



BAB Child Safeguarding Policy & Guidance

as it applies to

Persons Accused of Child Abuse

Policy Statement

In accordance with Clause 12.1 of the Constitution, the BAB's Child Safeguarding & Protection Policy is mandatory for all Member Associations, including their Clubs and individual members providing services for children and young persons – that is, those under the age of 18.

Accusations of Child Abuse

If you are accused – rightly or wrongly – of child abuse, it's very important to get advice about what to do. ***Your first priority should be to get legal advice***; this could be through the Citizens Advice Bureau or a specialist solicitor. You – the insured – need to know that your civil liability insurance cover through the British Aikido Board normally becomes invalid once there is a criminal charge made against you; and will remain invalid until the charge is dealt with or dismissed. In each case, however, the details of the charge will be notified to the BAB insurers who will give a ruling on whether “cover” remains in place or otherwise.

Suspension from coaching or working with children.

Please note that allegations and/or accusations of child abuse will – in the majority of cases – result in the BAB issuing you, the accused, with a Temporary Suspension Order Without Prejudice (TSO WP) forbidding you to coach or work with children pending the outcome of the investigation. This suspension does NOT imply guilt but is designed to protect both the accused and the child/children whilst the accusation/allegation is under investigation. Whilst the Board has a responsibility to all its members it should be remembered that in child protection the interests and safety of the child are paramount and, until any allegation is proven otherwise, will outweigh the interests of the accused.

What Happens Next / Other Actions

When deciding whether or not to prosecute a case of child abuse all relevant background issues will be investigated by the police, including police records and intelligence, previous allegations of abuse even if no prosecution resulted, and your association with other people. The investigation may also take several weeks or more to be completed; it will depend largely on the nature, seriousness and complexity of the allegation. During this time a designated officer of the Board will endeavor to keep you informed of what is happening if this is not already being done by your solicitor, the police or another agency.

If the police decide to investigate, you may be arrested or invited to assist with the investigation. At the police station, you will be entitled to free legal advice from a duty solicitor or you can have your own solicitor in attendance. The police refer decisions about making charges to the Crown Prosecution Service (CPS) who act independently of the police. If the CPS advises to do so, the police will charge you and then you will either be released on bail to appear in court at a future date or kept in custody to appear at the next available court.

The potential outcomes from an allegation against an accused person are:

- **Substantiated:** there is sufficient identifiable evidence to prove the allegation. In this case the TSO WP will be revisited by the BAB to determine what further action the Board should take.
- **False and/or Malicious:** there is sufficient evidence to disprove the allegation and/or there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false. In this case the TSO WP will be formally withdrawn.
- **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term therefore does not imply guilt or innocence. However, because the police and social care services work closely in conducting enquiries, they have different roles, thresholds for action and outcomes. Social Care assesses and decides whether it is more likely than not that a child has suffered or is at risk of suffering significant harm as a result of a person's actions or negligence. The CPS must be satisfied that there is enough evidence to obtain a realistic prospect of criminal conviction and that it is in the public interest to take the case to court. A judge must then be satisfied beyond reasonable doubt that a person has committed an alleged offence to convict them. *Therefore it is still possible to be deemed a risk to work with children without a criminal conviction.* In this case the TSO WP will be revisited by the BAB to determine what further action the Board should take.