

# SAFE SPORT **UNIFIED CODE**

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## PREAMBLE

Safe Sport is “an athletic environment that is respectful, equitable and free from all forms of non-accidental violence ...”

- International Olympic Committee Consensus Statement (2016)

## PURPOSE

The purpose of the Safe Sport Unified Code and the Safe Sport Programme which supports it are to:

- Safeguard participants in the sporting environment from abuse and harassment which undermine both the mental and physical health of participants and the integrity of sport
- Harmonise and streamline the safeguarding efforts across the Singapore sporting ecosystem through organisations that are responsible for organising, administering and facilitating participation in sport

Whilst guided by international frameworks<sup>1</sup>, the Safe Sport Unified Code and Safe Sport Programme have been contextualised for Singapore sporting landscape and the sporting community through extensive consultations with sporting community stakeholders.

Together, the Safe Sport Unified Code and the Safe Sport Programme form the national framework for safeguarding in sport.

## THE SAFE SPORT UNIFIED CODE (“THE UNIFIED CODE”)

The Unified Code is the cornerstone of the Safe Sport Programme. It sets out a unified reference for the Singapore sporting community that describes the forms of abuse and harassment which may take place in the sporting environment.

The community agreed standards of misconduct comprise inappropriate acts which are **sexual**, **psychological**, and **physical** in nature are set out in Article 4 (“Misconduct”). The Unified Code also sets out Misconduct which relate to processes for reporting.

The framework is designed so that the Unified Code may be adopted by any organisation in its member protection policies.

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<sup>1</sup> International Olympic Committee’s Consensus Statement: harassment and abuse (non-accidental violence) in sport (2016); Canada’ Universal Code of Conduct to Prevent and Address Maltreatment in Sport; U.S. Center of Safe Sport’s SafeSport Code

# THE SAFE SPORT PROGRAMME

The Safe Sport Programme comprises all the elements required to optimize the implementation of the Unified Code for sporting organisations that subscribe to the Safe Sport Programme (“Member Organisations”).

## The Safe Sport Programme supports Member Organisations through:

- **Policymaking**
  - assistance with the development of safeguarding policies that incorporate the Unified Code and other best practices; access to safeguarding tool kits and risk and needs assessment frameworks.
- **Case Management Service**
  - an independent mechanism to receive, respond and resolve reports of concern.

This includes the investigations by the case management unit of the Safe Sport Commission and where necessary are resolved through adjudication by an independently appointed Safe Sport Disciplinary Panel.
- **Training and Education** - for stakeholders through access to curriculum and advocacy materials for safeguarding officers and participants.
- **Access to systems** for secure record-keeping and confidential reporting of incidents.
- **Facilitating support** for affected parties who require augmented psychosocial support through befrienders and counsellors in its Support Network.
- **Accreditation** through a Safe Sport safety mark upon the implementation of the relevant safeguards.

## The Safe Sport Programme prescribes:

- **Process and Procedures**
  - clear guidelines on jurisdiction, confidentiality, assessment and investigation of reports of concern, a decision-making framework for the determination of severity and consequence(s) and hearing procedures which will ensure a consistent, fair and independent resolution process.
- **Measures** – protective and/or rehabilitative interventions including education, contact limitations and re-integration programmes.
- **Sanctions** – appropriate limitations, conditions, suspensions or denial of the privilege of participation as a consequence for engaging in Misconduct.

## GUIDING PRINCIPLES – H.E.A.R.

The design of the Unified Code and the Safe Sport Programme are based on the following principles:

**HARMONISATION** of (a) behaviours which constitute Misconduct in sport (b) process, procedure and decision-making through the independent mechanism for assessment, investigation and adjudication

**EMPOWERMENT** of (a) sporting organisations through capability development in creating healthy and safe environments (b) of the individuals involved through an understanding of appropriate interpersonal behaviour and best practice in their respective roles in the sporting environment

**ACCESSIBILITY** to (a) channels for reporting concerns for affected persons and access to augmented psychosocial support (b) the Unified Code for any type of sporting organisation within the Singapore sporting ecosystem

**RESPECT** for (a) a sporting organisation's ownership and governance over sport-specific policies and low-level concerns (b) the agency of affected persons and the confidentiality of their disclosures (c) the principles of natural justice which include the separation of powers, right to be heard, clear procedures and impartial decision-making

## SAFE SPORT COMMISSION

The Safe Sport Commission is responsible for the continued development and updating of the Safe Sport Unified Code and the administration of the Safe Sport Programme and maintains a secretariat to execute the following functions:

- Education and Training
- Policy and Advocacy
- Case Management
- Accreditation

The Safe Sport Commission's mission is to bring together participants and organisations in fostering a healthy and positive climate for all sporting participants.

To find out more about the Safe Sport Commission, its members and its work, visit **[www.safesport.sg](http://www.safesport.sg)**

## DECLARATION BY KEY SIGNATORIES

As organisations of note in sport (“Key Signatories”), these parties recognise that only when sporting environments are safe, can their common values be realised:



**Singapore National Olympic Council (SNOC)**, which affirms the International Olympic Committee’s fundamental ethical principles of Olympism that rejects of all forms of harassment and abuse, be it physical, professional or sexual, and any physical or mental injuries.<sup>2</sup>



**Singapore National Paralympic Council**, which affirms the International Paralympic Committee’s principles that every individual is entitled to live and work in an environment that is free from embarrassment, discomfort, intimidation or humiliation arising from acts of non-accidental violence and abuse, including those perpetrated knowingly and deliberately (acts of commission) or negligently (acts of omission), that undermine both the mental and physical health of the individual and the integrity of sport.<sup>3</sup>



**Singapore Sport Council (re-branded Sport Singapore or SportSG)**, which core values includes working with all people with care and respect that will inspire and empower them to achieve their fullest potential.

<sup>2</sup> Code of Ethics 1.4, International Olympic Committee

<sup>3</sup> Chapter 3.15, International Paralympic Committee Policy on Non-Accidental Violence and Abuse in Sport

**The Key Signatories underline their commitment to the common values they hold by declaring that they:**

- Acknowledge and recognise the sporting community's concerns, feedback and contributions through the Safe Sport Unified Code Community Consultations.
- Affirm the General Principles of the Unified Code and the Guiding Principles of the Safe Sport Programme.
- Agree to accept, implement and enforce: (1) the Unified Code; and (2) the rules and procedures regarding the mechanism for reporting and resolution prescribed by the Safe Sport Programme; throughout their organisations, membership and activities by imposing the required conditions for participation, membership and/or support.
- Recognise the Safe Sport Commission as the designated commission for administering the Safe Sport Unified Code and the Safe Sport Programme.
- Recognise the independent panel's adjudicative role and functions under the Safe Sport Programme.
- Agree to work collaboratively with the other Key Signatories, the Safe Sport Commission, and each, their own stakeholders to ensure Safe Sport for all participants.



# THE SAFE SPORT UNIFIED CODE

## 1 Interpretation

- 1.1 A list of Definitions and Explanations of Terms is appended at the end of the Unified Code.

## 2 Commitment to General Principles

- 2.1 By adopting this Unified Code, sporting organisations commit to the following principles:
- a. ensuring a safe sporting environment is a key of good governance for any sporting organisation. Whilst sport is a force for good, the sporting environment presents risks which may expose participants to negative behaviours;
  - b. all participants in sport should expect to play, practise, compete, officiate, work, volunteer and interact in an environment that is free from harassment and abuse;
  - c. the Misconduct set out in the Unified Code is incompatible with the core values of sport, which transcend sport-specific cultures and codes;
  - d. awareness of behaviours which constitute Misconduct should guide interactions and is an integral part of communicating best practice amongst participants;
  - e. persons in positions of trust and authority have a responsibility to protect the health and well-being of all other participants, in particular Minors and Vulnerable Adults, and to respond to incidents of Misconduct;
  - f. addressing the causes and consequences of Misconduct is a collective responsibility. It requires deliberate efforts of all stakeholders; and
  - g. sporting organisations serve as gatekeepers for participation within their domains. Each is responsible for the nature and quality of interactions between participants through the establishment and enforcement of rules and expectations within their respective environments.

### **3 Scope of Application of the Unified Code**

- 3.1 This Unified Code applies to Person(s) who participate in the sporting environment.

### **4 Misconduct**

- 4.1 A Person who engages in Misconduct set out in this Article is in violation of the Unified Code.
- 4.2 The categories of Misconduct are not mutually exclusive and the examples or explanations set out in each category are not exhaustive.
- 4.3 Misconduct can be experienced in more than once category. The assessment of Misconduct is whether the conduct falls in to one or more of the categories, not into which categories it falls.
- 4.4 Misconduct is defined, explained and described as follows:

#### **A. Offences under Domestic Law**

##### **Penal Code Offences**

Penal Code offences against persons include offences under Hurt, Wrongful Restraint, Criminal Force & Sexual Assault Offences

##### **Ill-treatment of a child or Young Person**

Section 5 Children & Young Persons Act

Section 7 Sexual Exploitation of Child or Young Person

##### **Harassment**

Section 3 Protection from Harassment Act

Section 4 Protection from Harassment Act

##### **Ill-treatment under the Mental Capacity Act**

Section 42 Mental Capacity Act

##### **Offences specific to Vulnerable Persons**

Considerations specific to Vulnerable Persons Act (e.g. under the Penal Code and Protection from Harassment Act)

##### **Other Offences**

Any offences against persons under the Penal Code and under Singapore law

## B. Sexual Misconduct

### Sexual Harassment

This means any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating a Hostile Environment.

Sexual Harassment can exist even if unintended. Sexual Harassment may take many forms (e.g. verbal, non-verbal, physical, psychological). Sexual Harassment may be communicated in many ways (e.g. in-person, written correspondence, posts on social media platforms, mobile communications devices).

Examples of sexual harassment include, but are not limited to:

- *Unwelcome sexual advances and requests for sexual favours, sexual jokes or epithets, sexually explicit statements, discussion of one's sexual activities or experiences.*
- *Unwelcome leering, ogling, whistling, brushing up against the body or suggestive comments.*
- *Unwelcome sexually offensive or inappropriate comments about a person's dress or appearance.*
- *Unwelcome derogatory or offensive remarks aimed at a person relating to their sex and/or gender.*
- *Unwelcome requests for dates.*
- *Displaying or distributing sexually explicit pictures or objects.*
- *Derogatory remarks or jokes aimed at a particular person, offensive comments relating to a person's sexuality, threats to disclose a person's sexuality to others.*

### **Sexual Communications**

This means intentionally communicating with an individual (who is a Minor and/or where a Power Imbalance exists) where the communication is sexual in nature or if it is intended to engage an individual in communications which are sexual in nature.

Communication includes content or imagery of a sexual nature, including but not limited to, pornography, sexual comment(s), sexual gestures, and/or sexual situation(s).

Factors which may signal intent include any of the elements of Grooming.

This does not exclude the possibility that similar behaviour between adults could constitute Sexual Harassment, as defined in the Unified Code.

### **Intentional Exposure of Private Area(s)**

This occurs when a Person intentionally exposes breasts, buttocks, groin, or genitals, or induces another to do so, to an Adult where there is a Power Imbalance, or to a Minor.

This does not exclude the possibility that similar behaviour between adult/s could constitute Sexual Harassment, as defined in the Unified Code.

### **Sexual Contact without Consent**

This means any intentional touching of a sexual nature, however slight, with any object or body part (as described below), by a Person upon another individual.

Sexual Contact includes but is not limited to: (a) kissing, (b) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts; and (c) making another touch themselves, the Person, or someone else with or on any of these body parts.

Factors which may signal intent include any of the elements of Grooming.

### **Sexual intercourse without Consent**

This refers any penetration, however slight, with any object or body part (as described below), by a Person upon another individual.

This includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one individual/Person and the genitalia of another individual/Person.

### **Sexual Exploitation**

This happens when a Person intentionally or knowingly:

- a. allows third parties to observe private sexual activity from a hidden location or through electronic means (e.g. live-streaming of images) without Consent of all parties involved in the sexual activity;
- b. records or photographs private sexual activity and/or an individual/Person's intimate parts (including genitalia, groin, breasts or buttocks) without Consent of all parties in the recording or photo;
- c. engages in voyeurism (e.g., watching private sexual activity or viewing another individual's intimate parts when that individual would have a reasonable expectation of privacy), without Consent of the party or parties being viewed;
- d. disseminates, shows or posts images of private sexual activity and/or an individual's intimate parts (including genitalia, groin, breasts or buttocks) without prior Consent of the individual depicted in the images;
- e. intentionally exposes another individual to a sexually transmitted infection or virus without that individual's knowledge; and/or
- f. engages in prostituting or trafficking another individual.

Factors which may signal exploitation include any of the elements of Grooming.

## C. Psychological & Physical Misconduct

### Psychological Misconduct

This refers to a repeated pattern or extreme incidents of behaviour (whether by use of Force or otherwise) including but not limited to:

- a. physical and/or verbal act which terrorise, threaten and/or frighten an individual;
- b. neglect - denying attention or support, ignoring, refusing to allow or failing to provide the necessary treatment for mental health and/or medical needs of an Individual;
- c. spurning - acts that reject, belittle, degrade, humiliate, shame and/or ridicule an individual, especially when in public. Consistently singling out an individual to criticize and punish and/or to receive fewer resources without any reasonable justification;
- d. exploitative and/or corrupting acts including Grooming, acts which model, permit and/or encourage antisocial behaviour (e.g. criminal activities, substance abuse, violence to or corruption of others);
- e. stalking occurs when a Person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the course of conduct would cause a reasonable person to (i) fear for their safety, (ii) the safety of a third person, or (iii) to experience substantial emotional distress. Stalking includes “cyber stalking” using electronic media (e.g. internet, social networks, texts).

Psychological Misconduct may take place regardless of a Person’s intent and/or whether harm results from the behaviour.

#### *Examples*

- *Repeatedly and excessively verbally assaulting or attacking someone personally, in a manner that serves no productive training or motivational purpose.*
- *Ignoring or isolating an individual for extended periods of time, including routinely or arbitrarily excluding an individual from practice.*

- *Throwing sport equipment, water bottles or chairs at or in the presence of others, punching walls, windows or other objects.*
- *Bodyshaming by criticizing an individual's appearance through judgment or comparison without any reasonable justification.*
- *Encouraging or knowingly permitting an athlete to return to play prematurely following a mental health issue and without the clearance of a medical professional.*

### **Physical Misconduct**

This means any contact or non-contact behaviour that causes, or reasonably threatens to cause, physical harm to another individual.

Physical misconduct may include, without limitation:

- a. contact violations such as punching, beating, biting, striking, strangling or slapping another; intentionally hitting another with objects, such as sporting equipment;
- b. non-contact violations - isolating an individual in a confined space; forcing an individual to assume a painful stance or position for no athletic purpose; withholding, recommending against, or denying adequate hydration, nutrition, medical attention or sleep; providing alcohol to a Minor; providing illegal drugs or non-prescribed medications to another;
- c. neglect by acts of omission including but not limited to:
  - i. encouraging or knowingly permitting an athlete to return to play prematurely following a serious injury without the clearance of a medical professional (e.g. training after a concussion or sprain/fracture which leads to an aggravated injury);
  - ii. not having consideration for an individual's physical or intellectual disability and encouraging and permitting an athlete to train beyond such capacity;
  - iii. encouraging or knowingly permitting an athlete to train without rest in a manner that harms them physically and/or is against medical recommendations; and/or
  - iv. disregarding the use of performance enhancing drugs.

## **Bullying**

This means repeated and/or severe behaviour(s) that is/are:

- a. aggressive (including the use of Force);
- b. directed at an individual, which may be based on Differential Factors; and/or
- c. intended or likely to hurt, control, or diminish the individual emotionally, physically or sexually.

Bullying-like behaviours may also intersect with other types of Misconduct, such as Hazing and/or Harassment.

Examples of bullying behaviour may include, without limitation, repeated and/or severe:

- Hitting, pushing, punching, beating, biting, striking, kicking, strangling, slapping, spitting at, or throwing objects (such as sporting equipment) at another individual.
- Verbal ridiculing, taunting, name-calling or intimidating or threatening to cause someone harm.
- Social exclusion or targeting, including cyberbullying - Use of rumours or false statements about someone to diminish that individual's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and/or influencing others to do the same.



## Hazing

This means any conduct that subjects another individual, whether physically, mentally, emotionally and/or psychologically as a condition of joining or being socially accepted by a group, team, or organisation. Such conduct includes acts that endanger, abuse, humiliate, degrade or intimidate an individual.

Consent by the individual subjected to Hazing is not a defence, regardless of the individual's perceived willingness to cooperate or participate.

Examples of Hazing include:

- Contact acts like tying, taping or otherwise physically restraining another individual, beating or other forms of physical assault.
- Non-contact acts with the use of Force in the consumption of alcohol, illegal drugs or other substances, including participation in binge drinking and drinking games; personal servitude; requiring social actions (*e.g. wearing inappropriate or provocative clothing*) or public displays (*e.g. public nudity*) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water and/or food; restrictions on personal hygiene.
- Sexualised acts - actual or simulated conduct of a sexual nature.
- Criminal acts - any act or conduct that constitutes offences under the Penal Code

## Harassment

This means repeated and/or severe conduct that:

- a. causes fear, humiliation and/or annoyance.
- b. offends or degrades;
- c. creates a Hostile Environment;
- d. reflects discriminatory bias in an attempt to establish dominance, superiority or power over an individual or group based Differential Factors; or
- e. any act or conduct described as harassment under local laws.

Whether conduct constitutes harassment depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behaviour.

## D. Other Inappropriate Conduct

### Grooming

This refers to the act of establishing trust and an emotional connection in a relationship with Power Imbalance and/or involving a Minor which creates an environment where an individual becomes receptive to improper advances. It can occur in person or online.

Grooming is often a slow, gradual and escalating process which include but are not limited to a combination of the following behaviours:

- Targeting - by using one's position of authority and/or reputation to target individuals.

*e.g. individuals who are susceptible to attention, or insecure about their skills or position on the team, or when they might be having personal issues or problems*

- Building trust and friendship – by creating opportunities to engage in one-to-one interactions with individual outside sporting activity to gain an individual's trust.

*e.g. providing gifts, excessive praise, accord social or special status, private travel, private meetings.*

- Developing isolation, control and loyalty – exerting control through demands of loyalty, threats, and socially isolating victim(s) from others.

- Establishing secrecy for interactions - discouraging access to other support frameworks, encouraging doubt and fragility through manipulation of the individual's feelings.

*e.g. Emphasizing a special relationship and no one will understand.*

- Initiation of inappropriate contact through the gradual incursion beyond friendship boundaries (from accidental and inadvertent to inappropriate) by verbal/physical communication.

*e.g. sitting on lap, playing games with touching such as wrestling games or hide and seek, appearing half dressed and/or naked, sharing sexually explicit materials, telling sexual jokes, making sexual remarks; providing massage or other purported therapeutic interventions with no specific training or expertise*

- Securing secrecy through threats, invoking of guilt or questioning loyalty

*e.g. blame victims for the incident, threaten individuals that they will get into trouble.*

### **Intimate Relationship**

This refers to engagement in an intimate or romantic relationship between an adult Person and a Minor and where a Power Imbalance exists.

Whether a relationship is intimate is based on the totality of the circumstances, including: regular contact and/or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties' emotional connectedness, the exchange of gifts, ongoing physical and/or intimate contact and/or sexual activity, identity as a couple, the sharing of sensitive personal information, and/or intimate knowledge about each other's lives outside the sport relationship.

Intimate Relationships between adults where a Power Imbalance exists are strongly discouraged. Where they exist, they should be declared and managed by the policies specific to Member Organisations having due consideration for:

- a. impact on party who is not in the position of power;
- b. conflict of interests in decision making;
- c. expectations of behaviour of the Person in the position of power (i.e. professionalism, the duty of care); and
- d. the sport's public image, as such relationships can also be perceived to be exploitative due to the differences in authority, power, maturity and/or status

### **Inappropriate Physical Contact**

This occurs when a Person engages in inappropriate physical contact with another individual(s) where there is a Power Imbalance.

Such inappropriate contact includes, but is not limited to, intentionally:

- a. touching, slapping, or otherwise contacting the buttocks or genitals of an individual;
- b. touching or hugging an individual excessively;
- c. kissing an individual.

### **Wilful Tolerance**

This occurs where a Person tolerates any form of Misconduct when there is a Power Imbalance between such a Person and the individual(s) who are being subjected to the Misconduct.

#### **Examples**

- *A person passively or actively protects a person who they know has assaulted or abused another person*
- *A person is aware of and chooses to ignore and/or bullying behaviours*
- *A person affected tells someone that they were abused or assaulted, but that person tells them they're overreacting, that they were inviting danger, and/or discourages the victim from telling anyone else*

## **E. Misconduct Relating to Process**

### **False Reporting**

This occurs when a Person makes a false report of the commission of a Misconduct which did not occur, or where the events forming the basis of the allegation of misconduct did not happen, and the individual making the reports knows that the Misconduct or events did not happen.

For avoidance of doubt, a false allegation is not, in and of itself, an unsubstantiated allegation merely because there is insufficient supporting evidence to determine whether an allegation is true or false.

### **Abuse of Process**

This occurs when a Person directly or indirectly abuses or interferes with reporting, investigating and/or adjudication processes by:

- a. falsifying, distorting, or misrepresenting information, the processes, or an outcome;
- b. destroying or concealing information;
- c. attempting to discourage an individual's proper participation in or use of the reporting, investigating and/or adjudication process;

- d. harassing or intimidating (verbally or physically) any individual involved in such processes before, during, and/or following any proceedings;
- e. publicly disclosing an individual's identifying information;
- f. failing to comply with a temporary measure or other measure and/or sanction;
- g. distributing or otherwise publicizing materials created or produced during an investigation or appeal as a part of these policies or procedures, except as required by law or as expressly permitted by the SSP; or
- h. influencing or attempting to influence another individual to commit abuse of process.
- i. failing or refusing to cooperate fully with any investigations conducted pursuant to the applicable process.

### **Retaliation**

This refers to an adverse action against any individual for making a good faith report of a possible Unified Code violation.

Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable individual from engaging or participating in these processes when the action is reasonably related to the report or engagement with the applicable process.

Retaliation may be present even where there is a finding that no violation occurred.

Retaliation does not include good-faith actions lawfully pursued in response to a report of a Unified Code violation.

Examples of retaliation include:

- Interfering with, threatening, or damaging in individual's professional career.
- Providing negative assessment and/or performance evaluation, withholding and/or sabotaging advancement/selection.
- Triggering investigation or disciplinary proceedings in response.

## **5 Consequences to Participation**

- 5.1 A Person's participation in sport activities may be limited, conditioned, suspended, terminated or denied based on a Unified Code violation.
- 5.2 Where a Person is subject to the jurisdiction and/or governance of a Member Organisation the relevant measures and sanctions are set out in the provision of the Safe Sport Programme.

# DEFINITIONS & EXPLANATIONS OF TERMS

## Consent

This means permission that is informed (knowing), voluntary (freely given) and active (not passive).

Consent must be demonstrated by clear words and/or actions, indicating that an individual is agreeable to engage in the activity in question.

Consent can be withdrawn through clear (verbal or non-verbal) communication.

The responsibility for ensuring consent rests with the person who initiates or pursues the activity.

Consent cannot be given by a person who is:

- a. a Minor under this Unified Code;
- b. unconscious; and/or
- c. lacks mental capacity due to Incapacitation, mental or intellectual disability or illness.

There is no consent where one party induces the other to engage in the activity by Force.

Additionally, in the context of Sexual Misconduct, consent to one sexual activity does not mean consent to another, and consent at one time does not imply consent in the future. Being in a relationship with someone does not mean that party has consented to any sexual activity.

## Differential Factors

These are factors such as gender, race, religion, ethnic origin, physical attributes, sexual orientation, age, disability, age, athletic ability, socio-economic status.

Differential factors may act in combination.

## Force

Force includes:

- a. physical force (e.g. hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon);
- b. threats to harm an individual and/or their family and/or friends (e.g. threats to harm an individual physically, to reveal private information to harm an individual's reputation, or to deny an individual's ability to participate in sport);
- c. intimidation is an implied threat that causes reasonable fear in another individual. A Person's size, alone, does not constitute intimidation; however, a Person's size may be used in a way that constitutes intimidation (e.g. blocking access to an exit); and/or
- d. coercion is the use of pressure to persuade, entice, attract, or manipulate another individual to engage in an activity. When an individual makes clear their decision not to participate in an activity, continued pressure can be coercive. Whether conduct is coercive depends on:
  - i. the frequency of the application of the pressure;
  - ii. the intensity of the pressure;
  - iii. the degree of isolation of the individual being pressured;
  - iv. the duration of the pressure.
- e. deception through false representation(s) (express or implied) if untrue or misleading and the person making the representation(s) knows them to be untrue or misleading;
- f. abuse of position, power, control or trust to compel another person to participate in an activity where there is a Power Imbalance.



## Hostile Environment

This means an environment (physical or virtual) where conduct is sufficiently severe, persistent, and/or pervasive such that it interferes with limits or deprives any individual of the opportunity to participate in any programme or activity.

A Hostile Environment can be created by an isolated incident that is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical.

Whether a hostile environment exists depends on the totality of circumstances, including, but not limited to:

- the frequency, nature, and severity of the conduct
- physically threatening (intimidating, degrading, humiliating, offensive and/or unfavourable outcomes)
- effect on the individual's mental or emotional state
- whether the conduct was directed at more than one person
- whether the conduct arose in the context of other discriminatory conduct
- whether the conduct unreasonably interfered with any person's educational or work performance or sport programs or activities

## Incapacitation

This means that an individual lacks the ability to make informed, rational judgments about whether to engage in an activity. An individual who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, unconsciousness, or lack of awareness that sexual activity is taking place.

An individual may be incapacitated because of consuming alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

Incapacitation is a state beyond drunkenness or intoxication. An individual is not necessarily incapacitated merely because of drinking or using drugs. The impact of alcohol and other drugs varies from individual to individual and is evaluated under the specific circumstances of the matter.

Being impaired by alcohol or other drugs is not a defence to any violation of the Unified Code.

### **Minor**

Minor means an individual under 18 years of age. Minors cannot Consent to conduct of a sexual nature.

It is the responsibility of the adult Person to know the age of the Minor. Ignorance of their actual age is no defence.

Neither shall misrepresentation of age by a Minor, nor a Person's bona fide belief that such an Individual is over the specified age, be a defence.

### **Person(s)**

Person(s) refers to individuals to which the Unified Code applies by virtue of an organisation's adoption of the Unified Code in its policies ("Relevant Organisation"), and may include:

- a. natural persons who are members or affiliates of a Relevant Organisation;
- b. natural persons who are members or affiliates of organisational members or affiliates of a Relevant Organisation;
- c. employees of a Relevant Organisation;
- d. athlete, coach, trainer, manager agent, team staff, official, medial, paramedial personnel and parents, who may be paid or volunteers for a Relevant Organisation;
- e. committee members and/or board members (appointed or elected) of a Relevant Organisation; and/or
- f. participants in events organised by a Relevant Organisation and/or its members or affiliates.

## Power Imbalance

Power Imbalance may exist between a Person and an individual where, based on the totality of the circumstances, a Person has supervisory, evaluative, a duty of care, or other authority over another individual.

Once a coach-athlete relationship is established, a Power Imbalance is presumed to exist.

A Power Imbalance may also exist between an individual and other adult involved in sport in positions such as high-performance directors, sport-specific support staff, care or support persons and technical officials. Misconduct occurs when this power is misused.

The factors to be considered in determining if there is a Power Imbalance include, but are not limited to:

- a. the actual relationship between the parties & their respective roles;
- b. the nature and duration of the relationship;
- c. the age of the parties involved;
- d. whether there is a significant disparity in age, size, strength, or mental capacity;
- e. level of physical and intellectual disability of the individual;
- f. other factors including relationships where exploitative relationship is presumed under Section 377CA (2) of the Penal Code.

A Power Imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship (e.g. a relationship between two spouses or life partners that preceded the sport relationship).

# CONTRIBUTORS

## Olympic and Paralympic Partners

Singapore National Olympic Council (SNOC)

Athletes' Commission

Women in Sport Committee

Singapore National Paralympic Council

Singapore Disability Sport Council

Singapore Para-Athletes Commission

## Government Agencies

Ministry of Education

Ministry of Home Affairs and the Singapore Police Force

Ministry of Social and Family Development

## Non-Governmental Organisations

Association of Women for Action and Research (AWARE)

KK Women's and Children's Hospital

Singapore Children's Society

## Members of the Community

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## Organisations Represented in the Community Consultations

Anti-Doping Singapore	Raffles Institution
AquaFins	Singapore Bowling Federation
Archery Association of Singapore	Singapore Canoe Federation
Association For Persons with Special Needs (APSN)	Singapore Cycling Federation
Basketball Association of Singapore	Singapore Disability Sports Council (SDSC)
Bowling Association for the Disabled (Singapore)	Singapore Dragon Boat Association
Bukit Timah Saddle Club	Singapore Floorball Association
Cerebral Palsy Alliance School	Singapore Golf Association
Deaf Sport Association	Singapore Gymnastics
Down Syndrome Association	Singapore Ice Skating Association (SISA)
Equestrian Federation of Singapore	Singapore Institute of Management (SIM)
ESPZEN Pte Ltd	Singapore Lifesaving Society
Fencing Singapore	Singapore Management University
First Kick Academy	Singapore Powerboat Association
Fitness First	Singapore Rugby Union
FitnessSG	Singapore Sailing Federation
Football Association of Singapore	Singapore Shooting Association
Global Esports Federation	Singapore Silat Federation
Goalball Association	Singapore Sports School
HomeTeamNS	Singapore Swimming Association
JSSL Singapore	Singapore Table Tennis Association
Jump Rope Federation Singapore	Singapore Taekwondo Federation
METTA School (Majority II)	Singapore Tennis Association
MINDS	Singapore Trampoline Academy
Ministry of Education	Singapore Wushu Dragon & Lion Dance Federation
Montfortian Sports Excellence Program Advisory Council (MSPEX)	Southeast Asia Regional Anti-Doping Organization
National Instructors & Coaches Association (NICA)	Special Olympics Singapore
National Youth Sports Institute (NYSI)	Sports Lab Pte Ltd
Singapore Wushu Dragon & Lion Dance Federation	SportSG
Southeast Asia Regional Anti-Doping Organization	Sportz Kulture Pte Ltd
Special Olympics Singapore	Table Tennis Association for the Disabled (Singapore)
Overseas Family School	Towerrunning Association of Singapore
PAPAGO Badminton	Triathlon Association of Singapore
Para Athletics Singapore	Volleyball Association of Singapore