



Position of Trust - A Change in the Law

The Government is extending the positions of trust offences within the Sexual Offences Act 2022, to include certain activities that take place in sport and religion from 28 June 2022 in England.

The purpose of the new legislation is to protect 16 and 17-year-olds from potential abuse by those who have power and influence over them.

British Equestrian already considers it to be poor practice if a person coaching or supervising children forms an inappropriate relationship with a child. The BEF Safeguarding Policy for Children and Young People (19th Revision, 01 January 2020) states that 'The BEF along with other sport governing bodies treats coaches and other officials as being in a position of trust. Coaches and other officials should ensure they maintain healthy, positive and professional relationships with all participants. Coaches and others in positions of authority and trust in relation to athletes aged under 18 must not engage in sexual relationships with them while that unequal power relationship exists.'

Where and when it comes to our attention that an inappropriate relationship, inappropriate communication or other perceived 'grooming' behaviour has been demonstrated by a volunteer or staff member in a supervisory capacity with U18s, the case is considered by our Safeguarding Case Management Group, statutory agencies are involved, and a DBS referral is made as necessary.

This change in legislation goes one step further in supporting governing bodies to make sport safer for children.

It follows a campaign led by the NSPCC and the All-Party Parliamentary Group on Safeguarding in Faith Settings called 'Closing The Loophole', which gained widespread political and public support. Several examples of abuse in a Sport and Religion have come to light in recent times, most prominently the widespread child sexual abuse in football that was revealed in 2016, including by former coach Barry Bennell.

The 'position of trust' offences are intended to target situations where a child has dependency on an adult involved in an activity, often combined with an element of vulnerability of the child.

New positions of trust are defined for non-statutory settings by reference to the activity which the adult is carrying out in relation to the child, namely, coaching, teaching, training,

supervising, or instructing. Furthermore, it is a requirement that the adult carries out the activity “on a regular basis” and is aware of their position in relation to the young person.

There is more detail here [Positions of trust: Police, Crime, Sentencing and Courts Act 2022 factsheet - GOV.UK \(www.gov.uk\)](#)

British Equestrian is awaiting further legislative guidance, so that the Safeguarding Team are able to provide accurate information to members on how this change will be applied. The CPSU has produced a fact sheet which includes information on:

- What can sports coaches and others in positions of trust do?
- Dealing with a concern about a possible abuse of trust

[Preventing abuse in positions of trust in sport \(thecpsu.org.uk\)](#)

We encourage all members to read this information, and for affiliated organisations to share these key messages with your staff and volunteers. If you have a concern, please contact our Safeguarding team:

<https://www.britishequestrian.org.uk/getInvolved/safeguarding/reporting-a-problem>

or alternatively contact Childline 0800 1111.