

# Using Court Reports to Enhance Knowledge of Sexual Abuse in Sport

## A Norwegian Case Study

### **K. Fasting**

Norwegian School of Sport Sciences  
<kari.fasting@nih.no>

### **C. Brackenridge**

Brunel University  
<celia.brackenridge@brunel.ac.uk>

### **G. Kjølberg**

Norwegian School of Sport Sciences  
<kjoelberg@yahoo.com>

## **Abstract**

Sport scientists face difficulties in gaining access to data on sexual abuse in sport through conventional research sources and also in verifying media reports of such cases. One potential alternative source of data is court reports. The study reported here used a small number of court reports to examine issues confronting those researching sexual abuse in sport. Two questions were investigated: What do the court reports tell us about the perpetrators and their abuse strategies? How useful is content analysis of court reports for acquiring more knowledge about sexual abuse cases in sport? Data were drawn from electronic searches of the Norwegian Lovdata (Lawdata) website. 15 sport-based cases were revealed by the searches and then subjected to content analysis, both within- and cross-case. The findings confirm previous studies in relation to the perpetrator strategies and the absence of any perpetrator stereotype. The article concludes that court reports provide one valuable, yet still incomplete, source of information against which to test our understanding of sexual abuse in sport and develop abuse prevention measure.

*Key words:* sexual exploitation, case analysis, sport organizations, gender, perpetrators

Sexual abuse in sport is a relatively recent addition to the research agenda, but has risen to prominence as a result of a number of highly publicised cases (Brackenridge & Fasting, 2002). Since the problem was first recognised it has prompted policy responses by sport organizations in countries such as the USA, Canada, New Zealand, Australia, the UK, Norway and the Netherlands. In these countries, among others, policies and codes of practice to prevent sexual harassment and abuse in sport have been developed. But, in many countries worldwide, sexual harassment and abuse in sport is ignored as an issue. The International Olympic Committee adopted a consensus statement (2007) and developed an interactive educational program (<http://sha.olympic.org>) designed for the entire Olympic 'family' (i.e. national Olympic committees and international sport federations), but also targeted at the athlete and their entourage. In Norway, the first guidelines towards preventing sexual harassment in sport were adopted in 2000 and revised in 2011 to include both sexual harassment and abuse (NOC/NIF, 2011).

Researchers on this subject have often experienced difficulties securing data using conventional sources, such as interviews, since the topic is so ethically sensitive. This article examines a different potential source of data – court reports. Why are court reports of sexual abuse in sport of interest? First, because suppositions that sport may be a specific site for sexual abuse can only be tested if sufficient, reliable and verifiable data are available, yet very few sport governance systems include systematic recording of sport-related sexual abuse cases or even share definitions of such misdemeanours (Brackenridge, Bringer & Bishopp, 2005). Notwithstanding arguments over the jurisdiction of 'global', international, national and sports law (Foster, 2005), national court reports offer a potential alternative source of such cases. Secondly, sport authorities need to understand their own 'field' (Webb, Shirato & Danaher, 2002) and the dynamics of abuse within that field, in order to develop effective abuse prevention strategies. Next, the gender order of sport is strongly hetero-normative and patriarchal (Messner & Sabo, 1994), so it is of interest to understand from these sources whether and how this might affect patterns of sexual perpetration and victimisation in sport. Finally, most of the previously published testimonies from abused athletes give only one perspective – the voice of the victim/survivor – so the voice of the abuser is usually missing, or certainly underrepresented, and the situational context is often unknown. Our understanding of the relational and situational parameters of sexual abuse in sport is therefore deficient.

## Sexual Abuse in Sport – Context

Sexual abuse in the context of sport is variously defined. An often cited definition is “groomed or coerced collaboration in sexual acts...” (Brackenridge 2001, p 34). A similar definition is found in the newly published brochure from the NOC/NIF (2011, p. 8): “Abuse implies that a person offends another person’s rights. By sexual abuse we mean to trick or coerce a person into a sexual act the person does not want, or is not sufficiently mature to consent to”. Sexual abuse per se is not defined in the Norwegian penal code, so these definitions are taken here as a proxy. According to previous research, perpetrators of sexual abuse in sport are most often, but not exclusively, men, that most often occupy coaching positions (Brackenridge, 2001). However, other roles perpetrating known cases of abuse in sport include peer athletes and members of the athlete’s entourage who are in positions of power and authority, such as for example team managers, doctors, physiotherapists, trainers and so on (IOC, 2007).

Qualitative research studies, using interviews, have been conducted to illuminate the social and interpersonal dynamics of sexual abuse in sport (Kirby et al., 2000; Brackenridge, 1997; Cense & Brackenridge, 2001; Leahy, Pretty & Tenenbaum, 2002). Cense (1997), for example, showed that early signs of grooming (the process of targeting and preparing a victim for abuse) were a strong indicator of later abuse. In that study, eight athletes (six women and two men) reported abuse before they were 16 years old; for seven of them the abuse lasted between two and five years. All abusers were male coaches and the grooming started with the perpetrator taking care of the victim and becoming virtually a father figure to them. All victims said that the coach had more or less controlled their lives. The data showed that differences in age and maturity were risk factors for the athlete. Many had a poor relationship with their parents so the perpetrator had a chance to get closer to the victims, especially on tours, during massage, at the coach’s home and during drives to and from practice. The victim’s shame or fear of being frozen out of the sport, fear of not being believed and positive feelings towards the coach were all factors that contributed to the maintenance of the abusive relationship. Leahy et al. (2004) revealed two general dimensions of perpetrator methodology in a qualitative study of Australian athletes. These were: “The creation of a powerless victim and the creation of an omnipotent perpetrator” (p. 531), both of which appear to

confirm Brackenridge's (2001) earlier findings about coach/perpetrator risk factors, extracted from inductive analysis of interviews with abused athletes. She listed them as:

- has unsatisfactory sexual relationship(s) with peers or partner (or no partner)
- has history of (sexual) relationship difficulty with wife/partner and/or children
- possibly models self on own parents lack of empathy or exploitation
- suffers from thwarted personal ambitions
- derives self-esteem from control over others and public affirmation
- has access to the means to isolate intended victims (often using own car or team bus, hotel and/or own home)
- pushes back interpersonal boundaries through ambiguous sexual behaviours (touching, massage, non-verbal flirting)
- sets very demanding technical and training goals
- makes public comparisons between the ability of the intended victim and that of her peers

The few quantitative studies that have been undertaken have mainly focused on the prevalence of sexual abuse and, as such, tell us relatively little about either the perpetrators' characteristics or their strategies (Kirby et al. 2000, Leahy et al. 2002). Another source of knowledge is quantitative analysis of documents about reported cases, such as media articles or sport organisations' files. One such study was conducted by Brackenridge et al. (2005). Using SPSSX, they analysed 50 variables among 152 referrals recorded by the English Football Association, of which 132 were deemed usable for research purposes. However, they found that the reporting systems were flawed: for example, the age of the perpetrator was not recorded systematically, being mentioned in only 17 of the cases. Sexual abuse was the subject of 11% of cases. Seven of the 132 cases eventually resulted in a criminal conviction and six were dismissed from the court. The abused were between four and 23 years old, with an average age of 11.8 years. Among the 132 cases, 100 of the alleged victims were boys, 17 were girls, and in 15 cases victim gender was not recorded. Coaches/teachers/instructors (n=46) constituted the majority of alleged abusers. In 122 cases the perpetrator was male and in four, female; one case involved both a male and female perpetrator. Five cases recorded no data about the gender of the victim or perpetrator. The researchers noted

the limitations in the data and emphasised the importance of sport organisations becoming more systematic in the way they record the details of such cases.

A third type of method used to acquire knowledge about perpetrators is analysis of media reports. Brackenridge et al. (2008) conducted a quantitative analysis of 159 prosecutions for sexual abuse in sport, reported in the print media over a period of 15 years. The main aim of the study was to identify the nature of sex offending in sport, focusing on the methods and locations of the offences. Most of the perpetrators were coaches, teachers or instructors directly involved with the athletes (98%). Of the 159 cases examined, 113 had resulted in a conviction. The research also identified specific themes within the perpetrators' strategies including 'intimate', 'aggressive', and 'dominant' modes of interacting with their victims: these themes were reported to be consistent with strategies found by studies of sexual abuse outside sport. The researchers questioned the quality of the data, however, because journalistic accounts include only limited details of specific offending events. This makes such reports potentially unreliable and thus somewhat unsatisfactory as the basis for testing research hypotheses.

## Gaining Access to Data

One of the most difficult challenges facing any researcher of sexual abuse is gaining access to data. In sport this task is made even more difficult for a number of reasons. First, unless required to do so by their national sport body or funding agencies, many sport organisations do not have case recording systems. Next, where these systems do exist, they use different templates and media (paper based or electronic) and tend to use idiosyncratic rather than nationally or internationally agreed criteria for describing or making judgements about alleged misdemeanours. Finally, and arguably most important, many sport authorities are reluctant to expose data about sexual maltreatment in their sports for reasons of reputational risk, including fear of negative publicity, loss of sponsorship or loss of members; hence they resist approaches by researchers requesting access to abuse case files.

Toftegaard Nielsen (2004) established a database, called Crime in Sport Statistics – KISS, to identify patterns of abuse in sport in Denmark. Unusually, he was able to negotiate access to police files that re-

corded cases in which the perpetrators had been found guilty and sentenced. These files yielded 160 cases that had occurred in the context of sport, during the period from 1980 to 2002. They covered a range of crimes from use of child pornography to rape. Altogether, 20 different sports were represented: about two thirds of the cases had taken place in individual sports and one third in team sports with 63% of the victims being boys compared with 37% girls. Only 10% of the victims performed at the elite level and the rest participated recreationally. The average age of the perpetrators' first offence was 35 years, and average age of the sexually abused athletes was 12 years old. The analysis revealed that 13% had experienced the abuse over five or more years. On average, it lasted seven to 12 months. It happened mainly in the perpetrator's home or in connection with sport activities. In nine out of ten cases the perpetrator had used rewards to entice the victim to cooperate. In other cases, the perpetrator had played on the victim's feelings of guilt and shame. In some cases, the coercion of the victim had also happened in connection with the consumption of alcohol. This Danish study was the first to use court reports as a source of data on sexual abuse in sport.

In the face of the difficulties identified above, of gaining access to data on sexual abuse in sport through conventional survey or interview methods, and of verifying media reports of such cases, one potential alternative source of data is court reports. Arguably, court reports present a verified, factual account of events that research interviews or media reports cannot do, and give both perpetrator and victim perspectives on the events that took place. To this extent, the data within them should be more reliable than those from other sources. Court reports also share clear, legally defined thresholds – prosecution and conviction – and thus offer better terminological clarity than research studies for which there is no accepted or standardised definition of sexual abuse.

What patterns of court report analysis might be of interest? First, 'within-case' patterns: this kind of analysis reveals the narrative of the abuse process – the what? when? where? and how? It can also describe the abuser's explanation for his or her behaviour (why?) and give voice to both the survivor/the athlete who was sexually abused and to the perpetrator. Secondly, 'cross-case' patterns: these reveal, for example, the variety of perpetrator strategies, grooming behaviours and victim responses to attempted or actual abuse. As shown below both these pattern of analysis were used in the study presented.

## The Study

### *Research Questions*

The data reported below are from a study that analysed Norwegian court reports in which the perpetrators had been sentenced for sexual abuse crimes in a sport setting. The study set out to investigate the following questions:

1. What do the court reports tell us about the perpetrators and their abuse strategies?
2. How useful is content analysis of court reports for acquiring more knowledge about sexual abuse cases in sport?

### *The Norwegian Civil Penal Code and Court System*

The Norwegian court system is designed such that if the antagonists do not agree when they hold a pre-court settlement meeting then the case has to be taken to court. In Norway this process starts with the district or city court (Tingretten). If a party is not satisfied with the decision taken here they can then appeal to the Court of Appeal (Lagmannsretten). Finally, they can appeal to the Supreme Court (Høyesterett). The Norwegian Civil Penal Code consists of 33 chapters. One of these, chapter 19, concerns and is named Sexual Offences. This chapter consists of 17 different sections (sections 192-208) against which a perpetrator can be sentenced. The sentence length given for each section depends on the age of the victim, for example under 14, 16 or 18 years of age.

### *Methods*

The court reports were located at the Norwegian Lovdata (Lawdata) website. Lovdata was established on 1 July 1981, as a private foundation, by the Norwegian Ministry of Justice and the Faculty of Law at the University of Oslo. The purpose of Lovdata is to establish and operate legal information systems on a not-for-profit basis. Among its main activities are the operation of a website with a legal information service and the development of software for maintaining and running large databases. The Lovdata databases are used by lawyers, police and prosecutors, courts, Government, businesses, libraries and by the educational sector.

The database of court reports from 1940–2007 was examined. However, only all cases from the Supreme Court were reported to the database during this period. Not all cases were reported from the district/city court and the Court of Appeal since it was up to the different court districts whether or not they wanted to report a case to the Lovdata database. Underreporting may therefore also have occurred. In addition, the majority of cases are settled at the district court level. The following search words were used to retrieve cases where sexual abuse had happened in a setting related to sport: coach+abuse(‘overgrep’)+sport, sexual+sport, coach+gender, athlete+abuse, sexual abuse+sport, abuse+gender+sport, sport+harassment, sport+abuse+leader/manager. Searches were done at all these levels – district court/city court, court of appeal and Supreme Court. In the reports from the courts presented in the Lovdata system recognizable information concerning the person is deleted, such as security number and names. The case is referred to only as a number.

Simple content analysis of the court reports was used to answer the first research question, following the method for analysing text documents described by Johannesen and Tufte (2002). They divide the analysis into four phases: overall impression, coding, condensation and summary. During the coding process we sought to find meaningful elements in the text which were then grouped under the following main categories: power, perpetrator and risk factors. Below each of these main headings were four to seven subcategories. The program for qualitative text analysis MAXQDA was used in this process. This program is also helpful in the condensation of text because it allows for extraction of the different elements. The coding process allowed cross-case analysis whereby common items or themes might be revealed. Finally, a short summary of each case was made (see Appendix) which assisted within-case analysis to identify perpetrator strategies, sequences of behaviour and consequences.

## Presentation of Findings

Findings relating to research question 1, perpetrator characteristics and strategies, are presented in table 1. 15 cases of sexual abuse in sport (12 from the Court of Appeal and three from the Supreme Court) were found, the oldest dating from 1956. All cases in our analysis had therefore



Table 1 *Perpetrators characteristics*

Case	Perp. age at first abuse case	Perp. age at last abuse case	Victim age at first case	No. of victims	Sport	Civil status of perpetrator	Sentenced under Penal Code
1	28	34	14 and 16	2	Soccer	Cohabitant, industrial worker, children/step children	§195, 196, 209
2	38	41	14	1	Soccer	Unmarried, job in marketing, on sick leave, no children	§194, 196
3	25	27	12	1	Basketball	No info.	§195
4	33	34	Under 14	3	Swimming	Married, self-owned business, two children	§195, 209, 212, 198, 197
5	42	43	14	1	Shooting	Married, custodian	§195, 196
6	48	50	11	1	Skiing	Married, factory worker, on sick leave, no children	§195, 196, 194
7	38	39	15-20	6	No info.	Divorced, private business, two children	§213
8	47	48	14	1	Karate	Married, head physician, sons	§196
9	58	62	6-8	4	Gymnast's	Married, during rehab'n, adult children	§195, 209, 212
10	28	32	16 and 17	2	Gymnast's	Married, teacher, one child	§212
11	28	28	14	1	Track & Field	Separated, supervisor	§193
12	28	29	14-16	3	Team Handball	Unmarried, without work	§193, 196
13	20	20	13	1	No info.	No info.	§195
14	19	23	10	1	Gymnast's	No info.	§195, 200
15	31 and 41	No info.	14-16	3 and 4	Trampoline	No info.	§195, 196, 212

been appealed. Table 1 shows that these 15 cases cover 16 perpetrators and that the total number of victims was 35. Compared with the Danish study of police files (Toftegaard Nielsen, 2004), the total number of cases revealed by the searches is very few. This may be due to the circumstances mentioned above, i.e. that most cases are settled at the district level and therefore do not appear in the Lovdata database. The perpetrators were all sentenced according to one or more sections under 'Chapter 19: Sexual Offences' in the Norwegian General Civil Penal Code. As shown in table 1, many of the sentences were given for violating multiple sections. The sections most often violated were Penal Code section 195 (9 cases) and 196 (7 cases). These are described as follows:

Section 195. Any person who engages in sexual activity with a child who is under 14 years of age shall be liable to imprisonment for a term not exceeding 10 years. If said activity was sexual intercourse the penalty shall be imprisonment for no less than two years. Imprisonment for a term not exceeding 21 years may be imposed if

- a) the act is committed by two or more persons jointly,
- b) the act is committed in a particularly painful or offensive manner,
- c) the act is committed against a child under 10 years of age and there have been repeated assaults
- d) the offender has previously been convicted and pursuant to this provision or section 192, or
- e) as a result of the act the aggrieved person dies or sustains serious injury to body or health. Sexually transmitted diseases and generally infectious diseases, cf. section 1-3, No.3, cf. No 1, of the Act relating to control of communicable diseases, shall always be deemed to be considerable injury to body or health pursuant to this section.

Criminal liability shall not be excluded by any mistake made as regards age.

A penalty pursuant to this provision may be remitted or imposed below the minimum prescribed in the second sentence of the first paragraph if those who have engaged in the sexual activity are about equal as regards age and development.

Section 196. Any person who engages in sexual activity with a child who is under 16 years of age shall be liable to imprisonment for a term not exceeding five years.

(Norwegian Ministry of Justice Legislation Department, 2006).

As shown in the table, the cross-case analysis indicated that the sports in which the abuse took place were: Gymnastics (3), Football (2), Bas-

ketball (1), Swimming (1), Shooting (1), Skiing (1), Handball (1), Karate (1), Track & Field (1) and Trampolining (1) and not known (2). Except in one case, all the victims were under age 16 when the abuse started, one being as young as 6 years. Except in two cases, all the victims were girls and all the perpetrators were men. This is in accordance with the studies from sport presented earlier, and with general crime statistics. In Norway in 2009, of 675 persons sentenced for a sexual crime, only eight were women (Statistics Central Bureau, 2010). The youngest abuser in the sport dataset was 19 years old and the oldest was 58 when the first incident happened. Nine of the abusers were aged between 25 and 40 years. In terms of the duration of the abuse the range was one to six years with the average length being 1.8 years. Regarding the civil status of the perpetrators, seven were married or living with a partner at the time, two were divorced or separated, two were unmarried, nine had paid employment and six did not. Those employed did everything from blue collar jobs to being a head physician. We conclude from the cross-case analysis that no clear profile of a perpetrator emerged. The same was found in a study about sexually harassing coaches where the data suggested that: “rather than being one-type only, sexually harassing coaches select from a repertoire that may include several different harassment scripts. They vary these according to situational conditions” (Fasting & Brackenridge, 2009, p 21).

Concerning perpetrator strategies, the within-case analysis of the reports revealed 9 accounts of how perpetrators had purposively selected their victims (see Appendix). Case 3, for example, showed how the perpetrator tried to develop a friendship with the victim as a precursor to abusing them: “X was a talented player and during the autumn a friendship developed between the coach and his student. The accused was then 25 years old and she was 12 years old. The relationship developed in such a way that he started driving her to and from practice and after a while they also met in other situations”. In Case 2, “... the accused observed that B was practising on her own by her house. He made contact and they agreed that he should design a special training programme for her. That was done and after a while the relationship developed so that the accused also advised her at her practice sessions. Although he was a coach he did not have responsibility for B’s (girls) team until a year later”. As a third example of victim selection, in Case 7 the accused

... explained that he often felt lonely and wanted company ... often ... he invited young boys up to his room. Usually, he played cards with

them, gave them some drinks, talked with them, often about sexual themes, and ... showed them 'French photos' and songs etc. with sexual content.

In relation to the strategy of maintenance of the power relationship, relatively little information was available in the court reports. However, six of the cases provided examples ranging from efforts to keep the trust of the victims' families and use of threats. For example, in Case 9,

B explained that she didn't dare to protest because the accused had said that he could harm her mother. For the same reason, B didn't dare to say anything at home about what had happened. The court found no reason to doubt her explanation.

In Case 6, the accused "threatened to make public what had already happened between them (him and the athlete) or by taking his own life or her father's life if she didn't comply with his wishes."

## Discussion

Although the numbers in this sample are very small we notice that, as in the Danish study, athletes in individual sport seem to be at risk for sexual abuse. One explanation could be that the perpetrator, particularly the coach, perhaps has more opportunities to be alone with the athlete in an individual sport, facilitating manipulation and isolation of the athlete. To explore this possible link, far greater numbers of cases, giving statistical power, would be required.

Why are there so few recorded cases of sexual abuse in sport in the Norwegian court reports? And how do these data compare with those from other European jurisdictions? Unfortunately, it is not possible to answer these questions since no similar studies of incidence data have been undertaken. However, we speculate that the cultural conditions and traditions within Norway are aligned with liberal democratic principles and sympathetic to social welfare and human rights issues: this, in itself, could be a reason why the incidence level in Norway appears so low. Norway is comparatively advanced in terms of gender equity in wider society, and perceived as such in sport as well (United Nation Development Program [UNDP], 2011). So, it might be that there has been a strong assumption in Norwegian sport of an embedded human rights

culture and that this has acted as a mask for ongoing, unrecognised inequalities and abuses in sport.

Alternatively, the low incidence might simply be a positive reflection of the effectiveness of the human rights culture of Norway and Norwegian sport. But there has not been evidence of a child protection or athlete welfare discourse in Norwegian sport until very recently. The introduction in 2009 of a legal requirement for police checks on all those involved with children in sport, and adoption in 2010 of guidelines to prevent sexual harassment and abuse in sports, are two examples (NOC/NIF, 2009, 2011). The absence of such a discourse in Norwegian sport is also symbolic: without a label for a social problem it remains unproblematic and thus attracts no policy attention. Given this, sport abuse data will not be captured in the referral process and, hence, will not appear in the criminal justice records. As indicated before, the few recorded cases may also be explained by underreporting. The prosecuting authorities also have to take a view about the probability of securing a conviction against the cost of proceeding with a case so this, again, might limit the number of cases moving forward in the court system.

What, then, are the advantages and limitation of using court reports as a source of data on sexual abuse in sport? First of all, court reports present a verified, factual account of events that research interviews or media reports cannot do. Arguably, court reports share clear legal thresholds, i.e. prosecution and conviction, and thus offer more definitional clarity than research studies in which researchers use their own definitions of sexual abuse. Most of the previously published testimonies from abused athletes give only one perspective – the voice of the victim/survivor – so the voice of the abuser is usually missing, or certainly underrepresented. But the court reports, written as a summary, may also indicate partiality in both content and interpretation – a particular form of narrative – depending on which details the author thinks relevant or important. Since the court reports are the only source of information it is not possible to know whether there are additional relevant details that were not reported.

## Limitations

As noted earlier, many cases from the lowest courts do not appear in the legal databases as it is up to each court whether or not the case is sent forward, suggesting that there has been underreporting of the actual incidence figures. Thus, many potentially relevant cases may have been missed that could have increased the (relatively small) sample size. Indeed, one of the main limitations of the data here is the relatively small number of total cases found across the period scrutinised. These may well not be representative of wider patterns of perpetrator strategies in sport and certainly cannot yield any meaningful statistical patterns.

The cases reported here may simply represent only the ‘tip of an iceberg’ since it is thought that most cases of sexual abuse in sport never reach the criminal justice system, even if they are recognised as such (Brackenridge, 2001). As mentioned above, the prosecuting authorities have to take a view on the chances of success. Also, the inhibition to report is well documented and rests on a range of fears and anxieties among athletes, and the many bystanders in sport, who may be fully aware of the abuse but reluctant to do anything about it (Leahy, Pretty & Tenenbaum, 2002). Also, very few of the total sex crime complaints are brought to trial. In Norway, of the 4112 sexual crime complaints for 2009 overall, only 475 resulted in a custodial sentence (Statistics Central Bureau, 2009).

Data entry errors, that are typically associated with all large databases, are not estimated or quantified in Lovdata. More significantly, cases of plea bargaining can skew the legal decisions and affect attrition patterns – points at which cases drop out of the legal system. For example, prosecutions that perhaps involve multiple victims might well result in convictions based only on specimen cases.

As mentioned above, a court report, written as a summary by staff present in the court room, may be partial depending on which details the author thinks relevant or important. Missing information in these documents can be considered a major weakness. It would have been advantageous to have been able to interview both the perpetrator and the victim in each case in order to verify and expand the information. The reports are anonymised, however, so it is not possible to trace those involved in order to ask for interviews. Additionally, court reports vary enormously in the amount of information contained and this undermines their trustworthiness. Each report represents a summary from a court case in which

the accused is one of the most important informants. It may be that they consciously hold back information, or distort it, in order to evade a serious sentence. Arguably, in confidential research interviews, the perpetrator might report more than in a court situation where the information can be used against them. The veracity of an account provided in court from the perpetrator him- or herself is therefore subject to some uncertainty. This has relevance for truthfulness and the weight that we can put on findings about sexual abuse where researchers' work is drawn solely from data generated and held within the legal system. Finally, there are reliability issues associated with both police questioning and perpetrator interpretations and memories of 'the facts'.

Overall, court reports have certain limitations since they are principally tools of the criminal justice system and not research tools. They cannot, for example, reveal the longer term consequences of sexual abuse for the victim, perpetrator or the organisation. They are based primarily on descriptive data rather than analytic or explanatory accounts. They may also be distorted by the process of plea bargaining by which the accused admits 'lesser' crimes in order to avoid more serious criminal judgement. Also, depending on which paragraphs in the penal code under sexual offence are at stake, certain variables of interest to researchers are not routinely recorded in court reports such as, for example, the sexual orientation of the perpetrator and the sexually abused athlete.

## Conclusions

This article has used a small set of court reports to examine a range of issues confronting those researching sexual abuse in sport. First, some perpetrator strategies and features arising within and across the cases were examined: the findings confirm many of those of previous studies in relation to the characteristics of perpetrators and the absence of any universally agreed perpetrator profile. Secondly, the article considered the difficulties for researchers of accessing verifiable data on the subject, and in quantities large enough to enable sensible analyses to be conducted.

What is the future for sexual abuse prevention in Norwegian sport? As previously mentioned in 2009, the Norwegian Olympic Committee decided to mandate police checks for all those involved with children in sport, and in 2010 new guidelines to prevent sexual harassment and abuse to occur in sport were adopted. The hope was that this interven-

tion would reduce the potential number of sexual abusers in sports clubs. So far, the effect of introducing police checks has not been monitored but this is an important future project. The guidelines suggest that understanding of sexual harassment and sexual abuse should be developed through the education of all sport managers, coaches and athletes. Education is undoubtedly important: indeed, we suggest that, with education, many athlete victims might have been better equipped to resist abuse. It is also important that the guidelines are published and discussed at all levels in the sport system, i.e. from the Norwegian Olympic and Paralympic Committee, through to the different sport associations and down to the sport clubs. However, accurate and comprehensive data on abuse cases is a necessary precursor to effective prevention programmes. Sport organisations should therefore be persuaded to collect systematic data on sexual abuse in their own networks, using agreed definitions and standardised measures, *and* to allow researchers to have access to such data. Until then the research community will be compelled to continue using media reports, court reports and personal interview testimonies from abused athletes as sources of data. Each of these sources has limitations.

In relation to this study, we conclude that court reports provide one valuable, yet still incomplete, source of information against which to test our understanding of sexual abuse in sport and develop abuse prevention measures. Future research needs to involve much larger datasets, ideally across more legal jurisdictions, for example the development of a large international database, in order to permit statistical testing of hypotheses about patterns of sexual abuse risk and perpetration in sport as well as the many relational and situational issues associated with this problem. This will then provide greater confidence in the evidence base that underpins policy and practice for abuse prevention in sport.

## References

- Brackenridge, C.H. (1997). "He owned me basically": Women's experience of sexual abuse in sport. *International Review for the Sociology of Sport*, 32, 2, 115-130.
- Brackenridge, C.H. (2001). *Spoilsports: Understanding and preventing sexual exploitation in sport*. London, Routledge.
- Brackenridge, C.H., Bishopp, D., Moussali, S. and Tapp, J. (2008). The characteristics of sexual abuse in sport: A multidimensional scaling analysis of events described in media reports. *International Journal of Sport and Exercise Psychology*, 16, 4, 385-406.
- Brackenridge, C.H., Bringer, J.D. & Bishopp, D. (2005). Managing cases of abuse in sport. *Child Abuse Review*, 14, 4, 259-274.



- Brackenridge, C.H. & Fasting, K. (2002). Sexual harassment and abuse in sport – the research context. In C. H. Brackenridge & K. Fasting, (eds.). *Sexual Harassment and Abuse in Sport – International Research and Policy Perspectives*, Special issue of the *Journal of Sexual Aggression*. 8, 2, 3-15.
- Cense, M. (1997) *Red Card or Carte Blanche: Risk factors for sexual harassment and sexual abuse in sport: Summary, conclusions and recommendations*. Arnhem: NOC and NSF.
- Cense, M. & Brackenridge, C.H. (2001). Temporal and developmental risk factors for sexual harassment and abuse in sport. *European Physical Education Review*. 7, 1, 61-79
- Fasting, K. & Brackenridge, C.H. (2009). Coaches, sexual harassment and education. *Sport, Education and Society*. 14, 1, 21-35.
- Fasting, K., Brackenridge, C., and Sundgot-Borgen, J. (2004). Prevalence of sexual harassment among Norwegian female elite athletes in relation to sport type. *International Review for the Sociology of Sport*. 39, 4, 373-386.
- Foster, K. (2005). Alternative models for the regulation of global sport. In: L. Allison, (ed.) *The Global Politics of Sport: The role of global institutions in sport. Sport in the global society*. Routledge, London, pp. 63-86.
- International Olympic Committee (2007) IOC adopts consensus statement on “sexual harassment & abuse in sport”. Retrieved from <http://www.sportlaw.ca/wp-content/uploads/2011/03/em-IOC-Consensus-Statement-on-Sexual-Harassment-and-Abuse-in-Sport.pdf>
- Johannesen, A. & Tufte, P. A. (2002). *Introduksjon til samfunnsvitenskapelig metode*. Oslo: Abstrakt forlag.
- Kelly, L., Wingfield, R., Burton, S. & Regan, L. (1995). *Splintered Lives: Sexual exploitation of children in the context of children's rights and child protection*. Ilford, Essex: Barnado's.
- Kirby, S., Greaves, L., & Hankivsky, O. (2000). *The Dome of Silence: Sexual harassment and abuse in sport*. Halifax: Fernwood Publishing.
- Leahy, T., Pretty, G., & Tenenbaum, G. (2002). Prevalence of sexual abuse in organised competitive sport in Australia. In C. H. Brackenridge & K. Fasting, (eds.). *Sexual Harassment and Abuse in Sport – International Research and Policy Perspectives*, Special issue of the *Journal of Sexual Aggression*. 8, 2, 16-36.
- Lovdata [Lawdata] (2011, April) Retrieved from <http://www.lovdata.no/info/lawdata.html>
- Leahy, T., Pretty, G., & Tenenbaum, G. (2004). Perpetrator methodology as a predictor of traumatic symptomatology in adult survivors of childhood sexual abuse. *Journal of Interpersonal Violence*, 19, 521-540. DOI: 10.1177/0886260504262963.
- Messner, M. (1992). *Power at Play: Sport and the problem of masculinity*. Boston, MA: Beacon Press.
- Messner, M. and Sabo, D. (eds.) (1994). *Sport, Men and the Gender Order*. Champaign, IL: Human Kinetics.
- Norwegian Ministry of Justice Legislation Department (2006). *The General Civil Penal Code: With subsequent amendments, the latest made by Act of 21 December 2005 No. 131*. Retrieved November 16, 2012, at: <http://www.ub.uio.no/ujur/ulovdata/lov-19020522-010-eng.pdf>
- Norwegian Olympic and Paralympic Committee and Confederation of Sports (2009). *Lov om politiattest for å jobbe med barn*. Retrieved from <http://www.idrett.no/tema/politiattest/Sider/bakgrunn.aspx>
- Norwegian Olympic and Paralympic Committee and Confederation of Sports (2011). *Guidelines to prevent sexual harassment and abuse in sports*. Retrieved from [http://www.idrett.no/tema/lover/retningslinjer/Documents/BROSJYRE\\_seksuell%20trakassering\\_ENGELSK\\_WEB.pdf](http://www.idrett.no/tema/lover/retningslinjer/Documents/BROSJYRE_seksuell%20trakassering_ENGELSK_WEB.pdf)
- Statistics Central Bureau (2010) *Crime and Justice*. Retrieved from <http://www.ssb.no/english/subjects/03/05/>
- Toftegaard Nielsen, J. (2004). *Idrettens Illusoriske Intimitet*. København: Københavns Universitet, Institut for idræt.

United Nation Development Program (2011). *Gender Empowerment Measure and its Components*. Retrieved from [http://www.undp.org.tr/publications/Documents/Table\\_K\\_from\\_HDR\\_2009\\_EN\\_Gender%20Empowerment%20Measure.pdf](http://www.undp.org.tr/publications/Documents/Table_K_from_HDR_2009_EN_Gender%20Empowerment%20Measure.pdf)

Webb, J., Shirato, T. & Danaher, G. (2002). *Understanding Bourdieu*. London: Sage Publications.

## Appendix: Summary of court cases

Case 1: A 40 year old man was convicted for indecent sexual contact with two stepdaughters under the age of 14 and 16, and was sentenced to two years and six months of imprisonment. The incidents, which initially were supposed to be sport massage, developed on several occasions into indecent sexual contact. The perpetrator was a coach in the local soccer club where his stepdaughters were playing.

Case 2: A male soccer coach was convicted for having exploited his position and a young girl's confidence to gain sexual intercourse from a 15 year old girl, and was sentenced to one year and six months imprisonment. The girl was recovering from a disease when the exploitation was completed. The assaults evolved from touching to one incident of sexual intercourse with the excuse that it was a part of the recovery phase.

Case 3: A 33 year old man was convicted for indecent sexual contact with a girl from the age of 13 to the age of 16. The perpetrator got in touch with the victim when he was her basketball coach and they developed a relationship which he later exploited. He was sentenced two years imprisonment, of which nine months was suspended.

Case 4: A 44 year old man was convicted for indecent sexual contact and indecent sexual acts towards his 13 year old stepdaughter and was sentenced one year and six months of imprisonment. He was also convicted for indecent sexual acts against two female swimmers he was coaching.

Case 5: A coach was convicted for indecent sexual intercourse with a female shooter he was coaching. The exploitation took place for more than four years until the athlete was 18 years old. The perpetrator was sentenced to imprisonment for one year and six months.

Case 6: A cross country skiing coach sexually abused one of his female athletes from the age of 11 until the exploitation was reported when the athlete was 22 years old. The incidents took place approximately once a week. The coach was convicted for indecent sexual contact with someone under the age of 14 and indecent sexual intercourse before the age of 16, and was sentenced to be imprisoned for one year and eight months.

Case 7: In 1956, a 42 year old man was convicted for indecent sexual contact with boys between the ages of 15 and 20 years, and was given a six month sentence of immediate imprisonment. The acts showed signs of planning and were conducted when the offender was on business trips. He was able easily to coach young boys by virtue of his position in organised sport.

Case 8: A 53 year old man was convicted for frequent incidents of indecent sexual contact with a girl from the age of 14 until she was 16 years old, and was sentenced to nine months imprisonment. He was running a karate club where the victim was working out.

Case 9: A 64 year old man was convicted for sexual abuse of four girls between six and eight years old, and was sentenced to three years imprisonment. The most serious incidents, of indecent sexual contact, took place repeatedly in 1995 towards a six years old girl when she was staying over at the offender's house and towards one of her friends when she once also stayed over. The two other cases were indecent sexual acts towards two girls who participated in gymnastics classes where the offender was coaching.

- Case 10: A 34 year old man was convicted for unwanted touching of two young females on three different occasions. Both victims were gymnasts who, in the course of events, stayed the night in the gymnastics hall. In one of the incidents the perpetrator lay on top of the victim with penis erect and asked her if she wanted to have sexual intercourse with him. The perpetrator was given a suspended sentence of 30 days imprisonment.
- Case 11: A 32 year old man was convicted for two incidents of sexual intercourse with a 14 year old girl, and was given a two year sentence of immediate imprisonment. The incidents took place five years prior to the sentence. The perpetrator was coaching in the local track and field club.
- Case 12: A 30 year old man was convicted for violating his position as a handball coach to obtain sexual intercourse with three girls of between 14 and 16 years old. He was given a one year sentence of immediate imprisonment.
- Case 13: A 20 year old man was convicted for at least ten incidents of sexual intercourse with a girl of 13 years and nine months. They got to know each other in a sports club where the perpetrator was a coach and the victim an athlete. The sentence was one year of imprisonment.
- Case 14: A 26 year old man was convicted for indecent sexual acts and indecent sexual contact towards a ten year old girl. The perpetrator was sentenced to one year six months imprisonment, with six months suspended. The perpetrator was an assistant coach at a gymnastics class where the victim was participating.
- Case 15: Two men, aged 31 and 41 years old respectively, were convicted for sexual abuse of underage boys. The 31 year old was given a one year eight month prison sentence. On one occasion he had completed anal sexual intercourse with one of the victims. The 41 year old was given a six month sentence of immediate imprisonment. The acts were mutual masturbation and sucking of genitals. Both of the perpetrators had got in touch with the victims by offering free workouts in training facilities they had at their disposal.

