “major failings by clubs and federations, local and national public authorities, and the justice system.” The failures included the absence of a system of control of voluntary sports teachers, instances where suspected perpetrators under investigation were allowed to continue in the activities, the lack of monitoring of sexual delinquents, and the inaction of officials and sports bodies which chose to cover up scandals rather than to defend the interests of the athletes.

But officials and sports bodies do not cover up scandals only. In recent years, some of the most powerful leaders in sport have been sanctioned for being directly involved in the sexual abuse of young athletes, including two presidents of national football federations.

In November 2018, The Guardian exposed that football’s world governing body FIFA was examining claims of sexual and physical abuse of members of the Afghanistan national women’s team. Khalida Popal, a former head of the women’s football department at the Afghanistan Football Federation (AFF), players Shabnam Mobarez and Mina Ahmadi, and head coach Kelly Lindsey told that several players were abused by staff members of the AFF, including its president Keramuudin Karim, a former governor and chief of staff in the ministry of defence.

When Khalida Popal learned that nine of the best national players in Afghanistan were kicked off the national team, accused of being lesbians, and began investigating the case she discovered that Keramuudin Karim inside his office at the football federation’s headquarters had his own bedroom behind doors that only he could open using fingerprint recognition. Some of the girls told Khalida Popal they were sexually abused and physically punished if they said no but that they were afraid of speaking out because being accused of being a lesbian or gay in Afghanistan is a dangerous topic you don’t speak about.

The AFF denied the allegations in a statement noting that it “vigorously rejects the false accusations made”, adding that the national football federation had a “zero-tolerance policy towards any such type of behaviour.” But FIFA was investigating the claims, and

a source at FIFA told The Guardian that it had been working with the UN to secure the safety of some of the Afghan players. In 2019, FIFA decided to ban Keramuudin Karim from football for life. One year later, the national football president's appeal of the lifetime ban was dismissed by the Court of Arbitration for Sport (CAS).

“The president used his power to build a private kingdom inside the football federation. He is a former warlord and the creator of a culture of abuse. He was protected by armed bodyguards. He was forcing the players into the room where he was sexually abusing and beating them,” Khalida Popal told Play the Game.



A former director of women's football in Afghanistan, Khalida Popal, speaks about her fight for Afghan women's right to play football in a safe environment. Her struggle to stop sexual abuse by the president and her continued fight from her Danish exile brought her the Play the Game Award 2022. Photo: Thomas Søndergaard, Play the Game

“The players were not free. No one would hear them scream for help. And to silence the players after the abuse, the abusers blamed them for being lesbians. To many people in Afghanistan homosexuality is a crime. That is why the players were afraid and could not say anything. Not even to their moms and dads.”

When Khalida Popal and Kelly Lindsey decided to build the case and present their findings to FIFA, they discovered that football’s governing body one year earlier had received an email from members of the AFF who warned FIFA of the abuse.

“This is what hurt me the most,” Khalida Popal said, “that FIFA knew about the abuse in 2017 but left this culture to continue for two more years. FIFA did not take the case seriously until I spoke with the media, and it became public. I had no other options. FIFA had no reporting systems in place. They did not know how to handle the case.”

Child slaves

Khalida Popal’s investigation of sexual abuse in Afghan football forced FIFA to adopt child protection and safeguarding systems. And the FIFA Human Rights Advisory Board, created in 2017, recommended that FIFA should establish a fully independent and appropriately resourced network of regional expert ombudspersons to receive and assess confidential reports of harassment or abuse by anyone linked to FIFA.

But in April 2020, The Guardian named another alleged presidential predator in football. Numerous sources told the newspaper that Yves Jean-Bart, president of the Haitian Football Federation (FHF), coerced young female players into having sex with him at a national training centre called The Ranch in Croix-des-Bouquets near the country’s capital Port-au-Prince.

According to former Haitian players at the FIFA-funded training centre, some of the players who were sexually abused by Yves Jean-Bart, known as Dadou, became pregnant and were forced to have abortions. Other players said they were abused by friends of the football president but were afraid to speak because he was a very dangerous man and could attack their families. But Yves Jean-Bart, who had been the president of FHF since 2000 and a member of various FIFA committees between 2002 and 2017, denied the allegations.

“If there were such cases, I would encourage the victims to file a complaint with the federation and the judicial authorities of the country. We are ready, at the level of the federation, to support them. There have never been, to my knowledge, even suspicions of

this kind. Personally, I am, and I have been, a non-violent man. I don't understand how someone can make me look like an executioner to the point where families would feel intimidated by me," Yves Jean-Bart said.

Nevertheless, based on the media reports, interviews with victims and witnesses, and reports from Human Rights Watch, the global player union FIFPro, and the IT consulting



The Haitian football president Yves-Jean Bart (seen above chatting with then FIFA secretary general Fatma Samoura) was banned for life by FIFA, but acquitted by CAS in a decision that shows the whole sporting system is unable to protect young athletes, said Minky Worden from Human Rights Watch at the Play the Game conference in 2022. Photo: Catherine Ivill/FIFA/Getty Images

company Signify Group, FIFA decided to ban Yves Jean-Bart from football for life in November 2020, pending his appeal hearing at the CAS. A few months later, FIFA released details of the investigation revealing that allegations against the Haitian football president were circulating on social media way before the first media reports were published.

Furthermore, FIFA's investigation of the allegations identified 34 possible victims and 10 potential perpetrators and confirmed that sexual abuse at the FIFA-funded training centre resulted in pregnancy for some of the victims who were offered abortions. According to FIFA, Yves Jean-Bart was in complete control over Haitian football and "many of the girls from very poor backgrounds became known as his 'restaveks', a Haitian term for child slave."

Among the possible victims pointed out in the FIFA investigation were 14 potential victims of Yves Jean-Bart. The Haitian football president used "authoritarian and economic power", FIFA said, to take "habitual mistresses" at the training centre where he would offer gifts of underwear to teenage girls to build abusive relationships and created a system of abuse within the entire football federation by placing loyal personnel in key supervisory and operational position.

"Mr. Jean-Bart used his senior position as president of the Haitian football federation to coerce or convince the (minor) female players to engage in sexual activities with him, by promising to help or threatening to damage their football careers," FIFA concluded. But although football's world governing body had banned two national football presidents for life, not all critics were satisfied.

The life ban of Yves-Jean Bart was surprisingly overturned by the Court of Arbitration for Sport at the start of 2023. CAS found "inconsistencies and inaccuracies in the statements of the victims and witnesses" and described evidence by FIFA as not "sufficiently evidentiary".

However, the CAS hearings did not offer sufficient witness protection measures to those witnesses who had been exposed to death threats and threats to their families like this one:

"Don't forget that you have family in Haiti ... You got into something that will be dangerous for you and your family. You are in a big deal. You have been to FIFA ... I'll be honest with you, we've already prepared your coffins because personally, I am going to crack your skull open."

So, for Human Rights Watch, the whole judiciary system in sport had failed:

“How can survivors of sexual abuse be expected to report abuse to FIFA if this travesty of justice is the outcome,” asked Minky Worden, director of global initiatives at HRW.

Football is God

In March 2021, a British report had found the English Football Association culpable of institutional failure for its delay in introducing safeguards after 1995, when a football coach and high-profiled abusers in other sports had already been prosecuted and convicted. The report found 692 abuse survivors and 240 suspected abusers in English football in the period from 1970 to 2005.

Since then, FIFA has introduced so-called zero-tolerance policies against sexual abuse, but according to Human Rights Watch, these policies did not provide any protection in countries like Haiti and Afghanistan, where players received death threats. Minky Worden urged FIFA to adopt background checks for all members of national federations, anonymous reporting systems and free trauma support and therapy for victims and survivors. To her, the Haitian players were victims of a child exploitation ring masked as a football federation:

“There is no fit-for-purpose system. In these societies, there is terrible stigma and shame attached to being a victim of sexual abuse. Right now, the systems in place completely favour the abusers. Victims and survivors have no power. And if they come forward, they will lose their career, they will be shamed, and they may even be killed along with their family members. So given that power differential, why on earth would a teenager come forward?” Minky Worden said adding:

“It is shocking that there are no background checks for someone in charge of so many children. Football is big business and a golden ticket for a lot of women and children out of poverty. It is not right that they need to fight off sexual predators to achieve their dreams. Sport must both pay for the crimes of the past and make amends to those who believed that sport would be their golden ticket and instead turned into a nightmare. We are dealing with criminal elements and sexual abusers running sports federations. It simply cannot go on another day.”

To Kat Craig, a British human rights lawyer involved in both the Afghan case, the Haitian case, and the UK case, sexual abuse in football can be compared to the cases exposed

in the Roman Catholic Church, where hundreds of priests all over the world have been accused of sexual abuse and forced to leave the church.

“The church is an appropriate analogy because to some people football is God. There are a lot of lovely Catholic priests and lots of lovely football coaches, but that position of power brings a risk. Until we realise and acknowledge that, football will always fail children and vulnerable adults,” Kat Craig told Play the Game.

To the British human rights lawyer, the exposure of sexual abuse of children in football doesn’t hit the sport’s pockets in the same way as if it happened to powerful players at the elite level. As a result, sexual abuse has not been prioritised as a governance or integrity issue. Kat Craig has spoken to hundreds of girls who have been physically and mentally abused for years in a way that possibly will prevent them from having healthy emotions and sexual relations for the rest of their lives.

“That is the most horrific human rights violation happening here. You have an industry that chooses to present itself as a public good and we all buy into this idea of a football family. But when it comes to protecting the most vulnerable in this family, suddenly it is a closed shop. It is an astonishing concept,” Kat Craig said.

Football’s identity difficult to change

In September 2020, FIFA and the United Nations Office on Drugs and Crime (UNODC) signed a memorandum of understanding that committed the two global organisations to address threats posed by crime to sport. Furthermore, FIFA president Gianni Infantino proposed the establishment of an independent, multi-sports, multi-agency international entity to investigate abuse cases in sport.

“It is a topic we have been hiding for too long and it is time to start opening it. What I am proposing is to study together the creation of an independent agency, some sort of a mix between sports bodies, institutional, governmental, and international organisations, who can help our children who want to play sport to be and to move in a safe environment,” Gianni Infantino said.

FIFA’s report on the issue was published in late 2021 but has so far led to little or no action.

Football’s attitude seems difficult to change. In March 2022, The Guardian published a list of countries where allegations of abuse in football had been reported in the past years.



The systems in place completely favour the abusers. Victims and survivors have no power, says Minky Worden of Human Rights Watch, here speaking at Play the Game 2022. Photo: Thomas Søndergaard/Play the Game

The countries included Afghanistan, Argentina, Australia, Barbados, Canada, Colombia, Comoros, Ecuador, Gabon, Haiti, Malawi, Mongolia, Netherlands, Sierra Leone, United Kingdom, United States, Venezuela, and Zimbabwe. And Kat Craig has now received more than 200 messages a week about abuse in football alone.

“Some messages are from players. Some are from whistleblowers. Almost all express fear, frustration, and anger about how the system is failing. It’s not just that the abuse was allowed to happen. It’s that when they alerted the powers that be, they were ignored, gaslighted or silenced,” Kat Craig wrote in a comment to The Guardian’s list.

In trying to answer the question of what needs to be done to protect athletes and whistle-blowers, the British human rights lawyer stated that FIFA's proposed global entity needed to be independent and transparent, have a person-centred approach, and be run by an expert staff with adequate resources.

“So, what would all this cost? WADA, the independent anti-doping agency, costs 46 million US dollars a year, to give you a ballpark figure. Sport can easily afford this. In 2018, FIFA generated more than 4.6 billion US dollars in revenue, with 2019 reserves soaring to 2.7 billion US dollars. In its own words, it is in a ‘healthy and sustainable financial position’. But if this new entity has the potential to benefit athletes across sport, then FIFA should not pick up the bill alone,” Kat Craig wrote.

If the above criteria were met and the new entity gained full buy-in from victims and survivors, as well as those involved in holding sport to account for decades, Kat Craig expected others to get on board, noting that FIFA had been candid about its desire to work with the International Olympic Committee and governments to help foot the bill.

“Just 0.01 per cent of [sport’s] global revenue value would see the new entity well-resourced to fulfil this crucial task. As someone who has seen the devastation that abuse causes to children around the world, I can think of no better way to spend that money,” she wrote in the Guardian.

Death threats

But even if FIFA will manage to get the IOC and other sports organisations as well as governments on board for a global entity to fight sexual abuse in sport, a recent case in African basketball indicates that the new entity in some countries and sports organisations will face just as strong opposition as WADA did when the agency began investigating doping in sport two decades ago.

In June 2021, The New York Times and Human Rights Watch published reports of widespread sexual abuse and harassment of some of the most talented female basketball players in Mali. Three months later, an independent investigation ordered by the International Basketball Federation (FIBA) confirmed that at least seven coaches and officials in the West African country’s national basketball federation (FMBB) for decades had taken part in or known of sexual abuse of female players on the country’s national U19 and U16 teams.

FIBA finally suspended two basketball coaches, the president of FMBB, a former vice president and three other members of the national federation. However, the independent investigation by McLaren Global Sport Solution was not able to confirm reports that FIBA president Hamane Niang, president of Mali's basketball federation between 1999 and 2011, knew or should have known about the abuse.

The McLaren Global Sport Solution report stated that “the evidence indicates an institutionalised acceptance of sexual abuse that is totally unacceptable” and that the national basketball federation in Mali took part in several attempts to cover up the abuse and obstruct the investigation. 31 witnesses had been interviewed during the investigation but at least 22 other potential witnesses refused to speak with the investigators.

“Many victims would not come forward for fear of retaliation,” Richard McLaren, head of the Mali investigation, told Play the Game adding:

“When we commenced the investigation there were no safeguarding mechanisms in place. To start our investigation, we had to put them in place through the efforts of FIBA. However, safeguarding can not ensure no retaliation. I understand the legitimate and very real concerns they had.”

At a time when not only FIFA and the IOC but also the UN, UNICEF, and the Council of Europe in several reports had finally acknowledged that action is needed to prevent sexual abuse in sport, the Mali case proved to Human Rights Watch just how dangerous speaking of sexual abuse in sport can be. Although Minky Worden had warned of the risk, the president of FMBB had 42 days to threaten and intimidate the victims and witnesses and to obstruct the investigation before he was suspended.

“Intimidation, death threats, and silencing of whistle-blowers and survivors happen because these men are very powerful. Their platform of a national football or basketball federation gives them a chance to go to five-star hotels and to get international jobs as Hamane Niang did. So, of course, they will fight to keep their positions of power,” Minky Worden said.

“They have all the power and all the money, and they have no reason to change anything. It is cost-free for a national football president or a basketball head coach to sexually abuse teenage girls.”



A Coubertoin tax against muscle drain

The French economy professor emeritus at the University of Paris-Sorbonne, Wladimir Andreff, has contributed to Play the Game on many occasions since 1997. In a speech at Play the Game's conference in 2005, he proposed a solution to the financial imbalance in sport between developed and less developed economies. Today, it is worth asking if a global sports tax could also be used for other purposes, such as financing athlete unions, integrity initiatives, and other social ends that are not commercially viable.

In 1978, James Tobin, a winner of the Nobel Prize in Economics, recommended a tax on foreign exchange transactions that “will throw sand in the wheels of international finance” and put a brake on too many swift short-term capital movements on the world financial markets (Tobin 1978).

On the other hand, Pierre de Coubertin wished all the countries of the world to participate on equal footing in the Olympic Games. How is it possible to reconcile this Coubertinian idea with the harshness of budget constraints in developing countries? We outline below a solution (not a panacea) which is likely to alleviate, along with some of the financial problems of developing countries, the aforementioned problem of the muscle drain.

This is the aim of a so-called ‘Coubertoin’ tax [...] with the four purposes of 1) slightly covering the education and training cost, for his/her home developing country, of any athlete or player transferred abroad; 2) providing a stronger disincentive to transfer an athlete or a player from a developing country, the younger he/she is when the transfer takes place; 3) thus, slowing down the muscle drain from developing countries and

toward professional player markets in developed countries; and 4) accruing revenues to a fund for sports development in the home developing country from the tax levied on every athlete or player transfer abroad. The fund would firstly finance sports facility building and maintenance (thus facilitating a sport for all practice), and secondly physical education programs in schools (in some way, a reimbursement of the sporting education received in their home country by migrant athletes).

The idea is to levy the tax at a 1% rate on all transfer fees and initial wages agreed on in each labor contract signed by players from developing countries with foreign partners (usually foreign professional clubs and/or players’ agents). By its very existence, the Coubertoin tax should slow down the muscle drain, but a windfall benefit may be to slightly reduce the labor cost differential (including the tax) between home developing country’s and host developed country’s labor markets, thus lowering the (surely still strong) incentive for players to leave their home country. A specifically crucial issue is the one of international transfers of teenage athletes from developing countries, albeit it is not

the only one. One can get to grips with such an issue through differentiated taxation including a surcharge on the transfer fee and initial wage of teenage and very young players. [...]

When it comes to the issue of who will pay the Coubertobin tax and possible surcharge, it must be the individual or legal body which pays the bill for the transfer fee and the first year wage, whether it is an affiliated professional club or a players' agent. If two bodies are involved, both will help pay. Of course, no one should be taxed twice, once in the developing home country and a second time in the host country; the tax should only be collected in the former country in order to avoid double taxation.

Monitored and supervised

Furthermore, there is a risk of bargaining and corruption surrounding the tax collection in developing countries. This is the reason why we suggest that the collection of the Coubertobin tax should be monitored and supervised by an international organization, either an existing one (UNDP or the World Bank) or an *ad hoc* one to be created (a sort of world agency for the Coubertobin tax, for instance, under the joint auspices of the UN and the IOC). This international organization would govern the whole process of tax calculation, collection and allocation, and would have to solve any emerging conflict between a player's home country or nursery club and his/her recruiting professional club or players' agent.

We could expect the new tax would meet with both hindrance and resistance. [...] First, the Coubertobin tax

will not be easy to implement and enforce insofar as it has to be accepted on a worldwide basis. Otherwise, some free-riding developed countries (professional clubs) will still transfer teenage players without paying the tax and will concentrate on the most talented Third World migrant athletes, while some developing countries will be deprived of the money supposed to reside in their sports development fund. [...]

It is clear that the Coubertobin tax cannot be introduced without some sort of general agreement joined by all countries involved in athlete transfers. Athlete transfers from countries that had not joined the agree-



A tax on athlete transfers could serve sports development in the Global South, one of the world's most respected sports economists has suggested. Photo: Simon Bruty/ALLSPORT/Getty Images

ment should be forbidden and fined or nullified when undertaken in a sort of international underground black market for sporting talents from developing countries.

Of course, all the professional leagues and clubs all over the world would attempt to resist the new taxation, and the joint efforts of the UN, IOC and international associations or federations (like FIFA in football), as well as political will in home and host countries, would be necessary to break through. The international organization in charge of the tax administration should



Wladimir Andreff was right when predicting a new tax would meet resistance. Here, he speaks to journalists following his intervention at Play the Game 2005 in Copenhagen. Photo: Niels Nyholm/Play the Game

supervise that tax revenues were really spent on sports development in home countries, including training the most talented players until 18 in order to raise their international market value. Nevertheless, the suggested Coubertobin tax seems desirable and feasible insofar as transfers of teenage or younger players are assessed as a harmful practice, specifically for developing countries.

Not restricted to football

A new FIFA transfer regulation (FIFA, 2001) came into force on 1 September 2001; it contains a number of clauses relating to the protection of minors, training compensation and a solidarity mechanism. The new transfer rules limit the international transfer of minors (under 18). Transfers of minors are prohibited unless the player's family moves for non-football-related reasons. Within the EU-EEA (European Economic Area), players under 18 can only move if teams undertake to provide both sporting and academic training.

The new rules also establish that compensation for training costs incurred between the ages of 12 and 21 is payable when the player signs his first professional contract and on each subsequent move to another team up to the age of 23.

The first payment of training compensation is distributed on a pro-rata basis between the teams contributing to the player's training. The calculation of the training compensation is based on a four-tier categorization of teams to be determined by individual national football associations (federations). Finally, the new

rules include a solidarity mechanism whereby 5% of all compensation payments for transfers involving players over the age of 23 will be distributed to those teams involved in the training of players between the ages of 12 and 23. [...]

FIFA regulation is a step forward [but] may well be circumvented by host professional clubs, players' agents and teenage players (or their parents). We could imagine naturalizing the player on purpose, football-related moves of the player's family hidden behind apparently non-football-related reasons, false declarations about the player's age (a quite common practice in developing countries), and so on.

By its very nature, the new FIFA regulation is restricted to football only, while the suggested Coubertobin tax is widespread to all professional – team as well as individual – sports. If only for this reason, the tax would have a higher return and a stronger impact on financing sport development in home developing countries. Take the example of the Dominican Republic which exports exactly no football players whereas over 1,300 Dominican citizens are operating in various North American baseball leagues. [...]

A last note is that without a more efficient supervision of the players' agent business – including the FIFA permit to enter the business – neither the Coubertobin tax nor the FIFA rules will be implemented in full – i.e., without anyone circumventing them. Outlaw agents should be banned and expelled from the business. European clubs that keep on dealing with FIFA unapproved agents should be fined and demoted for

years. Outlaw agents are more inclined to deal with African, Asian and Latin American non-affiliated associations and straight with teenage players themselves (and their parents) insofar as they are crowded out by approved agents from the more profitable market of transactions transferring the most famous European and non-European professional athletes. In France, for example, over 200 agents are in the business whereas only 46 hold a FIFA permit; in Belgium, 26 of them are holding a permit out of 200. [...]

By no way a long-run solution to the muscle drain of talented teenage players could avoid a policy for sports development – and the issue of the required finance – in developing countries, and could be found without progress toward self-sustained economic development reducing the wage gap, including the revenue gap of professional sportsmen and women. Unfortunately, the regulation of the international mobility of teenage players can only alleviate the most undesirable consequences of the muscle drain.

The suggested Coubertobin tax can put a brake on international transfers of very young players. It is likely to be 100% efficient, namely in entirely phasing out illicit transfers undertaken by outlaw players' agents. We reach here the point at which economic tools must be completed by administrative and legal measures aiming at control over the players' agent business.

For the sake of authenticity, the factual information from 2005 has not been updated.

Full text at www.playthegame.org

When sport is more than a play



Photo: Niels Nyholm/Play the Game

Fiction and reality intertwined when the theatre play 'Frontrunners' crossed the stage at Play the Game 2005 in Copenhagen.

Written by Canadian journalist Laura Robinson, the play was based on the true story of 10 native Canadian boys, all outstanding running talents.

Having survived all kinds of abuse at residential schools they were forced to attend, the boys were chosen to run 800 kilometres with a torch destined for the Opening Ceremony of the Pan-Am Games in Winnipeg in 1967.

When they finally arrived at the entrance to the stadium, the boys were told to hand over the torch to a non-native runner – the idea of a First Nation person representing Canada was not acceptable to the organisers then.

In 1999, the runners were called back and rehabilitated when the Pan-Am Games were again hosted by Winnipeg. After 32 years, they could finally complete their mission and deliver the torch in the stadium themselves.

Laura Robinson was present then and decided to write the story of these men whom she describes as survivors. She later turned the magazine article into a book, the book into a play, and the play into a movie.



Photo: Niels Nyholm/Play the Game

Fiction or reality?

The decision whether the play was fiction or reality was not made easier for the audience at Play the Game 2005, since two of the actors, Charlie Nelson and Fred Harper, were not real actors – but two of the frontrunners in the real world. For them, telling the story of

their lives on stage brought some meaning to the injustices they had gone through. For the audience, running with them took their breath away. Frontrunners showed that sport can be more than a play.