

SAFEGUARDING BRIEFING

Crime and Policing Act 2026

August 2026

What Group Exercise Instructors Need to Know

The Crime and Policing Act 2026 has introduced significant safeguarding changes that affect anyone working with children and young people in leisure, fitness and sports settings. These changes create real new obligations that fitness professionals, clubs, governing bodies, and coaches must understand and act on.

Who Does This Act Apply To?

Firstly, the Crime and Policing Act 2026 is primarily legislation for England and Wales. Its provisions do not automatically extend to Scotland, Northern Ireland, or international operations. The below sets out what applies where, and what that means for you and/or your organisation.

England - Applies

All provisions in this briefing apply in full.

Wales - Partial

Primarily applies. However, the Welsh Senedd did not consent to certain provisions during passage. Welsh organisations should monitor guidance from the Welsh Government for any areas of difference.

Northern Ireland – Partial

Policing is devolved. The Northern Ireland Assembly approved consent motions on specific provisions. NI organisations should follow guidance from the relevant NI departments and regulators.

Scotland - Does not apply

Policing and safeguarding are devolved. Scotland operates its own framework. Some reserved matter provisions of the Act extend to Scotland. Scottish organisations should follow guidance from the Scottish Government and relevant regulators

International / overseas organisations - Does not apply

The Act does not impose compliance obligations on organisations operating outside the UK. However, UK nationals committing certain offences against children overseas may still be prosecuted under UK law. UK affiliated organisations that voluntarily follow UK safeguarding frameworks may choose to reflect the principles of this Act in their policies.

Why This Matters

Many fitness professionals do not see themselves as working in a traditional safeguarding environment. However, they often build trusted relationships with children, young people and families. For example, a child may disclose abuse after a swimming lesson, a young person may share concerns with an instructor after a dance fitness session, an instructor may receive a safeguarding concern from a member of staff or notice signs of exploitation, online abuse or concerning changes in a young

participant's behaviour. The Act strengthens expectations around how safeguarding concerns must be handled and increases accountability for both individuals and organisations.

1. Mandatory Reporting of Child Sexual Abuse - What Has Changed?

The Act introduces a statutory duty to report child sexual abuse for people undertaking regulated activity with children in England. This includes instructors, coaches, officials and volunteers who work closely with young people.

The Government has deliberately chosen not to make a failure to report a criminal offence, recognising the important role volunteers play across the sport and physical activity sector. However, a failure to fulfil the duty may result in referral to the Disclosure and Barring Service (DBS) rather than prosecution.

What This Means

CONSEQUENCE A - Failing to make a required report

This is **NOT** a criminal offence. The government deliberately chose not to criminalise failure to report, to avoid creating a chilling effect that might deter volunteers and professionals from working with children.

Consequence: Referral to the Disclosure and Barring Service. Could result in being permanently barred from all child-facing work.

CONSEQUENCE B — CRIMINAL OFFENCE - Obstructing someone else's report

This **IS** a criminal offence. Deliberately stopping, discouraging, or interfering with a required report - regardless of seniority - is now a crime under the Act.

Consequence: Criminal prosecution. This also applies to senior leaders, managers, and trustees who instruct others not to report.

Example

A child remains behind after a fitness class and tells the instructor they are being sexually abused by someone at home. The instructor reports the concern to a manager and assumes it has been addressed. Several weeks later, no referral has been made. Under the new framework, the fitness instructor needed to confirm the referral happened. She/he could now be referred to the DBS and permanently barred from instructing.

Example

An instructor reports concerns about inappropriate behaviour towards a young participant. A manager says: "Let's keep this internal until we've looked into it properly." If this delays a mandatory safeguarding report, it could amount to criminal obstruction under the Act. Reputation, staffing concerns or commercial pressures can never justify preventing a safeguarding referral.

2. DBS Checks: The Supervision Exemption Has Been Removed

What Has Changed?

Previously, some supervised staff and volunteers working with children were not classed as undertaking regulated activity. As a result, they were not eligible for Children's Barred List checks, only an enhanced DBS. This supervision exemption is being removed.

What This Means for Leisure Operators and Instructors

As everyone in relevant roles working closely and regularly with children, whether supervised or not, is now eligible for the highest level check: enhanced plus children's barred list, regardless of whether they are supervised, operators and instructors should review roles to understand if further roles are now eligible.

3. Child Criminal Exploitation (CCE)

A New Standalone Offence

The Act creates a specific offence of Child Criminal Exploitation (adults coercing or manipulating children into committing crimes) and formally recognises it as a form of child abuse. Grooming is also recognised as an aggravating factor in sentencing.

People working in leisure and fitness settings may be among the first trusted adults to notice warning signs.

Example 1

A 15-year-old girl regularly attends a community dance fitness programme. An older adult who is connected to the sessions, but not directly involved in delivery, begins encouraging her and praising her commitment. Over several months, they build a relationship by offering lifts home, paying for fitness clothing, and talking about exciting opportunities in fitness and social media. The adult gradually starts asking her to deliver packages, collect items, or meet people on their behalf. The young person complies because she trusts them and feels indebted to their support.

This is **Child Criminal Exploitation (CCE)**. The exploitation is enabled by a relationship deliberately developed through the fitness environment. Instructors, organisers and safeguarding leads should be alert to adults who take an unusual interest in individual participants, offer gifts or transport, seek private contact outside sessions, or create dependencies, particularly where young people may be vulnerable or in need of additional support.

Example 2

A 16-year-old boy attends a youth fitness programme at a local leisure centre. A trusted gym member frequently mentors him, buys supplements and workout gear, and offers encouragement when he is struggling at home. The relationship develops over time, and eventually the adult asks him to transport items between locations in return for money or further support. The young person believes he is helping a friend and mentor but is being criminally exploited.

4. Knife Crime — New Intent-Based Offence

The Act introduces a new offence: possession of a knife or offensive weapon, in public or in private, with intent to use unlawful violence. This includes on premises. Previously,

prosecution required a knife to have already been used to threaten or harm. Police can now act earlier.

Example

During a community fitness festival, an instructor notices a 16-year-old attendee repeatedly showing friends a knife she has brought to the event. She is overheard making comments about "sorting someone out" later that day. No assault has occurred, but there are clear concerns about intent and the risk of serious violence. Under the Act, police do not necessarily need to wait for violence to take place before acting. Event organisers, safeguarding leads and venue managers should have clear procedures for escalating concerns to police when there is evidence of intent to use a weapon. The lower threshold for intervention supports earlier action to protect young people and the wider public.

5. Violence Against Women and Girls (VAWG) — Relevant to Sport and Physical Activity

The Act introduces new offences relating to image-based abuse and AI-generated intimate images.

Nudification tools: Creating, supplying, or offering AI tools designed to generate fake intimate images of a person without consent is now a criminal offence.

Non-consensual intimate images: Screenshotting or copying intimate images without consent is a specific new offence.

Stalking protection orders strengthened: Courts can impose stalking protection orders directly on conviction or acquittal. Victims now have the right to know the identity of their stalker. Relevant where operators or instructors face situations involving stalking of participants or staff.

Example

A young participant reports that a fake AI-generated intimate image has been shared in a group chat linked to a fitness class. Creating and sharing these images may now constitute criminal offences and should be referred through safeguarding channels and, where appropriate, to the police.

Leisure operators and instructors should recognise that:

- Harassment can occur in gyms, classes and leisure facilities.
- Stalking can affect participants or staff.
- Image-based abuse can occur online.
- Women and girls may experience intimidation linked to physical activity settings.

6. Corporate Criminal Liability – Fitness Clubs, Organisations and SMEs

Organisations structured as companies or incorporated bodies can be criminally prosecuted for any offence committed by a senior manager acting within their authority, not just financial crime. This is a major change in governance risk.

What This Means for Leisure Operators and Instructors

If a founder, CEO, managing director, operations director, or another senior leader commits an offence related to safeguarding while acting within the scope of their role, the organisation itself may be exposed to criminal liability, not just the individual. The absence of an "adequate procedures" defence means the organisation cannot simply argue that policies existed on paper.

Founder-Owned Fitness Company Example

A fitness company is owned and run by its founders. Concerns are raised that a fitness instructor, running sessions on behalf of the company has been engaging in inappropriate behaviour with young participants. One of the founders receives the safeguarding report but dismisses it because the instructor is a high performer and important to the business. The founder discourages staff from escalating the concern and fails to follow safeguarding procedures.

In this scenario, the founder is clearly a senior manager exercising organisational authority. If an offence is committed within the scope of that role, the actions may be attributed to the company itself, potentially exposing both the individual and the organisation to criminal consequences

Leisure Operator Example

A leisure operator runs several fitness centres across a region. Concerns are raised that an instructor at one site has been engaging in inappropriate conduct with teenage participants attending a youth fitness programme. The concern is reported to the Head of Fitness, who has responsibility for fitness operations across all sites.

Worried about reputational damage, staff shortages, and the impact on programme performance, the Head of Fitness decides not to escalate the concern through the organisation's safeguarding procedures. They discourage managers from making a formal report and allow the instructor to continue working across multiple locations.

The Head of Fitness is a senior manager, exercising significant authority over a substantial part of the organisation's activities. If an offence is committed while acting within the scope of that authority, the conduct may be attributed not only to the individual but also to the leisure operator itself. Organisations cannot rely solely on having safeguarding policies in place; boards and executive teams must ensure concerns are acted upon appropriately and escalated when required

What Should You Consider Next?

There are a variety of actions you can take following these changes, these might include, but are not limited to:

- Updating safeguarding policies and procedures to include mandatory reporting, CCE, VAWG offences, and grooming risks. EMD UK are currently doing this as part of a Safeguarding Policy re-write.
- Ensuring everyone understands their duty to report safeguarding concerns and follow them through appropriately.
- Train staff, instructors, coaches, volunteers, and managers on CCE and emerging safeguarding risks.
- Review safer recruitment practices and DBS checking arrangements. EMD UK can help with this.
- Update codes of conduct to cover image-based abuse, including AI-generated "nudification". EMD UK will soon be updating our Code of Conduct and this will be shared for consultation before being published.
- Ensure senior leaders/owners understand that obstructing safeguarding concerns may be a criminal offence and can create organisational liability.
- Engage with EMD UK your national governing body as frameworks are updated.
- Review event and venue safety procedures, including risks associated with weapon-related offences.
- Monitor and implement new government safeguarding guidance as it is published.

Adapted from the Emmaus Safe Crime and Policing Act 2026 Sports Sector Briefing for the Group Exercise and Leisure Sector.