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## ADOPTING A RIGHTS LENS TO CHILDREN'S TRAINING IN FOOTBALL ACADEMIES\*

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### Abstract

Sporting issues are increasingly the subject of legal intervention in the United Kingdom and elsewhere, but the effect of commercial pressures on young football players remains largely unaddressed. Underpinned by an empirical assessment of the English Premier League's self-regulation on youth development matters, this article argues in favour of the need to adopt a rights-based approach to children's involvement with professional football academies. Based on data gathered through almost 80 semi-structured interviews across England, the analysis concentrates on stakeholders' awareness of children's rights and how they influence football academies. The article concludes with policy recommendations to ameliorate the issues identified.

**Keywords:** children; football; children's rights; sports; Premier League.

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### [A] CHILDREN IN PROFESSIONAL FOOTBALL ACADEMIES

Children all over the world are extremely enthusiastic followers and players of football. Football—similarly to other sports—has great positive potential and contributes to development, tolerance, respect, empowerment of individuals and groups, and promotion of health, education, social inclusion and employability (Council of Europe 2001; 2018; 2020: 16; Expert Group on Good Governance 2016: 3, 6).

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Nonetheless, football is also plagued with serious issues that have been the object of extensive research, such as corruption, discrimination and violence (Cashmore & Cleland 2014; Cleland 2015). And while some unethical practices in professional football make the headlines, other equally or more disturbing malpractices go unnoticed.

Children can be particularly hit by the allure of professional football. Media popularity and expected high earnings make children enthusiastic players and followers of the “beautiful game”. Those hoping to become professional footballers may join football academies owned by, sponsored by, or somehow affiliated to football clubs. These academies exist across Europe and beyond, and—despite subsisting differences between them—are increasingly homogeneous in their aims to develop players for first teams, promote players’ personal development and obtain financial profits (Relvas & Ors 2010). In the English context, children are sometimes recruited and start training at a very young age—as young as three through “pre-academy” schemes, “junior academies” and “satellite academies”—sometimes supported in some way by a professional club, and have the expectation of becoming professional footballers in the future. One organization’s staff member we interviewed estimated that there are up to 10,000 children across the football academy and centre of excellence system at any single moment. It is thus essential to analyse current conceptions of youth development and player welfare and the links between welfare and performance in the English football academy system.

Football academies in English football find their historical origins in the 1950s youth departments of football clubs and have suffered radical changes since then owing to the increased marketization of football and the creation and positioning of the Premier League in the governance of English football (Guy 2020: 531–532). All aspects of football academies are now regulated in great detail. Children and parents alike appreciate the attention, feeling special, and enjoying a sense of identity and pride, the standard of play, the quality of professional coaching, the level of organization and structure, playing with like-minded children of a similar ability, the discipline, social activities, and the high-quality training facilities that they can access by being connected with a football academy. To use the words of a child we interviewed, football is “massively important” to many children in England and around the world. Another child also told us that playing with an academy “was the best thing that ever happened to me”. Yet, concerns arise when deliberate practice of football becomes *the* or one of the main (professional) activities of a child. Indeed, participants in our research expressed concerns about the

physical, psychological and social pressures of high-performance sport on individuals who have not reached maturity, like this organization's staff member:

RESPONDENT. Whichever sport you are in, the higher up you go in the ladder, you are more at risk of all forms of harm. So, professional sport is an area of risk generally. The scale of football and the amount of money in professional football adds a huge other dimension in terms of pressures on young people. ... The tension is between producing excellent footballers and getting the best and doing that in a way that is child-centred and values the child as a whole person.

Furthermore, the commercial exploitation of children's and their families' interest in the football sector has become such that there are virtually no limits to what may be offered and promised: "you then get private companies, you know, of 'toddler football', and these private companies saying: 'give me your two-year old and I will teach them good football skills'. You know, it is just bonkers!"

Both children and families often have experiences with football academies that leave them "bitter"—to use the words of a parent with whom we spoke. An academic thus concluded that:

RESPONDENT. Football, because of the size of the contracts, is taking people from their normal peer group, their normal activities, and putting them into a quite different world. So, that is happening during a part of your formative years, so it's bound to have an impact on your development, on your education, on your relationships with your peers, with your family, and whoever else.

In England, talented male children are initially pulled into the football industry through an extensive network of scouts operating across the country, and subsequently recruited into the world of professional football through sports academies, through the use of government-financed traineeships. English football academies draw high levels of interest from male children, even though football academies have been characterized as failing young players on a number of fronts: allowing high levels of attrition (in other words, the proportion of players who leave the academy system) coupled with poor promotion of professional alternatives (Stewart & Sutherland 1996; Monk 2000; Monk & Olsson 2006); promoting lack of critical attitudes in relation to football as a life choice; and cultivating dismissive attitudes towards the value of schooling in comparison to playing football and disruptive over-masculine "lad culture" (McGillivray & Ors 2005; Parker 2000). Educational and occupational issues in the professional football academy system have also been on the radar of the National Society for the Prevention of Cruelty to Children and the Footballers' Further Education and Vocational Training Society, which

have been proactive in seeking positive change. Results achieved have only been partially successful, though.

There is still insufficient research into the impact of children's involvement with football academies on children's welfare and rights, with most literature in this field focusing on sexual abuse, thus leaving largely unexplored a range of other important issues (Expert Group on Good Governance 2016: 7). This article addresses questions on the impact of children's involvement with football academies on children's welfare and rights. More specifically, it offers a methodologically and theoretically original contribution to childhood and sports studies by putting forward a strong argument in favour of regulating children's sports activities through a children's rights lens, and assessing the awareness of children's rights by stakeholders in the world of football academies in England on the basis of new empirical data.<sup>1</sup> This research usefully complements other studies carried out in relation to other sports, jurisdictions and age groups.

We wish to contribute towards a more robust system of child protection in elite competitive sports, which will consequently secure better psychological and physical development of children involved with sports academies and professional football traineeships in the future. With this purpose, we employed both theoretical analysis and empirical methods to offer a qualitative, socio-legal discussion of our subject-matter. We adopted a mixed-methods approach entailing a thorough documentary analysis of relevant instruments and regulations, as well as interviews concerning the welfare experiences of children in high-performance football environments. This included 77 in-depth semi-structured interviews over a period of 26 months,<sup>2</sup> with a very broad range of participants: 14 child footballers (ranging 8-14 years old), 1 current adult footballer (18 years old), 3 adult ex-footballers, 26 parents of footballers ranging 8-18 years old, 1 house parent,<sup>3</sup> 15 staff members of football academies, 13 staff members of other (regulatory, third sector and civil society) organizations, 4 academics, and 1 journalist. This range of participants was linked to 12 academies that were sponsored by clubs in the English Premier League

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<sup>1</sup> The fieldwork unearthed a range of other themes that will be discussed in a longer piece of work, including children's participation, discrimination, physical and psychological wellbeing, private and family life, play, leisure, rest, education, transfers between academies/clubs, and risk of economic exploitation.

<sup>2</sup> Fieldwork took place between October 2013 and December 2015. The fieldwork started after obtaining ethics approval: Ethics approval No RETH000632 by the University of Liverpool.

<sup>3</sup> House parents are individuals who host child footballers, generally older teenagers, when they are away from their own families, owing to the distance between their homes and the football academies where they train.

at the time the interviews took place, thus corresponding to 60% of the Premier League-sponsored football academies.

All interviews were transcribed and analysed qualitatively with the assistance of the software NVivo. An inductive and thematic content analysis approach was adopted. To minimize inter-rater variability, interview segments were openly coded according to emerging themes by the two researchers, discrepancies resolved and segments grouped into broader thematic priorities. All quotes and other interview material used have been anonymized to the extent necessary to avoid any participant from being identified. Participants are only referred to on the basis of the capacity in which they were interviewed.

In section [B] below, we argue that children's experiences in sports activities, in particular their involvement with football academies, should be regulated by a children's rights framework. In section [C], we assess the awareness of children's rights by stakeholders in the world of football academies. Finally, in section [D], we put forward some recommendations to improve the current state-of-affairs in relation to rights awareness.

## [B] ADOPTING A CHILDREN'S RIGHTS LENS

The Council of Europe, in its 2012-2015 Strategy for the Rights of the Child, highlighted the need to ensure that children's involvement with sports occurs on ethical bases and that children's human dignity, integrity and safety be at all times safeguarded, including by promoting adequate sport pedagogy and coaching that respect children's development. Whilst only being one of several elements to be considered, legal frameworks play an essential role in achieving these aims.

We therefore favour the adoption of a strong legal perspective, more specifically, a rights perspective of children's involvement in the football academy system. The alleged "autonomy of sport" has often placed the sport sector in tension with fundamental rights. Although interventions by public authorities should "primarily complement" the actions of the sports movement (Council of Europe 2001: Article 3), "questions can be asked" to sports organizations, especially when athletes' fundamental rights may be in jeopardy (Council of Europe 2021). Indeed, stronger public intervention may well be warranted in the context of commercial enterprises such as Premier League clubs and sports people under the age of 18.

Our starting point is that children's involvement with football academies is a matter of rights (as well). As Brackenridge points out, the failure of sport

“to engage in rights debates has left it vulnerable, at best, to accusations of naivety and frivolousness and, at worst, to charges of negligence and discrimination” (Brackenridge 2007: 31). This has prompted various initiatives to raise rights-awareness in sports people and organizations, such as the International Olympic Committee promoting a rights culture at the 2018 Youth Olympic Games (Special Rapporteur on the Sale and Sexual Exploitation of Children 2018: paragraph 112). As it has been acknowledged, we need to ensure that “fundamental rights of children are promoted, protected, respected and fulfilled within professional sport” (UNI Europa, World Players Association & EASE 2017: Preamble III). It is thus important to understand to what extent the current English football system takes into consideration the rights of the children it aims to develop into the next generation of professional footballers, and what scope for improvement there is in the current football policy framework to ensure those rights are respected.

The cornerstone of our analytical framework is the United Nations Convention on the Rights of the Child (UNCRC),<sup>4</sup> which the United Kingdom (UK) signed in 1990 and ratified in 1991. This rights perspective will enable us to unearth dimensions of children’s involvement with football academies so far largely unexplored or not systematically dealt with. The UNCRC includes a range of civil, political, economic, social and cultural rights. These can be grouped under four categories, also known as the four Ps: participation, protection, prevention and provision. The UNCRC can also be said to have four transversal or guiding principles: the right to non-discrimination; the principle of best interests; the right to survival and development; and the right to participation (Committee on the Rights of the Child 2003). All four transversal/guiding principles inform the interpretation and implementation of all other UNCRC rights, as well as each other (for example, the right to development should be implemented in light of the right to non-discrimination (Peleg 2019: 97-98)).

The principle of best interests can be found in Article 3(1) UNCRC, which states that “[i]n all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”. This wording entails the application of this norm not only to the actions and omissions of state agencies, but also to the activity of private entities with responsibilities in the field of children’s rights (van Bueren 1995: 46). This is thus something that should also

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<sup>4</sup> Adopted and opened for signature, ratification and accession by the General Assembly, Resolution 44/25, A/RES/44/25, 20 November 1989.



occur in all aspects of the regulatory framework applicable to football academies. Crucially, the Committee on the Rights of the Child is very clear about the fact that there is an:

obligation to ensure that the interests of the child have been assessed and taken as a primary consideration in decisions and actions taken by the *private sector*, including those *providing services*, or *any other private entity or institution* making decisions that concern or impact on a child (Committee on the Rights of the Child 2013a, paragraph 14(c), emphasis added).

This interpretation places all stakeholders in the world of football, including all those in football academies, squarely within the personal scope of these obligations. Although children's "best interests" may be a flexible notion that needs to be applied in light of specific circumstances, there is no doubt that they need to be given "high priority" and are not "just one of several considerations" (Committee on the Rights of the Child 2013a: paragraph 39). The importance of the principle of best interests for young footballers is clear from the assertion of the European social partners of the sport sector that "the best interests of the child shall be the guiding principle for the involvement of children in sport" (UNI Europa, World Players Association & EASE 2017: VII.C), something reiterated by the Special Rapporteur on the sale and sexual exploitation of children (2018: paragraph 121).

Additionally, the right to development, enshrined in Article 6 UNCRC, has gained increasing prominence in the work of the Committee on the Rights of the Child, but states parties to the UNCRC still have considerable leeway as to how to interpret it, thus escaping strict requirements and obligations (Peleg 2019: 94). Article 6(2) UNCRC states that: "States Parties shall ensure to the maximum extent possible the survival and development of the child." The right to survival can be more easily understood, but the right to development is more dynamic and it can be defined as the:

right of individuals, groups, and arguably peoples to participate, contribute to and enjoy continuous economic, social, political and cultural development in an environment in which all human rights can be realised ... [including] concepts of equality of opportunity and distributive justice for all including children (van Bueren 1995: 293).

The right of the child to development thus includes the right to an adequate standard of living, as well as the right to develop to a level that will enable children to benefit from the exercise of all other rights to which they are entitled (Himes 1995; van Bueren 1995: 293). Closely connected to children's right to health and welfare, a child's right to development

indeed also brings to the fore several other rights, such as the right to social security, the right to an adequate standard of living, the right to education and the right to play and leisure (Peleg 2019: 119)—the latter two being of particular importance to children involved with football academies.

UNCRC Articles 6 (on the right to survival and development), 12 (on the right to participation), 27 (on the right to an adequate standard of living) and 32 (on the right to protection from economic exploitation) have been read in a combined fashion to promote the concept of “maximal development”, which requires from states the obligation to provide children with the best services and conditions possible in light of the resources available (Marks & Clapham 2005: 25). Accordingly, the UN General Assembly has called on all members of society to “promote the physical, spiritual, social, emotional, cognitive and cultural development of children as a matter of national and global priority” (General Assembly of the United Nations 2002: 4). While the exact scope of the right to development is dependent on the level of the socio-economic development of each country, it is clear that the (relatively) high standards of living and economic development in the UK justify a duty to provide all children in the UK with a very high standard of socio-economic conditions and legal protection.

To the four guiding/transversal principles, we should add the principle of evolving capacities, reflected mainly in Article 5 UNCRC. A combined reading of this Article with Article 12 (on the right to participation) and 14(2) (on freedom of thought, conscience and religion) recognizes children’s progressive autonomy on account of their developing capacities, age and maturity. Although the application of this principle presents some challenges owing to cultural, social and economic variations, it constitutes a crucial transversal principle, thus illuminating the application of all other children’s rights.

Both UNCRC rights and their transversal principles should apply to the field of sports, including football, as recognized by UN bodies (Special Rapporteur on the sale and sexual exploitation of children 2018: paragraph 126). Even if the UNCRC only directly binds states, it informs the regulation of private–private relationships (such as child–football academy) and can be drawn upon to adjudicate conflicts in those contexts (Ferreira 2011: chapter 1). Moreover, private entities, such as businesses, can negatively impact children’s rights and are therefore under the obligation to also respect the UNCRC, which may require state regulation of businesses to ensure compliance with the Convention (Committee on the Rights of the Child 2013b: paragraph 9). Furthermore, UN bodies clearly advocate



in favour of adopting the UNCRC, along with its Optional Protocols, as core standards in the world of sports (Special Rapporteur on the sale and sexual exploitation of children 2018: paragraph 133).

Several international documents in the field of sports governance are underpinned by rights language, such as the UNESCO International Charter of Physical Education, Physical Activity and Sport, whose Article 9.1 requires sport activities to take place in an environment that protects “the dignity, rights and health of all participants” (UNESCO 2015). Importantly, Article 9.2 of this Charter specifies that harmful practices to be avoided include “discrimination, racism, homophobia, bullying, doping and manipulation, deprivation of education, excessive training of children, sexual exploitation, trafficking and violence”, which are all themes that have emerged to various extents throughout the fieldwork that informs this article. The Council of Europe International Declaration on Human Rights and Sport, known as the Tbilisi Declaration (Council of Europe 2018), also calls on public authorities and organizations to respect, promote and protect human rights in the field of sports, and the Guidelines on Sport Integrity refer to the fight against discrimination and respect for internationally recognized human rights (Council of Europe 2020: 13). FIFA (Fédération internationale de football association) has also acknowledged its obligation to respect human rights in accordance with the UN Guiding Principles on Business and Human Rights, including in relation to children (FIFA 2017: 5; Ruggie 2016). The Football Association shows awareness of the principle of best interests and children’s rights—including as set out by the UNCRC—by making reference to these in its safeguarding children policy and pledging its commitment to them (Football Association 2020a: 6).

It is therefore beyond doubt that a rights perspective is essential in relation to the involvement of children with the world of football. Nonetheless, it remains to be seen how much such a rights perspective is familiar to the stakeholders involved in this field.

## [C] (LACK OF) AWARENESS OF CHILDREN’S RIGHTS

Despite the importance of children’s rights for the world of sports, English football authorities’ familiarity with child players’ rights seems to be very limited. Although the Football Association has issued a guidance note about the players’ rights in football, it only relates to 16 to 17-year-olds (Football Association 2020b). This seems to either overlook the large number of younger players (from under 9s up until scholars’ age) who

are effectively under professional academies' management, or makes one wonder whether young players are seen as not having rights, not valuing or having an interest in rights, or not having the capacity to understand rights. Even the rights that 16 to 17-year-olds are made aware of are quite limited and reframed in simplistic terms, as they only refer to feeling safe, having healthy relationships, not being bullied, not feeling uncomfortable, and not being discriminated against. Important as these are, they do not really reflect the range of legal norms in force.

More generally, there seems to be a lack of awareness of children's rights amongst stakeholders in the world of football. A staff member of a football organization candidly acknowledged that although their organization was familiar with the UNCRC and regulations were child-focused, particularly giving children a voice, UNCRC rights besides the right to participation did not particularly come up in discussions and meetings. An academic confirmed this state-of-affairs by asserting the focus on policy rather than rights:

RESPONDENT. No, I don't think children's rights come up a lot. In academic circle discussions, yes, they certainly do. From the clubs, no, I cannot say I can ever recall anybody in the football industry in 10 years talking, for example, about the rights of the child or the UN Convention. It just doesn't happen. It's all very much "right, what do the regulations not allow you to do?" So, no, rights of the children and human rights generally, this is stuff that in the football industry, probably only FIFA ... and supporter groups will talk about. Something that is very rarely mentioned by governing bodies and never mentioned by clubs.

Another academic went further by stating that, although there is talk about individual players' expectations and the need to respect them, when it comes to "rights talk", "I'm not aware of that terminology, but that doesn't mean it doesn't happen." This tallies with what the staff member of an organization told us about "rights talk" in the football industry: "I don't know anyone who has ever mentioned [children's rights] to me ever." A coach recognized this lack of awareness of "rights talk" in the world of football academies in forceful terms:

RESPONDENT. I have been in numerous coaching courses over the years ... and nobody really talks about the UN Convention of the Rights of the Child, for example. I think people in football don't even know it exists. And I think one of the clauses, I think it is 3(1), talks about governments—because it is an international agreement of governments—that the welfare of the child ... that people's got to do what it is in the best interest of the child and these things are the most important thing. And yet sometimes I wonder whether it actually happens.

Even when interested in a rights perspective in the world of football academies, participants sometimes required further training to be able to articulate that perspective in a more effective way. A staff member of an organization, for example, said that: "I talk about it [rights]. I've got two or three colleagues I network with all the time who are working in academies in the London area, we talk about it a lot." Yet, when asked which rights did they have in mind in this context, they replied "I don't know enough about rights, I'm just talking about as a, you know ...".

There also seems to be a good dose of hostility against the language of rights amongst some stakeholders. As a journalist told us: "Never about rights. In fact, if you as a parent, if you mention what are our rights here? The one thing they will show you is the door usually." This hostility is compounded by the fear that, according to the staff member of an organization, is instilled in parents:

RESPONDENT. So, to me their basic rights which a kid should have but nobody is allowing them to voice those rights, because their mom and dad are not going to shout. What about if a mom and dad shouted and objected, what do you think would happen? The kid would get ditched. The kid would be going: "what did you do that for, I've now lost my opportunity!"

A parent seemed to cede to this environment hostile to rights by suggesting that by entering into an agreement with a football academy, a child is to a certain extent renouncing their rights. Asked about the way the academy system dealt with children's rights, they replied: "I think the choice is still there, the choice is always there to do it or not to do it, it is just once you have signed that paper."

Even when sympathetic towards rights, some participants found that emphasis should be on overall policy and rules, with rights remaining in the background. As the staff member of an organization told us:

RESPONDENT. When you ask about children's rights, I think they have to be entrenched within ... rules and regulations surrounding welfare, rules and regulations surrounding safeguarding, implicitly their rights. There isn't a charter of children's rights, although a lot of clubs, a number of clubs will have their academy charter which will tell each player, and parent, what their, what the club, you know, I suppose what their commitment is in terms of what they will provide, but there is also, they will tell you what, you know, your responsibilities are ... Children's rights you know, we are looking for that in the wider society not just in football, aren't we really...

So, while there may be clear statements on what football academies will take responsibility for offering, that is generally not framed in terms of the rights of the children affected but rather as a commitment in exchange

for certain obligations placed on the children. This clearly risks diluting the importance of children's rights in the world of football academies. An academic expressed this concern by stating that:

RESPONDENT. In many aspects it [football system] does infringe [children's rights]. ... now, I do not know the human rights law well enough, but there is ample evidence to say that what they are doing is not good and wholesome sport, as is supposed to be done in the United Nations Charter [Convention of the Rights of the Child].

There is thus a need to move from a charitable approach to policy and practices to a rights-based approach that recognizes the fact that children are rights-holders and not simply recipients of the optional kindness of adults. An organization's staff member expressed this in the following terms:

RESPONDENT. The things that would be possibly missing or needs a bit more emphasising in academies is that children have a right to be treated in a certain way. It's not just that it's a nice thing to do and it's good for people and we want to be good people—that is their human right that they are not bullied, that they are safe, that they have a voice, that people listen to them, that they are housed in a place that's safe with people who have been checked. That's actually what they have a right to ... and I think that ... that's a slightly different attitude than just saying we should do these things because they are good things to do or because the government has told us to. I think it's about their basic kind of human right as a child.

A coach thus rightly argued that training offered should include material on children's rights:

RESPONDENT. Do they know about the UN Convention on the Rights of the Child? Well, for me, it should be on every coaching course. There should be a course, there should be a module, you know, children have rights, you know? They have a right to education, they have a right to enjoy their lives, they have the right not to be abused if the system abuses them in any way. And if it is, can/do you recognise it? You know, where you stand on it? Do you think about these things?

A greater awareness about legally enshrined rights could, indeed, help reduce the seriousness of some of the issues that we have identified during our fieldwork, including in relation to child players' rights to physical and psychological integrity, private and family life, play, leisure, rest, education, freedom of association, and freedom from economic exploitation.

## [D] MUCH SCOPE FOR IMPROVEMENT

Most people working at football academies undoubtedly invest considerable time and effort in offering young players a positive experience, with an academy staff member telling us that “[e]ven when they walk away from here, I want them to walk away enjoying the time they had here”. Yet, children’s involvement with football academies is plagued with a range of serious shortcomings, and these are largely underpinned by a poor awareness of children’s rights and a sense of normality that dates back to the Wilkinson reform in 1997, when the “practice” of removing talented young players from representative schools and youth football clubs and into academies run by professional clubs started in earnest (Wilkinson 1997). It is thus essential to take measures to increase stakeholders’ awareness of children’s rights in the world of football and ensure that children’s rights are respected throughout their involvement with football academies.

To achieve these aims, first, once children get involved with the academy system, it is crucial that they be embedded in a child-centred talent development scheme framed around children’s rights and needs, rather than one that focuses excessively on finding the next great footballer at the expense of their—and their families’—wellbeing. For this to happen, more emphasis needs to be placed on the children’s and their families’ rights to information, participation and being consulted throughout their time at academies. For example, children’s participation can be enhanced by carrying out regular wellbeing surveys and asking young footballers to use logbooks to record their experiences, concerns, learning reflections and suggestions, thus ensuring coaches and academies receive useful feedback and the players’ voices are heard (Ecorys & Vertommen 2019: 83).

Second, at a more fundamental level, the overall culture of football talent development in England needs to be revisited so as to operate a shift from hyper-masculine, managerial styles to child-centred and participatory values. Such a cultural shift needs to be underpinned by strong rights awareness-raising, alongside education and training efforts to promote sport integrity, child-centred policies and non-exploitative practices (Council of Europe & European Union 2021b; Ecorys & Vertommen 2019: 4). Rights awareness-raising, in particular, can take the form of means that are more engaging and appealing for young people, such as phone apps supporting young people’s familiarity with rights and safeguarding issues (Council of Europe and European Union 2021a). It is also fundamental that—as the Sporting Chance Principles point out—

lessons on how to enhance human rights respect in sport activities be “captured, disclosed and shared in transparent ways to raise standards and improve practices” (Advisory Council of the Centre for Sport and Human Rights 2018: principle 7).

Third, to supervise a reform to the football talent development system in England, as well as adequately oversee and punish football clubs’ violations of children’s rights (Special Rapporteur on the sale and sexual exploitation of children 2018: paragraph 125), greater regulatory authority and resources need to be put in place, especially to ensure that children’s rights are always considered and enforced in this context. Football governing bodies need to overcome their resistance to external scrutiny and reforms, and the Government should have greater willingness to intervene and combat unethical and illegal behaviours (Council of Europe 2020: 77). Additionally, policy reforms and regulatory enforcement need to be informed by the views of young players and their families, in consonance with the right to participation of these key actors (Council of Europe 2020: 44). This is in line with the Tbilisi Declaration’s commitment to use governmental/non-governmental partnerships and multi-stakeholder platforms to develop measures that address human rights violations in sports (Council of Europe 2018), as well as the emphasis of the Sporting Chance Principles on collective solutions and coordinated action to address human rights challenges and align the world of sports with international human rights standards (Advisory Council of the Centre for Sport and Human Rights 2018: principle 9). This is also consistent with the need to ensure child-sensitive information, advice, advocacy, remediation, shared responsibility, effective remedies and grievance mechanisms in the context of business-related human rights violations (Special Rapporteur on the sale and sexual exploitation of children 2018: paragraph 30; Committee on the Rights of the Child 2013b: 71). Such an increase in regulatory oversight is aligned with the recommendation of the Committee on the Rights of the Child that regulatory agencies should be strengthened and endowed with the powers and resources they need to ensure respect for children’s rights, as well as investigate complaints and enforce remedies for possible violations (Committee on the Rights of the Child 2013b: 61(a)).

European social partners in the sport sector seem committed to ensuring child safeguarding and rights through the use of ethical guidelines, codes of conduct, protection policies and monitoring tools (UNI Europa, World Players Association & EASE 2017: Article 3c), d), e)). That high-level commitment needs to translate into more effective regulatory frameworks, enforcement mechanisms and overall ethos



in the world of football talent development. Only thus can children in the world of football truly fulfil their potential and enjoy their sport journeys while seeing their rights respected and themselves not being treated as commodities. As the Committee on the Rights of the Child reminds us, implementing children's rights is not a "charitable process, bestowing favours on children" (Committee on the Rights of the Child 2003: paragraph 11). Although the brief recommendations put forward above go against the grain of what English football talent development is currently about, all stakeholders should be determined to collaboratively foster a more children's rights-centred approach to football academies. Such recommendations and children's rights-centred approach can only benefit the practice of football in the long run and, more broadly, contribute to effective and ethical sports governance and law by upholding all participants' rights and welfare to the greatest extent.

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