



SPORT INTEGRITY  
AUSTRALIA

WESTERN AUSTRALIAN INSTITUTE OF SPORT  
**WOMEN'S ARTISTIC  
GYMNASTICS PROGRAM  
REVIEW**

20 APRIL 2022



## ACKNOWLEDGEMENT OF COUNTRY



In the spirit of reconciliation the agency acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past, present and future and extend that respect to all Aboriginal and Torres Strait Islander peoples.

The agency recognises the outstanding contribution Aboriginal and Torres Strait Islander peoples make to sport in Australia and celebrates the power of sport to promote reconciliation and reduce inequality.

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# EXECUTIVE SUMMARY



# EXECUTIVE SUMMARY

In September 2020, a group of former gymnasts who had participated in the Women's Artistic Gymnastics Program (**WAG Program**) at the Western Australian Institute of Sport (**WAIS**) raised allegations of abuse and mistreatment between 1987 and 2016 (**the relevant period**). WAIS initially referred the complaints to Sport Integrity Australia. After a period of negotiation, it was agreed by WAIS and the former gymnasts that Sport Integrity Australia would be the appropriate body to conduct an independent Review into those historical allegations.

During the course of this Review, Sport Integrity Australia identified several key themes of concern. Some gymnasts described being subjected to a culture of fear with no adequate way to raise a complaint. A number of gymnasts spoke of the verbal and physical abuse they experienced, unnecessary frequent and traumatising skinfold testing, weight-shaming, the expectation to train and compete with injuries, the extreme training load and little or no aftercare after leaving the Program.

Based on the information and material Sport Integrity Australia collected during the course of this Review, it is reasonably likely, throughout the Program, that some gymnasts suffered abuse and/or harm while participating in the WAG Program at WAIS. The policies and procedures that governed the WAG Program at the time did not adequately protect some of the gymnasts in the Program. It is reasonably likely that the conduct and/or omissions on the part of some WAIS and WAG staff, coaches and management contributed to the ensuing abuse and/or harm, either directly or indirectly.

Sport Integrity Australia endorses a reconciliatory and restorative process, so that those affected by the conduct underpinning these themes can heal and rebuild. It also endorses the steps that have been taken by those involved in the WAG Program and at WAIS today to better protect children. Sport Integrity Australia also supports the steps that WAIS has and is taking in terms of governance, protection and safeguarding of athletes across the entirety of its programs. To complement the policies and protections that have already been enacted by WAIS, Sport Integrity Australia makes the following recommendations:

1. WAIS adopt the National Integrity Framework, including the independent complaint handling process.
2. WAIS ensure that all sport programs involving children are child-focused and age appropriate.
3. WAIS continue to embed athlete wellbeing into policies, procedures, and practices into all sport programs.
4. WAIS, in collaboration with the impacted participants, engage in a restorative and reconciliatory process.

# 1. INTRODUCTION



# 1. INTRODUCTION

The responsibility to ensure the safety and protection of athletes is a collective one and falls to *everyone* involved in sport. That responsibility is amplified when those athletes are minors. Gymnastics is a sport in which children participate from a young age, and who at times, attain the 'elite' level before being fully mature, both physically and emotionally. It is the responsibility of those around these young athletes to support them and protect them from harm.

This Review contains the experiences of former gymnasts who, as minors, were not afforded the adequate protections to which they were entitled. They told Sport Integrity Australia of being exposed to unacceptable conduct, abuse and harm at the hands of those who were supposed to protect them, the consequences of which remain with many well into their adult lives. The word 'broken' was used by some participants in this Review<sup>1</sup> when asked about how they felt about their time with the WAG Program.

This Review and the process leading to its finalisation has provided the gymnasts, their families, support staff, coaches, administrative staff and WAIS management the opportunity to be heard – to tell their stories in an open, safe and independent forum. Without the courageous and voluntary cooperation of the participants this Review would not have been possible.

There are two key aims underpinning this Review. Firstly, to examine the gymnasts' experiences and allegations of abuse and/or harm while they were with the WAG Program and understanding the culture which allowed it to happen. Secondly, to review WAIS's current child safe policies, procedures and processes and examine their effectiveness. This Review intends to assist WAIS – and sporting institutions and organisations more broadly – in creating an environment which is athlete-centred and has effective systems in place to prevent and respond to abuse and harm. Ensuring the safety, wellbeing and empowerment of athletes with regard to principles which form the basis of the *UN Convention on the Rights of the Child*, is central to achieving those aims.

Although Sport Integrity Australia has a role in receiving and managing complaints in sport, this Review was not designed for that purpose. This Review was established to identify systemic issues and make recommendations to assist with improving future processes, not to investigate individuals or make disciplinary decisions. As such, the Review does not single out any one person who may or may not have been responsible for the conduct, but rather highlights the inadequacies in the safeguarding processes which should have been in place to protect those gymnasts historically. It was, and continues to be, a collective responsibility.

Based on the information gathered by Sport Integrity Australia, it is likely that some gymnasts were subjected to unacceptable behaviours and abuse while with the WAG Program. Gymnasts told Sport Integrity Australia of the short-term and long-term effects of those behaviours, which are reasonably likely to have resulted in harm.

Sport Integrity Australia was also told by coaches and staff of the WAG Program that they were not cognisant of the long-term impact of the practices employed and were concerned by the knowledge that the gymnasts had suffered short- and long-term harm. Sport Integrity Australia encourages a restorative process to assist with healing for all those adversely effected by the allegations at the heart of this Review.

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1 **31T**, Q197; **43T**, Q103; **5T**, Q126; **21T**, Q234.



# 2. REVIEW DETAILS



## 2. REVIEW DETAILS

### 2.1 REVIEW PURPOSE

In September 2020, a group of former gymnasts who had participated in the WAG Program raised allegations of abuse and mistreatment between 1987 and 2016. These allegations were initially raised directly to WAIS management who subsequently referred them to Sport Integrity Australia. It was eventually agreed by the parties that Sport Integrity Australia would conduct an independent Review into those historical allegations.

WAIS and the former gymnasts agreed on a Terms of Reference (**Appendix A**). A Memorandum of Understanding was agreed between Sport Integrity Australia and WAIS, which underpins the Terms of Reference (**Appendix B**).

Under the MOU, the Review would explore athlete experiences in the WAG program at WAIS and make recommendations on how to improve in future. Any gymnast seeking disciplinary outcomes in addition to participating in this Review was given the opportunity to submit complaints to Sport Integrity Australia under the Gymnastics Australia Supplementary Complaints Management Process, although there are limitations to this process, including membership.

In June 2020, the documentary 'Athlete A'<sup>2</sup> was released, which focused on USA Gymnastics and the sexual abuse perpetrated by Larry Nassar on young gymnasts over a significant period of time. It also highlighted the toxic culture which allowed the sexual abuse – and other abuse – to perpetuate. The release of the film was, for many gymnasts, a catalyst for coming forward with stories of their own experiences of abuse in the sport of gymnastics.

This Report notes the findings of the Australian Human Rights Commission (**AHRC**) Report into the culture and practice at all levels of the sport of gymnastics in Australia, which identified similar themes reported in this Report.<sup>3</sup> The themes and experiences of athletes reflected in the AHRC Report are akin to those of many gymnasts who participated in this Review, which is indicative of the culture historically found in the sport of gymnastics more broadly. That is, the conduct identified in the WAG Program was not in isolation but rather was widespread, as the AHRC Report clearly conveys. It was agreed by the Parties that this Review and any interviews related to it would not commence until the AHRC Report was published.

Similar reviews have been conducted into the sport of gymnastics globally. For example, the *Independent Review of Gymnastics New Zealand*<sup>4</sup> and the *Whyte Review*, which is currently being drafted.<sup>5</sup> Despite this, each lived experience of all who participated in this Review is important, and their relevance should not be overshadowed by the existence of other reviews and reports. They are the focus of this independent Review into the experiences the participants had at WAIS in the relevant period, the consequences of those experiences and the changes that have been and must be implemented to ensure that history does not repeat.

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<sup>2</sup> Actual Films, distributed by Netflix.

<sup>3</sup> *Change the Routine: Report on the Independent Review into Gymnastics in Australia*, AHRC, 3 May 2021.

<sup>4</sup> David Howman, Lesley Nicol, Rachel Vickery (February 2021).

<sup>5</sup> <https://www.whytoreview.org/>

## 2.2 METHODOLOGY

Sport Integrity Australia was established by the Australian Government to coordinate the national response to threats to sport integrity and commenced operating on 1 July 2020. 'Threats to sport integrity' include the abuse of children and other persons in a sporting environment; and the failure to protect members of sporting organisations, and other persons in a sporting environment, from bullying, intimidation, discrimination or harassment.<sup>6</sup> Sport Integrity Australia is a neutral body and has no affiliation with WAIS, the complainants or any person who participated in this Review.

### 2.2.1 Participation

Participation in this Review was on a wholly voluntary basis. In total, 92 participants took part in this Review. Of those, 52 participants were interviewed in 46 interviews, over a period of approximately four months. Participants were former gymnasts, parents of former gymnasts, former and current gymnastics coaches, former and current WAIS support staff, former and current WAIS administrative, management, medical staff and subject-matter experts who had experience at WAIS, including sports psychologists. Interviews were mostly conducted in-person, which was considered by Sport Integrity Australia to be the most trauma-informed approach considering the risk of re-traumatisation and sensitive subject matter. There were inherent logistical difficulties caused by the COVID-19 pandemic. Strict Western Australian border restrictions in 2021 impeded travel and at times meant last-minute cancellations of interviews and significant delays in rescheduling them, with some needing to be conducted virtually. The last interview was conducted in November 2021.

Sport Integrity Australia posted a call for written submissions on its website on 1 June 2021 with a submission deadline of 22 June 2021. Some interested parties requested an extension of time and several submissions were accepted after the deadline. Seventy-one written submissions were received and were accompanied by a consent form detailing how they would like to participate.

Interspersed throughout this Report are excerpts of participants' submissions or records of interview. It is important that their voices are heard and that the experiences underpinning the Review are in the words of those participants. The Report has been de-identified for the purposes of maintaining the confidentiality of those who participated. They have been given numerical pseudonyms.

### 2.2.2 Cooperation of WAIS

WAIS management and staff were cooperative with this Review and shared with Sport Integrity Australia over 15,000 pages of documents, including boxes of records kept by the WAG Program. WAIS also allowed Sport Integrity Australia to tour the WAIS complex and the gymnastics facility used during the WAG Program towards the end of 2021. WAIS management and staff were open and appeared candid when interviewed by Sport Integrity Australia and offered follow-up assistance.

### 2.2.3 Standard of Proof

As agreed by the Parties, 'reasonable likelihood' is the standard of proof that was applied to this Review. For a 'reasonable likelihood' conclusion to be reached, the allegation must not be fanciful or remote and is more than merely plausible.

This standard of proof allows the process to be trauma-informed in order for participants to share their experiences, without the need for rigorous investigation to substantiate allegations. That is, the complaints made by gymnasts are taken to be *prima facie* true.

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<sup>6</sup> Sport Integrity Australia Act 2020, s.4 (Definitions).

It is important to note that that this is a lower standard of proof than 'on the balance of probabilities', which is the standard applied in certain administrative matters. In the sport integrity and anti-doping context, the 'balance of probabilities' standard is generally applied when determining fault and applying sanctions. Considering this Review relates to historical allegations and is not mandated to make findings of fault and apply sanctions, the 'reasonable likelihood' standard of proof is the most appropriate.

## 2.2.4 Procedural Fairness

The Terms of Reference, as agreed by GAA and WAIS, state the following at [5]:

*Sport Integrity Australia shall afford participants in the Review, including any alleged wrongdoer, procedural fairness.*

On 11 February 2022, Sport Integrity Australia communicated the Final Report (draft) to all persons who participated in the Review, as per the Terms of Reference, for consideration and responses. A deadline of 4 March 2022 was set. WAIS requested an extension of this deadline. Sport Integrity Australia granted an extension of the deadline for submissions to 18 March 2022, and this was communicated to GAA.

Despite the confidentiality of the Final Report document whilst in draft format, which was articulated in the cover letter accompanying the distribution of the Report, it was regrettably disclosed by an unknown source and portions of the draft Report were published on various media platforms. Sport Integrity Australia considered all submissions received in the context of the procedural fairness process.

The submissions received in this regard are listed in **Appendix C**.

## 2.3 BACKGROUND

### 2.3.1 The WAG Program

In the 1980s, there was a significant development in Women's Artistic Gymnastics in Australia. The AIS commenced a centralised Women's Artistic Gymnastics high performance program in 1981 and the WAIS gymnastics program commenced in Western Australia from 1985. While these programs contributed to the emergence of Australian Women's Artistic Gymnastics on the international scene, the concept of very young girls (with or without their families) having to relocate to Canberra with no guarantees of success and leaving a gap in their home clubs, meant the AIS was not ideal culturally as the stand-alone high-performance program.<sup>7</sup>

As one parent recalled:

*Our issue is, is that we want to keep our children, we don't want to have to sacrifice some children to Canberra which we don't trust, right, because we know that at least we've got some say in their welfare here.<sup>8</sup>*

The WAIS WAG Program commenced in February 1988, within a few years of the establishment of WAIS and the high-performance centre it is now housed in. The gymnastics program was one of the foundation programs with full elite coaching at WAIS.<sup>9</sup>

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<sup>7</sup> AIS/ASC Review of High Performance Structure in Australian Women's Artistic Gymnastics, February 2007 (Jenny Fairweather), p.7.

<sup>8</sup> 69T, Q166.

<sup>9</sup> 89T, Q22.

The WAIS WAG Program was the first of the State-based programs established. Despite only having had 7,000 registered gymnasts across all disciplines (between 6,000 and 9,000 annually between 1995 and 2007), the program averaged 1.18 athletes on every World, Commonwealth Games and Olympic team since 1989 (as at 2007).<sup>10</sup>

Participation in the WAG Program was at the invitation of the Program Director. Coaches identified girls who they believed possessed the talent, attitude and physical attributes to be successful at an international level in the sport of gymnastics, some as young as five years of age.

The WAG Program enrolled gymnasts at the beginning of their high performance or elite career and saw them all the way through to National, Commonwealth or Olympic Teams and steered them through their junior to senior international careers.<sup>11</sup> Most of the gymnasts had to pay a yearly fee to participate in the program, and a small number were on scholarships.

### 2.3.2 The Structure of WAIS

WAIS was initially structured as an independent association which operated under a constitution.<sup>12</sup> The majority of WAIS funding originates with the Western Australian State Government (around 88%), with the remainder being funded by National Sporting Organisations with the assistance of the Australian Institute of Sport (AIS).<sup>13</sup> A Board acts as the overseeing body set up under the constitution of WAIS, with oversight of the operations of the organisation. The Western Australian Minister for Sport and Recreation appoints the Chair and Directors of the Board, and the Constitution includes stipulations relating to structure and frequency of meetings.

WAIS is listed under Schedule 1 of the *Financial Management Act 2006*. This means, *inter alia*, that WAIS must abide by the Western Australian Treasurer's instructions and provide and table a report in Parliament each year, being the WAIS Annual Report.<sup>14</sup> The Annual Report includes financial statements, accountability and Key Performance Indicators. The Annual Report is WAIS's primary formal reporting requirement.

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<sup>10</sup> AIS/ASC *Review of High Performance Structure in Australian Women's Artistic Gymnastics*, February 2007 (Jenny Fairweather), p. 11.

<sup>11</sup> **78T**, Q30-Q32.

<sup>12</sup> <http://wais.org.au/images/cms/assets/policies/wais-constitution.pdf>

<sup>13</sup> **89T**, Q8.

<sup>14</sup> Available at: <http://wais.org.au/wais-publications>



# 3. FINDINGS



# 3. FINDINGS

## 3.1 THE CULTURE

As one participant told Sport Integrity Australia, "we operated within the societal, the sport and the cultural norms of the time, and as time went on and those norms changed, so did we change".<sup>15</sup> Sport Integrity Australia acknowledges the sporting landscape at the time, and that cultural norms have shifted since the 1990s. That does not, however, take away from the fact that the gymnasts reported harm and, in turn, significant lasting impact from a culture that may have been accepted by some as 'norms' in the relevant period.

Many reported having experienced ongoing negative effects throughout their adult life, the impacts of which are articulated in the below section **3.3 Effect of alleged harm and/or abuse**. Some of the gymnasts Sport Integrity Australia spoke to reported they have accessed professional support in the form of psychologists and psychiatrists to help them deal with the impacts of the harm they have experienced.

### 3.1.1 A culture of fear

Gymnasts in the WAG Program were young and subjected to the power imbalance which is common between coach and athlete. That power imbalance is amplified when between a child-athlete and coach. Where the power balance is tilted to a coach who engages in unacceptable behaviours towards the athlete, the harm that ensues can be serious and in some cases life-long.

A driving factor as relayed by many gymnasts in the WAG Program was fear. That is, fear of failing, fear of punishment and retribution.<sup>16</sup> As one participant recalled, "*coaches have to be more scary to make you fear to overcome fear*".<sup>17</sup> One gymnast provided this recollection of her daily experience at WAIS:

*You got dropped off, you walked through the doors and pretty much you were straight in the tunnel and that was the point where it was going to be on, you know, fear of basically being yelled at. That was my daily fear and reality. The belittling.*<sup>18</sup>

Many gymnasts reported being too scared to speak up about the conduct of coaches, because the repercussions were simply not worth it. As one gymnast said, you would never escalate a complaint because "*that would make it rain harder*".<sup>19</sup> Another recalled:

*If you had a little whinge to your parents about something, you know, and then if they then went and relayed that to the coaches, you'd spend the next two weeks being given the cold shoulder from the coaches or you would be, you know, "Oh, are you going to cry to your parents again? You're a baby." And you would cop it so much if you spoke up from the coaches that we just learnt it was easier to shut up and just get on with it.*<sup>20</sup>

Some gymnasts have not spoken about their treatment in the WAG Program until very recently. Some only disclosed it to their families in the last year or so, whereas others have not spoken with their families about it at all. The veracity or reality of their experiences are not impacted by the fact they have not spoken out

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<sup>15</sup> **80T**, Q165-166

<sup>16</sup> **18T**, Q168.

<sup>17</sup> **31T**, Q75.

<sup>18</sup> **7T**, Q176-Q177.

<sup>19</sup> **18T**, Q162.

<sup>20</sup> **31T**, Q186.



until years later. One of the reasons some reported not speaking out previously was that they still felt afraid, a fear which was instilled in their formative years and have not been able to shake off.

### 3.1.2 Favouritism

There was a tendency for 'favourite' gymnasts to receive better treatment than others.<sup>21</sup> This could account for the disparity between the experience of some gymnasts over others, which are conveyed in the below section **3.1.5 Positive Experiences**. As one gymnast recalled *"there were lots of comparisons like, "Why can't you be more like this person? Why can't you be more like this?" And I think they did pit us against each other in a certain way."*<sup>22</sup>

One participant who spoke of being treated particularly harshly by coaches while she was with the WAG Program said that it did not go unnoticed by other gymnasts; that clearly she was the antithesis of the 'favourite'. This in turn resulted in feelings of guilt being experienced by fellow gymnasts. She said that *"until recently I didn't know some of them carried the guilt that they carried over how I was treated, which breaks my heart because it's not their guilt to carry"*.<sup>23</sup>

### 3.1.3 Pressure on coaches

It was reported that coaches were under significant pressure, because unless results were obtained, there was a perception in the gymnastics system generally that a coach had failed.<sup>24</sup> A primary motivation for coaches to join high-performance sport is to deliver outcomes.<sup>25</sup> The pressure to obtain results was exacerbated in the period leading up to 2000 Sydney Olympics, which did not apply to gymnastics alone. Medals and success before a home crowd was at the forefront of sport in Australia, and funding was provided by the Government to assist. That funding would taper off once the Olympics were over, and it was generally presumed that if your sport was successful at the Sydney Olympics, that a natural flow-on effect was continued funding.<sup>26</sup>

### 3.1.4 Reaction of coaches and staff

During the course of their interviews with Sport Integrity Australia, coaches and staff at WAIS involved in the WAG Program during the relevant period were told of the experiences of abuse and harm complainants reported. The stories were at times confronting and the reactions appeared emotional and genuine. Words such as 'devastating' and 'heart-breaking' were used to describe their reactions at the complainants' experiences. As one said *"That's why this whole thing has been absolutely, completely shocking to me. I never thought in a million years this would be the program that is pointed out as being not up to scratch."*<sup>27</sup>

Coaches and other WAG staff Sport Integrity Australia spoke to acknowledged the reality of the complainants' experiences and their lasting consequences,<sup>28</sup> with one former coach saying *"finding out that we not only missed the mark but there's damaged people out there is traumatic"*.<sup>29</sup>

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21 **7T**, Q136, GAA Group Statement, p.1.

22 **31T**, Q83.

23 **35T**, Q107.

24 **89T** Q83.

25 **89T** Q85.

26 **89T** Q85.

27 **83T**, Q34.

28 **80T**, Q1337-Q1338; **73T**, Q113.

29 **80T**, Q1343.

### 3.1.5 Positive experiences

There are many undeniable positive aspects to the sport of gymnastics. Aside from the importance of physical exercise for children generally, it teaches discipline, concentration and camaraderie, to name just a few of its benefits.<sup>30</sup> Sport Integrity Australia spoke to some gymnasts and their families who could only recall positive experiences while with the WAG Program. One gymnast said that she felt empowered as a child and had no difficulty in maintaining a separate life to gymnastics.<sup>31</sup>

Other gymnasts relayed the following experiences:

*I was a very empowered child and that flowed through into how I communicated and how my coaches responded and how we worked together and then in turn they also empowered me in the gym.<sup>32</sup>*

*I can write an equally long essay on my many incredible experiences, the adults and gymnasts who I met that were nothing but supportive, caring and professional [...] gymnastics played a major part in shaping the person I am today. I have had opportunities that very few will ever have. So many of my fondest memories, proudest moments, and favourite personal qualities stem from gymnastics.<sup>33</sup>*

*My personal experience at WAIS during this time was nothing other than a good one. I was training up to 26 hrs per week, and although it was hard on me mentally and physically this is what being an elite athlete was all about. Hard work and dedication. We were pushed to be the best we could be, however at no point did I think [the coaches] had anything other than my best interest at heart. I never felt as though I was being threatened, abused or that I was in any danger.<sup>34</sup>*

*Not every day was light and breezy and easy. However, it built resilience that has made us all the women that we are today and has helped us overcome a lot, each of us, our own, you know, hurdles in life. And we certainly never witnessed any, you know, like abuse or bullying. I think that for us or for me, when those kind of claims came out, it hit me quite strongly because I think that those words are very, very strong words. [...] And I don't think any of those coaches for a second meant to harm anybody, especially long term.<sup>35</sup>*

One parent recalls her experience as "*from the parent perspective, I felt that was all really good, really well managed, they listened to coaches, they listened to me. If I went in and said, 'oh, this doctor said this that and the other', they didn't go, 'Oh, well I'll phone him myself'.*"<sup>36</sup>

Another parent found that access to the WAG Program management was adequate: "*You could go and see [them] at any time. [The] door was always open. There was not a problem with, – if you wanted to speak to [them], you could.*"<sup>37</sup>

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30 See generally AHRC Report, p.27 and *Gymnastics New Zealand Review* p.32.

31 **53T**, Q335.

32 **53T**, Q371-Q372.

33 **53S**, p.6.

34 **46S**.

35 **9T**, Q7.

36 **53T**, Q401.

37 **70T**, Q78.

Another participant who visited the WAG Program at WAIS in a professional capacity in the relevant time period said the following of their observations:

*I saw the coaches do a lot of, I don't know really positive things at times with the, you know, for the kids and with the kids. And just, there seemed to be generally a very positive environment. Like compared to walking into other gyms a far more positive environment within that gym.<sup>38</sup>*

### 3.2 THE ALLEGATIONS OF ABUSE AND OR HARM FROM THE COMPLAINANTS

Coaches play a crucial leadership role in sport, and particularly so when the athlete is a minor. Gymnastics is a sport which requires intense concentration and discipline, and absolute reliance on the coach for guidance. Although gymnasts can compete in teams, the individual performance of each gymnast is central to excelling, and coaches work with gymnasts in a one-on-one capacity. There is an automatic deference to the coach.

Abuse described by gymnasts ranged from punishments for being late<sup>39</sup> (which was mostly out of the control of the gymnasts, who relied on others for transportation), to verbal ostracisation and belittling (as outlined below), to physical abuse. One gymnast reflected on her time with the Program:

*The culture of the WAIS gymnastics program, I believe, is one that accepted, encouraged and even at times celebrated in the physical, emotional and psychological abuse of its athletes. This was allowed by not only the coaches, but the medical professionals and administrators too. As an athlete, I was subject to this abuse, and witnessed it being done to my teammates. I still carry around the impact of my personal experiences.<sup>40</sup>*

Another gymnast recounted the following experience:

*[The coach] was yelling me, how come your weight is up [...] that's when [they put their] hands around my neck and shook me. I was petrified. Absolutely petrified. [...] There was no more discussion around it, I didn't tell me parents. So, in retrospect I can see how I was protecting my abuser and it's only, sort of just recently, that all of this is sort of coming up and me realising "wow".<sup>41</sup>*

A further gymnast told Sport Integrity Australia that "it was scary getting yelled at that age, getting told you are stupid".<sup>42</sup> The same gymnast recalled the following experience:

*Doing knee splits I remember being pushed that hard, bawling your eyes out then being told to stop, you are being stupid, you are being pathetic, everyone is laughing at you. I was smacked by [a coach] across my legs because I had a [...] biscuit in my locker and an older girl dobbed me in, I got in a lot of trouble, I had to do dish rocks, on my back in a bowl position rocking back and forth for approximately an hour and a half.<sup>43</sup>*

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38 **85T**, Q41.

39 **25S**; **33T**, Q66-Q67.

40 **30S**.

41 **1T**, Q38-Q39.

42 **13S**.

43 **13S**.

Gymnasts took part in group sessions with psychologists while with the WAG Program, although individual sessions were also available. Interestingly, one of the areas of focus for gymnasts in the group sessions was *"trying to teach the gymnasts how to handle adults when they're moody or when their motivation is more agitated"*.<sup>44</sup> Although this may have been useful for the gymnasts, it is perplexing why it was the gymnasts – the minors, the children – who were being taught coping mechanisms for dealing with difficult coaches, who were adults. The fact that the gymnasts were undergoing that type of coping-mechanism training suggests there was at least some awareness by those in the WAG Program that a problem existed with the way that coaches were conducting themselves.

Coaches were also provided with training on how to conduct themselves with gymnasts, and psychologists also worked directly with coaches in this regard.

Much of the alleged abuse took place a long time ago. It was reported that because of the normalisation of unacceptable conduct of some coaches, it wasn't until some of the gymnasts were adults that it became clear that they had been the subjects of abuse and mistreatment. As one gymnast explained, *"Sometimes it's not until you read somebody else's experience and you're like, 'Oh my God, that was horrific.' And then go, 'Oh yeah, that happened to me too'."*<sup>45</sup>

One participant who was at WAIS as a medical support staff member in the relevant period found some of the coaches to be *"pretty harsh"*, and that they did have conversations about the fact they were working with kids, and how to talk with them, developmentally what to expect. The issue, according to this participant, was that they were *"so committed, so dedicated"* and that *"it was [their] life"*.<sup>46</sup> *'Athlete Centred, Coach Driven'* were words that were used at WAIS and in turn in the WAG Program, and according to participants, went through various iterations.<sup>47</sup>

### 3.2.1 Allegations of potential sexual and/or physical abuse

During the course of the Review, some participants raised allegations of potential sexual and/or physical abuse which is alleged to have occurred during their time at the WAIS WAG Program. Sport Integrity Australia took any information it received during the Review seriously and made seven reports to Police, Child Protection Agencies and/or Gymnastics Australia in regard to any allegations that potentially had an element of criminality, including allegations raised of potential sexual and/or physical abuse, and/or allegations that suggested that a child/young person may be at risk of harm. In relation to the matters referred to law enforcement due to potential criminal activity, none progressed to investigation or charges and have all been closed.

Sport Integrity Australia is not able to conclude on a reasonable likelihood standard that the sexual and/or physical abuse occurred based on the material it has, however the information Sport Integrity Australia received in relation to these allegations was referred to the relevant agencies who had the jurisdiction to investigate further, if appropriate.

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44 **78T**, Q55.

45 **31T**, Q101.

46 **88T**, Q 135.

47 **80T**, Q189.

### 3.2.2 Verbal abuse

There exists some disparity between participants' reporting as to whether verbal abuse was levelled at the young gymnasts in the WAG Program. This could be based on a person's subjective interpretation of 'verbal abuse', with coach participants stating they do not recall the use of profanities by coaches and found the concept unfathomable.<sup>48</sup>

Many gymnasts provided examples that can be categorised as verbal abuse. Some kept contemporaneous notes of their experiences. "Yelling" was common, coupled with reprimands and lack of empathy.<sup>49</sup> There was very little positive reinforcement. One gymnast recalled a coach saying to her that she wanted to throw her off the balcony<sup>50</sup> and that "we were subjected to abusive coaching practices, whether that's being yelled at, screamed at, told that, 'You're useless', called names".<sup>51</sup> Another recalls constantly being called "weak".<sup>52</sup> On one occasion, a gymnast had missed her first vault at a competition. She said her coach:

*...hissed at me the whole way up the runway and said I'm an embarrassment to my country and if I don't land the next vault I'm going to be in a lot of trouble. I landed the vault, which was good, but throughout the trip [...] I'd been threatened to be sent home on more than one occasion because I was an embarrassment.<sup>53</sup>*

One participant recalls when she was away for a competition:

*I was crying because [the coach] had yelled at me for not performing well enough. And then [the coach] started yelling at me for crying. And then I couldn't escape. I was just lying in my little bed in the hotel room trying to cry silently. And [the coach] just kept yelling at me.<sup>54</sup>*

The recollection of the coaching and other staff who were at the WAG Program in the relevant period was different to that of the complainant gymnasts, although they did not deny that the coaching methods were stringent, and that 'yelling' took place for the purposes, in one case, of causing an "adrenalin rush".<sup>55</sup> One explanation from a support staff participant was that "the intention was all good and I think as a coach you learn from people that have coached you and that tradition that's passed down and it's what they think they need to do".<sup>56</sup>

Despite this, when the verbal abuse and consistent yelling results in a young gymnast reportedly wanting "the floor to swallow me up. I wanted to disappear. [...] I can't handle being shouted at anymore. I can't handle being humiliated anymore,"<sup>57</sup> it is evident that any lack of malicious intention is negated by the harm caused.

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48 **83T**, Q106.

49 **1T**, Q18-Q19.

50 **31T**, Q67.

51 **31T**, Q109.

52 **18T**, Q27

53 **35T**, Q132.

54 **7T**, Q93.

55 **35T**, Q138.

56 **88T**, Q137 – Q141.

57 **35T**, Q133-Q134.

### 3.2.3 The use of skin folds

Participants spoke of the impact of having to take part in regular skin fold tests from a very young age, which were measured at least once every two weeks.<sup>58</sup> Coaches, management and gymnast participants<sup>59</sup> told Sport Integrity Australia that the 1989/1991 National Selection Policy included a requirement to be under a skinfold measurement of maximum either 40 or 42mm to be on the National Team, although despite best efforts to locate a copy of the Policy, Sport Integrity Australia has not seen documentary evidence of that provision. The 40/42mm rule hung over the heads of the young gymnasts and became embedded as the goal, which for some became an obsession. Anything over 40/42mm was considered to be too high and gymnasts were removed from the National Olympic team or training camp if only slightly over.<sup>60</sup> Participants told Sport Integrity Australia that it was removed from the National Policy after strenuous opposition sometime after the 1992 Barcelona Olympic Games, although the skinfold measurement did still influence national selections.<sup>61</sup>

The WAIS *Women's Gymnastics Program Interpreting your Daughter's Skinfold Measurement* (1997) document outlined the rationale behind the use of skinfolds:

*It is generally accepted that in most sports where weight and body size are considerations, a high level of body fat has an adverse effect on performance. It must be stressed that the right body fat level is only one of many factors that contribute to the gymnast being able to perform at the highest level. There is no magical right level of skinfold for gymnastics, what is right for one gymnast may not be right for another. Heredity, race, body shape, previous performance at certain skinfolds levels, are factors that the coach considers when determining what skinfold level would be right for a particular gymnast. A guide for gymnasts may be a skinfold level (sum of seven sites) of less than 40 mm for training and under 35 mm for competition.*

The document stated why there was a need for gymnasts to be "slim":

- 1. In sports requiring speed and power such as gymnastics excess fat will increase the body's mass. Assuming the gymnast has the same strength her extra body weight will slow her down, and her performance may drop off. She will find it harder to be dynamic and produce skills with high accelerations.*
- 2. Gymnastics is a weight bearing sport and any increase in body mass that is not working for you (that is not fat free mass) is extra that the gymnast needs to carry around. When the gymnast trains with this extra weight for so many hours every week, it may also give rise to more stress related injuries.*
- 3. A lesser reason, but still something that needs to be considered, gymnastics is an aesthetic sport and there is a high degree of "looking the part". A good self-image goes a long way in enhancing the gymnast's confidence and the way she presents herself on the floor.*

Point 3, which focuses on aesthetics and "looking the part" is concerning. It equates a good self-image with looking good. The ideal may have been unattainable for some gymnasts and the negative impact of it can be far reaching. Indeed, some gymnasts to this day have negative perceptions of self and continue to battle eating disorders (see below **3.3 Effect of alleged abuse and harm**).

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58 **31T**, Q148; **7T**, Q179.

59 **80T**, Q763-Q764, Q770; **73T**, Q387-Q391; **89T**, Q43; **31T**, Q150.

60 **1T**, Q29.

61 **80T**, Q797.

The same document provides the rationale behind the need for a gymnast to maintain a low body-fat reading:

*Having outlined the downfalls of carrying excess body fat, it should be noted that when the fat mass is too low it might predispose the athlete to poor performances and an increased susceptibility to illness. So it is not necessarily the case "the lower the better". Every gymnast has a certain range that is optimal for performance and health. Being above or below this range can be detrimental. A guide for a level that may be on the low side is less than 25mm. (Again, there are many factors that may effect this level for each individual).*

A leading psychologist specialising in eating disorders who has been involved with WAIS stated with respect to the 42mm skinfold rule "that should never happen"<sup>62</sup> and called the process "damaging".<sup>63</sup>

A participant who was a coach at the time the 42mm rule was in place said the following:

*We absolutely opposed that vehemently. We said that shouldn't be done. That the skinfolding for the girls was a matter of individual variation. That it was important, of course, we agreed to be the right body composition, but we opposed it and we tried to get that selection policy changed without success.<sup>64</sup>*

Skinfolds are still used to date, and for a limited purpose and if carried out properly and with the correct support, can still be a useful tool to assist training.

### 3.2.4 Weight-shaming and management of eating disorders

Gymnastics is a sport in which there is pressure to be a certain body weight and shape. With that comes a number of risks and difficulties, particularly in a pubescent female gymnast, although the problem is not limited only to the pubescent nor the female category of gymnast. Unfortunately, it is the predominant category of gymnast where many eating disorders find their foundation or are perpetuated.<sup>65</sup>

The **Disordered Eating in High Performance Sport Position Statement - Australian Institute of Sport and the National Eating Disorders Collaboration 2021** provides some useful and important guidance with respect to the issue:

*The identification, evaluation and management of disordered eating is complex. Disordered eating exists on a spectrum from optimised nutrition through to clinical eating disorders. Individual athletes can move back and forth along the spectrum of eating behaviour at any point in time over their career and within different stages of a training cycle. Athletes are more likely to present with disordered eating than a clinical eating disorder. Overall, there is a higher prevalence of disordered eating and eating disorders in athletes compared to non-athletes. Additionally, athletes participating in aesthetic, gravitational and weight-class sports are at higher risk of disordered eating and eating disorders than those in sports without these characteristics.*

[...]

*Three categories of sports, defined as aesthetically judged [eg rhythmic and artistic gymnastics, figure skating, dancing, diving, body building, cheerleading and synchronised swim], gravitational [eg long distance running, cross-country skiing, road cycling,*

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62 **88T**, Q87.

63 **88T**, Q94.

64 **80T**, Q766.

65 **88T**, Q66-Q68, Q84.

*mountain biking, ski jumping and jumps events in athletics], and weight class [eg horse racing (jockeys), lightweight rowing, weightlifting, and combat sports such as wrestling, martial arts (judo, taekwondo) and boxing] are consistently identified as high risk for the development of disordered eating and eating disorders. Successful performance in these sports generally involves individual, or combinations of, features such as low body mass, leanness, high power: weight ratio, subjective judgements on appearance and rapid weight loss for weigh-ins. It should be remembered however that athletes are at risk of DE and ED across all sports and these high-risk categories are neither exclusive nor exhaustive.*

[...]

*Every sporting organisation should have a guideline on prevention and early identification of disordered eating for their sport that encompasses continuity of care, addresses the specific context of their particular sport, and upholds the core principle of 'first do no harm' with regards to athlete body image, nutrition, performance and related measures. Sports have a responsibility to all athletes across the entire high performance pathway to create a healthy sports system, both in the environment and culture of the sport.<sup>66</sup>*

There is a notable disparity between the gymnast complainants' accounts and those of the coaches and management interviewed regarding weight-shaming rhetoric by coaches throughout the WAG Program. The coaches and management who came forward to speak with Sport Integrity Australia did not recall using the word 'fat' or any word like it being used.<sup>67</sup> However, numerous complainant gymnasts recall not only the use of weight-shaming rhetoric but also the after-effects that the use of such language towards young girls in their formative years has had. One gymnast recalled in the mid-1990s, six gymnasts had appeared on the front of the WAIS magazine. The coach singled out one of the gymnasts in front of the group and, referring to the picture on the magazine, said they were embarrassed to be her coach because she looked fat.<sup>68</sup> Another recalled "getting yelled at for being too fat".<sup>69</sup>

Some gymnasts reported they were required to have twice-daily weigh-ins. They took a significant toll on many of the gymnasts, some of whom to this day – as adults – still weigh themselves several times per day,<sup>70</sup> and others Sport Integrity Australia spoke to continue to receive treatment for eating disorders.<sup>71</sup>

The gymnasts reported pressure to be a certain weight which they found to be stressful.<sup>72</sup> The repetitive nature of the process became embedded in their habits during their formative years. Girls would run to the toilet before the weigh-in because it could make a 200-300gram difference and could be the difference between being chastised for being too heavy or not.<sup>73</sup> Others would dehydrate themselves before the weigh-in in order to be the lightest possible weight.<sup>74</sup> Still others abused laxatives.<sup>75</sup> One gymnast recalled:

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66 Kimberley Wells, Nikki Jeacocke, Renee Appaneal, Hilary Smith, Nicole Vlahovich, Louise Burke, David Hughes, available at [https://www.ais.gov.au/\\_data/assets/pdf\\_file/0012/954858/35992\\_Disordered-Eating-Position-Statement.pdf](https://www.ais.gov.au/_data/assets/pdf_file/0012/954858/35992_Disordered-Eating-Position-Statement.pdf), p. 2, 8 and 32.

67 **83T**, Q104, **80T**, Q442-Q444.

68 **43T**, Q204.

69 **13S**.

70 **31T**, Q129, Q130.

71 **4T**, Q34.

72 **18T**, Q72.

73 **31T**, Q151.

74 **18T**, Q72.

75 **1T**, Q31.



*I remember I was still in primary school and I had made a very conscious effort to lose weight, and the praise that you get and in front of other girls, so it works both ways.[...] that positive reinforcement if you lose weight or your skinfolds were good.*<sup>76</sup>

The frequency of weigh-ins changed over time, from twice a day, to once a day, to once a week. Ultimately, the weigh-in became optional.<sup>77</sup> A participant who was a coach at the time told Sport Integrity Australia that with the passing of time "we recognised that it's inappropriate for any coaches to be referring to weight or skinfold inside of training environment".<sup>78</sup>

Some of the gymnasts spoke of the coaches' strict and almost obsessive attitude towards the food being consumed, particularly while away for competitions.<sup>79</sup> Food was used as a tool of punishment and reward.<sup>80</sup> Gymnasts spoke of forming unhealthy relationships with food from a very young age because of this, which they have carried into their adult lives.<sup>81</sup> If gymnasts were caught sneaking food, there would be punishment. One gymnast recalled being on a plane to a competition:

*The air hostesses or hosts would like try and sneak us a little snack kind of Mars bars and if we got caught with those we'd be punished. We obviously couldn't eat them. And then they would punish us next day physically with like physical training exercises, I mean. You know, we would do hand stands and cartwheels for food like little bloody monkeys.*<sup>82</sup>

Some gymnasts were performing complicated and high-risk routines without proper sustenance which in some cases reportedly resulted in injuries because they were hungry, exhausted and tired. One gymnast pointed out that "injuries happen but when you're training on nothing and you land on your head or you, you know, it's completely avoidable".<sup>83</sup>

A leading psychologist specialising in eating disorders who had taken part in work at WAIS spoke with Sport Integrity Australia in the context of this Review. They confirmed that gymnastics is a harsh environment for a child to be in<sup>84</sup> and explained the following with respect to eating disorders:

*[W]e still don't really know what causes eating disorders apart from starving yourself [...] We do know that there's a strong genetic component so that's the strongest factor involved in who's going to get an eating disorder and who isn't [...] especially over the last five years we've got big GWAS studies, genome-wide association studies that can tell us that there's definitely a very strong genetic component to especially anorexia nervosa but also bulimia nervosa. [...] So when you're looking at sociocultural groups where there is pressure to be a certain body shape or weight and undeniably that's the case [...] for gymnastics. [...] [I]f you have some genetic vulnerability, the chances are you will develop an eating disorder if you are made to or believe you need to restrict your intake.*<sup>85</sup>

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76 **43T**, Q220, Q221.

77 **80T**, Q807.

78 **80T**, Q800.

79 **31T**, Q137; **7T**, Q179; **43T**, Q184, Q190; and **24T**, Q227.

80 **43T**, Q192.

81 **43T**, Q186, Q210.

82 **7T**, Q180.

83 **31T**, Q155.

84 **88T**, Q45-Q47.

85 **88T**, Q52 – Q56, Q65, Q72.

One of the biggest concerns raised by gymnasts and their parents is that they were reaching their pubescent age at the time of weight-shaming. Gymnasts felt that puberty simply wasn't factored in.<sup>86</sup> As the same psychologist told Sport Integrity Australia:

*When girls go through puberty they gain weight because it's what you have to [do]. You have to do that to be able to go through puberty and that's when they start to struggle and get told to lose weight or get told that you need to be, and partly it's because if you want to be able to do those tricks you have to have a certain strength-to-weight ratio. Some of these sports, like gymnastics, there's such a long tradition behind them of you do what was done to you [...] without question. [...] [C]oaches and people who are working want to get recognition and get results. Parents want to get their kids to get good results.<sup>87</sup>*

### 3.2.5 Injuries and over-stretching

Gymnasts reported being subjected to painful injuries and practices like overstretching while with the WAG Program. Coaches would sit on gymnasts' knees so they would be hyperextended in order for them to look straighter<sup>88</sup> which led to the gymnasts begging to stop due to being in pain.<sup>89</sup>

Coaches and support staff who participated in this Review condemn the practice now and say that it should never have been done.

Gymnasts told Sport Integrity Australia they ought to have been provided with proper information about the impact the training would have on their bodies. For example, they should have been told "at the time that we would age prematurely, physically age prematurely, the cartilage in our joints was eroded already by the time we were kind of 17, 18 and leaving. That's going to have life-long impacts like early-onset arthritis."<sup>90</sup>

#### 3.2.5.1 Injuries

Some gymnasts spoke of significant, long-term injuries they sustained while with the WAG Program, and which some still have issues with well into their adult life.<sup>91</sup> Many felt that the gymnasts' best interests were not the priority when it came to treating their injuries, despite an 'athlete first' approach. The administration of pharmaceuticals to enable a gymnast to keep training was reportedly experienced by a number of gymnast participants.<sup>92</sup> Based on their accounts, treatment of injuries seemed to be for masking rather than healing purposes, and a "push through"<sup>93</sup> or "toughen up, move on"<sup>94</sup> mentality.

*[I]t was always just try and push through as much as you could and then, you know [...] having lots of cortisone injections, it was lots of masking injuries rather than actually dealing with the injury.<sup>95</sup>*

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86 **24T**, Q227.

87 **88T**, Q83-Q84.

88 **7T**, Q206, Q210.

89 **7T**, Q210.

90 **31T**, Q109.

91 **31T**, Q292-Q293; **21T**, Q145-Q170; **24T**, Q126-Q128; and **1T**, Q44.

92 **43T**, Q99; **21T**, Q89-Q94.

93 **5T**, Q60; **12T**, Q60.

94 **18T**, Q160-Q161; **33T**, Q34.

95 **31T**, Q279.

One gymnast recalled having broken bones on two separate occasions which were never treated or investigated, despite bringing them to the attention of coaches, but being disbelieved or accused of being dishonest, which was reportedly common.<sup>96</sup>

*So when you say it hurts or you know, there's actually something wrong, they call you a liar. Like literally those words. Like you're lying, you're faking.*<sup>97</sup>

Another gymnast explained:

*It was always nerve-wracking approaching the coaches with an injury/illness, as the general feel was that they either a) wouldn't believe you, or b) tell you that it's not that bad and to continue training. Unless the injury/illness was really visible, it was left until we could no longer tolerate the pain before it was seen to.*<sup>98</sup>

Coaches would make the call as to whether a gymnast would continue training or competing,<sup>99</sup> and gymnasts recall continuing to train with fractures and injuries<sup>100</sup> and over-training.<sup>101</sup>

None of the gymnasts nor their parents recalled conversations with anyone connected to the WAG Program which alerted them to the possible physical ongoing consequences of gymnastics later on in life. As one participant recalled "you just signed your life away to them and you just did whatever they said".<sup>102</sup>

Coaches Sport Integrity Australia spoke to said that as the WAG Program developed, so did the systems relating to the medical advice provided by support staff. When a medical review or report relating to a gymnast was completed, there was a slip "which said every person who was involved with that athlete had to tick off that they had read the medical review and the medical report, so we were all fully informed".<sup>103</sup>

### 3.2.6 Training load

Gymnasts trained up to 35 hours per week, in addition to full time primary and secondary schooling. Many of the gymnasts, but not all, attended City Beach School which was close in proximity to the WAIS complex. Training was before and after school, and on weekends. It took up most of the gymnasts' time and left little room for anything else, including socialising with children outside of gymnastics.<sup>104</sup> Training went from 6:15am-9:00am, and from 3:30pm-6:00pm, sometimes later. One gymnast gave the following account of how she felt during her childhood: "When I think back to how I felt when I was a kid, like, tired. I was always so achy and tired."<sup>105</sup>

It was a demanding schedule, particularly for girls as young as 10. One gymnast participant described the effect of being part of the all-consuming program:

*I just remember feeling sort of ostracised. You know, we did get bullied by the other kids in the school because you were clearly, even physically set apart from the other kids. Not just by the way we looked, because we were all so skinny and we were always covered in mag, we always had tape, we were always bleeding out of something,*

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96 **35T**, Q125; **5T**, Q60; **18T**, Q28.

97 **7T**, Q42-Q46.

98 **30S**.

99 **31T**, Q281.

100 **35T**, Q141-Q142; **21T**, Q169; **24T**, Q126-Q127; **1T**, Q43; **33T**, Q36.

101 **5T**, Q60.

102 **31T**, Q21-Q23.

103 **83T**, Q73.

104 **7T**, Q157.

105 **31T**, Q140.

*always hair slicked back and [...] just this lack of dignity especially when you were getting to, 15/16 at high school, and it was more important to train for an extra 15 minutes than even to have a shower and fix yourself up.*<sup>106</sup>

Taking holidays with family or any more than a small amount of time off from training was discouraged, for fear of falling behind and needing to re-train.<sup>107</sup> The Program Handbook of 2016 stated the following policy vis-à-vis taking holidays:

*As all gymnasts generally miss some training throughout the year due to factors outside of their control, e.g. illness, injury; it is crucial that additional training is NOT missed due to factors inside the control of the gymnast/family, e.g. additional family holidays, outside activities, social occasions.*<sup>108</sup>

This impacted on the families of the young gymnasts, in that family holidays were impeded or not taken at all. Quality family time was disrupted due to the overwhelming demands of the Program.<sup>109</sup> As one gymnast recalled, "I would see my coaches far more than I would see my own family".<sup>110</sup> Another recalled:

*There were many days I just wanted to feel like a "normal" child and go to my friend's house to play or go to school camps or even just participate in team sports during physical education at school. But the coaches made it clear that we were not allowed to participate in such activities or excursions as it could jeopardise our gymnastics career due to the risk of getting hurt or missing too many days of training.*<sup>111</sup>

Some participants reported that the demanding schedule kept by gymnasts meant that their schoolwork suffered. Some WAG Program participants in Year 11 and 12 were encouraged to do the minimum number of subjects to graduate from school, or to do the two years over three instead, which limited opportunities to go to university in WA at the time.<sup>112</sup> Some took distance education in order to accommodate the gymnastics schedule.<sup>113</sup>

There seemed to be little balance, and not the time for the gymnasts to have a break – physically and psychologically – from gymnastics. It is, of course, abundantly clear that to be an elite gymnast competing internationally, extensive training is a necessity. There were high standards in the WAG Program when it came to discipline and skills, which required continuous training.<sup>114</sup> As one coach explained, "High performance gymnastics is very complex. If you want to be the best in the world, it takes a lot of time."<sup>115</sup>

Although some of the gymnasts spoke about the 'win at all costs' approach to training, coaching staff said that this was not the case.<sup>116</sup> A coach stated that "We talked about being the best in Australia or trying to be an Australian champion, but we never go, 'you're supposed to go and win that competition'."<sup>117</sup>

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106 **31T**, Q44.

107 **31T**, Q49.

108 *WAIS and GWA Fliers Women's Gymnastics Program Handbook* (2016) at [2.7], p.14.

109 **31T**, Q50-Q51.

110 **31T**, Q57

111 **25S**.

112 **7T**, Q192.

113 **43T**, Q17.

114 **80T**, Q240-245.

115 **83T**, Q80.

116 **83T**, Q84.

117 **80T**, Q240-245

### 3.2.7 Discouragement of parental involvement

The gymnasium at WAIS is located below a viewing area which houses a café. The WAG Program in the relevant time period had a "policy of no parent viewing".<sup>118</sup> The policy was expressly articulated in the Program Handbook:

*Viewing of training sessions is allowed for the first and last 15 minutes of training of your own child's group. In addition, parent viewing is permitted for all of your own daughter's competitions, control tests, displays, skills tests, physical tests and IDEAL testing. Parents are also welcome to view training on public holidays.*

*Please note that for most of the events listed above, parent viewing is from the café overlooking the gym. This is due to a lack of space inside the training hall. For events being run outside of training times, parents may be invited to view from inside the GTC.*

*If you are in the café area outside of permitted viewing times, we request that you sit at the back of the area, away from the observation windows. Parents watching training outside the designated time, who have not spoken to their daughter's coach first, will be asked to move.*

*If you have a special reason to view training outside of the times above, please discuss this with your daughter's coach prior to the session.*

*We ask that families respect our decision to set this policy, as we believe it is in the overall best interests of all gymnasts in the program.*<sup>119</sup>

The rationale behind this policy was explained to Sport Integrity Australia as being a protective mechanism for the gymnasts, so that parents would not put pressure on their children and "destructive viewing of other people's children".<sup>120</sup> Other reasons were given, including the distraction of parents watching in regards to risk of injury, and the fact that parents were taking up seats in the café.<sup>121</sup> The effect of the policy was harmful, in that it discouraged parents and guardians from observing their children, and created an environment where coaches were in a position where they were not overseen by persons who were from outside the gym context. The alleged experiences of abuse predominantly took place in that environment – when parents and guardians were not watching, or out of earshot. As one parent Sport Integrity Australia spoke to aptly said:

*Looking back, I would say that parents shouldn't be excluded from the gym because I think if you've got parental involvement, then there [are] some checks and balances because you can see what's happening.*<sup>122</sup>

Parents were strongly discouraged from travelling with gymnasts when they went to national or international competitions. If they did travel (which some insisted on), they were not to be on the same plane nor stay at the same accommodation. They were not to interact with their child at all, even after the competition was completed, which caused great distress to both parent and child.<sup>123</sup> The travel policy was articulated in the 2016 Handbook:

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118 **80T**, Q478; **43T**, Q67-Q68.

119 *WAIS & GWA Fliers Women's Gymnastics Program Handbook* (2016) at [2.2], p. 11.

120 **80T**, Q483.

121 **89T**, Q115.

122 **62T**, Q166.

123 **7T**, Q103; **24T**, Q29-Q32.

Parents, friends and family of Travelling Team Members are requested:

- To travel on different flights to and from the event
- To stay at separate accommodation from the team
- To only visit the team accommodation upon request by a Team Official or during an organised visit
- To refrain from travelling in team transport
- Not to attend any event functions unless expressly invited by the organizing committee
- Not to come onto the competition or training floor at any time
- To refrain from sitting with Fliers Travelling Team Members who are watching the event
- To make prior arrangements with Team Officials if they do not wish for their daughter to return with the rest of the team. Team Officials will notify parents of the appropriate time for hand over should this be the case.<sup>124</sup>

The following rationale was given to Sport Integrity Australia by those behind the policy:

*Once the child went away to a competition it was a group where the coaches and the children went on that competition themselves. [...] It was not appropriate to have parents diving in and diving out offering advice, out of context. Once you go away and you're in a kind of bubble, a comment that might have been appropriate coming home from training every night where your child might share something and the coach, the parent gives advice. [...] We felt that the coaches and support staff were the support for the team. And so we said, look we're not travelling on the same plane because you know, there were early days with the parents on the same plane and the parent would say to the kid, oh do this and the coach would go I just told her to do that. And so confusion of messaging. So that was why that was the case. And we didn't allow parents to travel, to stay at the same accommodation and, and so on and so forth. And that was the rationale behind it.<sup>125</sup>*

Participants Sport Integrity Australia spoke to who were surprised by the allegations also asked the question: where were the parents? Why didn't they make complaints at the time? As one participant told Sport Integrity Australia:

*Our philosophy around parents were parents were there to support their children, to be their child's advocate because their child is their child. We're only caretakers. And they were the ones that were supposed to bring up any issues or anything at all that was going wrong.<sup>126</sup>*

It is difficult to reconcile the 'where were the parents' question with the policies of 'no watching at the gym' and 'no travelling with gymnasts to competitions'. The policies created an environment that isolated the gymnasts from their parents and did not offer parents the transparency they ought to have had. That is, young gymnasts – minors – were being separated from their parents, and parents were not able to fully observe first-hand what their children were doing. One participant aptly called it a "hidden environment".<sup>127</sup> Another said it was "just frowned upon to talk about what went on in the gym outside of the gym".<sup>128</sup>

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<sup>124</sup> WAIS & GWA Fliers Women's Gymnastics Program Handbook (2016), at [2.13] p.19.

<sup>125</sup> **80T**, Q490-Q502.

<sup>126</sup> **80T**, Q508-Q511.

<sup>127</sup> **43T**, Q78.

<sup>128</sup> **35T**, Q77.

It is not surprising, then, that many parents were not aware of the abuse and unacceptable conduct that was taking place, predominantly while they were in the gym or away at competition, where their presence was strongly discouraged.

While gymnasts were travelling for competitions without their parents, it was the coaches who determined when they could be in contact.<sup>129</sup> The Program Handbook articulated this policy:

*Parents are asked to refrain from phoning their child directly. Parents may contact Team Officials at any time to make enquiries about their daughter, or to pass messages on. Gymnasts are able to telephone out at appropriate times or upon special request to Team Officials. SMS messages are permitted at any time. Generally phones will be handed in to a designated Team Official upon arrival at accommodation and will be distributed to athletes at appropriate times for use.<sup>130</sup>*

When mobile phones became available in around 2000, those gymnasts who possessed a phone had them collected by the coaches and gave them back *"to the kids at times we felt was appropriate to be calling parents. We're certainly not giving them last thing before they went to bed because it's emotional."*<sup>131</sup> According to several participants, there was a communications programme for parents of gymnasts in the WAG program which consisted of an annual report for each gymnast and a meeting with the parent to discuss it, a mid-year meeting and an individual parent meeting every term. The term meeting would include discussions about goals for the next term.<sup>132</sup> Records of many of those meetings were kept and disclosed to Sport Integrity Australia. There was also an induction program for parents at the time their daughters joined the WAG Program.<sup>133</sup> WAG Program staff told Sport Integrity Australia that parents were told that:

*What we're trying to do is help your daughter have the best outcome for her potential, for her circumstances that she can have and some will go all the way through and some will opt out earlier and some won't be able to stay in because they are not good enough at any given time on being selected. So that was made very clear to parents.<sup>134</sup>*

### 3.2.8 Isolation and ostracisation

The seemingly all-encompassing nature of the WAG Program left many gymnasts feeling isolated and ostracised by the world outside gymnastics.

*[E]very one picks on you basically because you're the weird little gym kids.<sup>135</sup>*

*I always just felt like, kind of a bit subhuman because you were just [...] really kind of separate to the other kids.<sup>136</sup>*

*The isolation from every other aspect of life is just out of control, was just out of control. [...] We were late to school every day which was just so embarrassing to walk in late. [...] And we just like got changed, I think sometimes we wore our leotards to school or we'd just have to get changed in a shitty little locker room. And so you'd turn up late, everyone watches you walk in to the front of the class. You don't play sport, you don't do Phys-Ed, you don't do health.<sup>137</sup>*

129 **31T**, Q180-Q182; **43T**, Q83.

130 *WAIS & WAG Fliers Women's Gymnastics Program Handbook* (2016), p.19.

131 **80T**, Q505.

132 **80T**, Q1075, Q1087; **83T**, Q59.

133 **80T**, Q1089-Q1090.

134 **80T**, Q230-Q232.

135 **7T**, Q158.

136 **31T**, Q45.

137 **7T**, Q107, Q110.

The reasoning behind no health classes was that WAIS would provide the adequate health training. Gymnasts recall that the alternate health education they received was far from adequate: "we had no, no sexual health, no like menstrual cycle health."<sup>138</sup> Everyday sport or physical education classes were not allowed, for fear of sustaining an injury and because energy was to be conserved for the before and after school gymnastics training.

Gymnasts found that life after gymnastics amplified the isolation:

*I had to go from being a stream in school where I had all my gym friends, and we didn't really have any other people outside the circle, because we were a bit ostracised because we got to leave early, start late, go away, not do this class. So then [when I left gymnastics] I sat outside my home form room for half an hour by myself until class started because I didn't have any other friends [...] it felt pretty lonely.*<sup>139</sup>

### 3.2.9 Lack of aftercare or transition support

Although WAIS has a comprehensive transition policy in place today, there was none during a portion of the relevant period of this Review. A transition policy was first introduced in 2004 and has continued to evolve. Prior to this, there was no formalised procedure when a gymnast left the WAG Program.

For some gymnasts there was a conversation which was described as an 'exit interview' if a gymnast did leave the Program, although according to participants, being able to freely leave the Program had its own complications. Some opined that because much of the WAG Program was funded by the gymnasts bar a few, they were discouraged from leaving despite it being quite evident they were not ever going to be the best elite gymnasts. The word 'commodity' was used by several gymnasts when describing their involvement at the WAG Program. One participant was of the view "they really used us as commodities to just get those couple through [...] to get the stars through".<sup>140</sup>

Many gymnasts Sport Integrity Australia spoke to felt they were completely discarded the moment they walked away from the WAG Program, and that there was no post-retirement support despite it being a "tough transition".<sup>141</sup>

*"Some of the girls that had terrible injuries, hip replacements and things like that, and apparently not even a phone call to see how they are. And that's a really weird thing, you know, I feel like we have a little bit of Stockholm syndrome a bit with our coaches, but also it is quite devastating that you think these people that are like your abusive mother and father, you still feel quite close to them."*<sup>142</sup> As discussed further below, the WAIS Transition Policy was first adopted in 2004 and recently revised. It was initially drafted by a psychologist employed by WAIS who specialised in transitions and has evolved over time.<sup>143</sup> The fact that this has been recognised and rectified is encouraging.

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138 **7T**, Q112.

139 **35T**, Q170-Q171, Q175.

140 **31T**, Q195.

141 **43T**, Q35.

142 **31T**, Q205-Q206.

143 **89T**, Q105.



### 3.3 EFFECT OF ALLEGED ABUSE AND OR HARM

The effect of the alleged harm and/or abuse was lasting, as can be ascertained by the words of the gymnasts in the following section. Many gymnasts Sport Integrity spoke to had similar sentiments towards the WAG Program as this one:

*The bad times definitely outweighed the good times I had at WAIS. I don't know how I even managed to stay as long as I did. As soon as the Olympic cycle was done I knew I had to get out of there, even though the coaches tried to convince me to stay one more year. I retired at the end of [the year] hating gymnastics and never wanting to be involved in a competitive sport again.<sup>144</sup>*

#### 3.3.1 Physical consequences

Many participants spoke about the ongoing negative effects that the WAIS WAG training program had on their body:

*I had arthritis start on my back and shoulder in my late 20s. The pain was so bad I started taking pain relief and it got to the point where my doctor had confirmed I need a double hip replacement so early because of the gymnastics. He said all my old stretching positions are probably how it started. Gymnastics led me to a 15-year addiction to opiates, I was taking morphine, fentanyl, endone oxycodone, panadine forte.<sup>145</sup>*

#### 3.3.2 Negative perceptions of self

Some participants spoke about having low self-esteem and negative perceptions of themselves, which they attribute to their time at the WAIS WAG Program:

*Perfectionism or just not feeling good enough ever, we would never - or I wasn't anyway, I was never good enough. Even if I did a great training session or competition, I probably did get a well done every now and then but it was never that was it, it was well done, tomorrow you should try this or you should do this better, the positive kind of reinforcement was just so absent.<sup>146</sup>*

*Everything I've done in my life is just external validation and achievement. Until five years ago, I didn't even know to think of myself as a person or what I want.<sup>147</sup>*

*I've always felt like a failure. I've always struggled to have any confidence or self-belief in myself. [...] get bullied as an adult by some people because I'm so self-compliant because I'm so easy to manipulate because I'm so easy to push around and I don't stand up for myself [...] the feelings of inadequacy, the feelings of never being good enough, the self-hatred, the eating disorders, just I'll never be good enough at anything I ever did never went away.<sup>148</sup>*

*For so long I thought there was something so wrong with me. Why did I have such low self-esteem, zero self-worth, a horrendously negative view of my body?! Why did I constantly seek external validation, need to make everyone happy with me and constantly feel like I had to be perfect at everything?! It took time with a psychologist to*

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144 **25S**.

145 **13S**.

146 **7T**, Q173.

147 **7T**, Q169.

148 **35T**, Q182, Q184.

*delve into my time at WAIS to understand why some of my internal dialogue was the way it was. At a critical time in my cognitive development, I was fed comments that contributed to creating a core belief of 'I'm not good enough'. A core belief that I continue to work on eradicating and replacing with one that is constructive to my life and the people in it.<sup>149</sup>*

### 3.3.3 Impact of control

Although Sport Integrity Australia acknowledges the regimented routine of a high performance sporting program, many participants spoke about the general impact of their life being centred around gymnastics from a young age:

*Our life was so controlled, you pretty much knew every 15 minute time period of the day from 6.45am when we started gym to 7.15pm when we finished. And so now I now struggle with spontaneity. I hate, it makes me anxious like to not have a plan and that's in every aspect of my life.<sup>150</sup>*

*As children we were almost taught to dissociate from our feelings and our emotions and to trust ourselves and feel safe to have an end reward product. And it was very confusing because sometimes winning a gold medal and standing on the stand and the big applause, it's a great feeling but at the cost of such a sacrifice, it was incredibly confusing.<sup>151</sup>*

### 3.3.4 Objectification

Some participants Sport Integrity Australia spoke to felt like they were not valued and were objectified during their time with the WAIS WAG Program:

*[W]e were objects, we weren't humans. We were potential Olympic gymnasts and that was literally all. And they, yeah, it kind of boggles my mind as to why they thought that just this abusive way to train us was the way to get results out. I understand that other countries were doing that but you don't blindly follow.<sup>152</sup>*

*I really feel we were treated as objects who could do amazing things and I almost wonder in retrospect if the coaches with their own gymnastics backgrounds had this role model to them and they perpetuated the trauma and the pain because they knew nothing different.<sup>153</sup>*

*The athlete needs to come first. And they never have, really. You know, you're a pawn in a bigger, in a bigger game.<sup>154</sup>*

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149 **58S**.

150 **7T**, Q171.

151 **56T**, Q28.

152 **7T**, Q214.

153 **56T**, Q25.

154 **24T**, Q309.

### 3.3.5 Impact on social relationships

Some gymnasts spoke of deeply personal issues they have experienced with respect to maintaining relationships post-gymnast life, some of which were abusive. The automatic compliance they had reportedly lived in their gymnastics life seemed to have carried over into their personal lives, some with major impacts.

*I really struggled with relationships generally. [One] relationship was abusive emotionally for the whole time. And it became a physically abusive relationship. It was just in the same thing, I knew to listen to someone and do whatever the damn hell I was told. [...] I would have had some knowledge that that wasn't acceptable or normal. But that was the way it was with the people I spent more time with - my coaches [rather] than my parents, you know, waking hours. That's it's just in my formative years, that was what a relationship looked like. I was just the pawn I guess.<sup>155</sup>*

*Social relationships to this day I've been quite reserved. And when I was [studying post-WAIS] I used to hide in the disabled toilet because I was so socially scared of interacting with people and the risk of bullying and/or being the best. [...] So the consequences of what happened at WAIS have had a real lasting effect on my life. [...] The coping strategies I used at WAIS which was shutdown, be compliant, not feel my emotions and essentially jeopardise relationships or not have a social life because of fear have been a bit of a lasting effect in my life and been quite dire.<sup>156</sup>*

### 3.3.6 Impact on parents

As previously noted, some of the participants in this Review only recently disclosed to their families the mistreatment they were subjected to while in the WAG Program. Some have not disclosed it at all. The reactions of parents include being "shocked and appalled" and as having been "manipulated" themselves.<sup>157</sup>

One parent said of their daughter: "I don't think she has any confidence in herself. I just think it was totally destroyed. And everyone else seemed to know better than her what to do. [...] She's had lots of depression and anxieties."<sup>158</sup> On reflection, one gymnast told Sport Integrity Australia that:

*I think my family in retrospect were a bit oblivious about what was going on at WAIS but kind of knew. And because I was a favourite we got so many mixed messages. In retrospect, I think my family should have pulled me out of there earlier.<sup>159</sup>*

Parents Sport Integrity Australia spoke with stated that they carry guilt with them to this day:

*I feel angry. I feel guilty, although she tells me I have nothing to feel guilty about. Somebody said to me the other day when, you know, did you know that this was happening, and I just, my jaw dropped and I said "if I, do you think that if I knew that that was happening", it was the not knowing. We were duped, well and truly duped.<sup>160</sup>*

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155 **7T**, Q161, Q166.

156 **56T**, Q60.

157 **7T**, Q73-Q74.

158 **62T**, Q148-Q149.

159 **56T**, Q62.

160 **58T**, Q44.

### 3.4 CONDUCT OF WAIS STAFF, MANAGEMENT, COACHES AND OTHER RELEVANT PERSONNEL THAT CONTRIBUTED TO THE ABUSE AND OR HARM

The staff, coaches and management staff of WAIS and the WAG Program that came forward or agreed to be interviewed by Sport Integrity Australia indicated in one way or another that they at no time wished to harm the gymnasts who took part in the Program. However, if better systems had been in place including a complaint mechanism, better oversight of coaches and a better understanding of how to refrain from the sort of behaviours which ultimately harmed the gymnasts, some of the abuse and harm may have been avoided.

As outlined above, it is reasonably likely that some gymnasts were shouted at by coaches, verbally abused and in some cases, physically abused by coaches. It is reasonably likely that some gymnasts suffered psychological abuse as a result of coaches belittling them with respect to their performance and weight, which may have been construed as 'tough love' but nevertheless resulted in harm to the gymnasts. As one gymnast described the experience:

*As an adult, I look back on these years with a mixture of sadness and anger, but because I'm such a positive person, a sprinkling of pride too. Sadness for us, the athletes, the young children whose psyches were being damaged by repetitive, aggressive and personal negative criticism; and anger because those who had a duty of care and who should have known better, let us down; And even though it wasn't good enough for the coaches most of the time, I am proud of what I achieved.<sup>161</sup>*

As already mentioned – and also referred to extensively in the AHRC Report<sup>162</sup> – the power imbalance between coach and young female gymnast is a situation where the coach holds the balance of power over the gymnast and in many cases results in an automatic deference to the coach. Care must be taken to ensure that this power imbalance is not exploited at the detriment of the gymnast. Based on the accounts of some gymnasts Sport Integrity Australia spoke to and as outlined above, it is reasonably likely that the coach/gymnast power imbalance was taken advantage of by coaches resulting in the gymnasts feeling helpless and unable to complain about abusive behaviours without fear of retribution. Indeed, some gymnasts told Sport Integrity Australia of the reprisals they were subjected to when it became evident that they had spoken to their parents about the unacceptable conduct of the coaches:

*I actually personally never really spoke up to my parents about the way that we were being treated. But I know some of the other girls at the time did and they were punished for it. So that avenue was shut down at a very young age.<sup>163</sup>*

By not taking proper care of injuries, disbelieving gymnasts when they complained of injuries, overstretching gymnasts, overtraining gymnasts and encouraging gymnasts to train and perform whilst injured, it is reasonably likely that coaches and other WAG Program staff contributed to the ensuing physical harm suffered by some gymnasts.

The WAIS and WAG Program management contributed to this harm by their inaction, and by their failure to establish a safe and adequate complaint handling mechanism and proper oversight of coaches who employed unacceptably harsh training methods. Of note is that 20-30 years ago, harsh training practices were employed internationally by those who were world leaders in the sport of gymnastics, particularly in Eastern European countries.<sup>164</sup> WAIS and WAG management ought to have recognised that those harsh

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<sup>161</sup> 58S.

<sup>162</sup> AHRC Report, 'The young age of female gymnasts and inherent power imbalance in the coach-athlete relationship', p. 28-29.

<sup>163</sup> 7T, Q65.

<sup>164</sup> See AHRC Report, p.35; *Gymnastics New Zealand Report*, p.38.

training practices would amount to abuse by Australian standards and were simply not acceptable even 30 years ago. By their inaction, it is likely that the WAIS and WAG Program management staff indirectly contributed to the abuse and/or harm.

## 3.5 RESPONSES BY WAIS TO ADDRESS ALLEGATIONS OF ABUSE AND OR HARM RAISED DURING THE LIFE OF THE PROGRAM

### 3.5.1 Responses by participants

WAG and WAIS coaches and staff who participated in this Review were generally saddened and some shocked by the allegations of abuse and harm that have been raised by gymnasts who participated in the WAG Program at WAIS. As interspersed throughout this Review, views with respect to issues such as the measurement of skinfolds and daily weigh-ins were retrospectively denounced.

However, there were alternate views when it came to the adequacy of a complaints handling process and the existence of abuse in the WAG Program:

*[I]f [parents] went to a coach and they weren't happy they could come to [...] the programme manager, if they weren't happy they could go to the director, if they weren't happy they could go to the WAIS board. That was, that was actual documented process. So that people understood that. [...] There were plenty of parents that came [forward] with concerns, with issues, with complaints, if you want to call them that. But, but nothing which [you could] interpret as this, this child is being abused.<sup>165</sup>*

*Interestingly, from, so from my experience, there were very few things that should have been escalated. I was able to explain to the parent, they explained what they were doing, we talked to the child. We would sort it out because they had brought it up and either we'd made a mistake – I'm not saying we were perfect, either. We could easily make a mistake where, you know, with these kids, 20 to 30 hours a week for many years, how many interactions we would have. And, yeah, I'd made mistakes. Yeah. So we would just sort it out. And I knew that if I couldn't sort it out, I'd take it to the manager and the manager would, if she couldn't sort it out, would take it up<sup>166</sup>*

*I'm absolutely not disputing that it occurred. But was it systemic abuse? [...] we always talked about their rights and our responsibilities to them. So their rights to be able to get a safe, you know, environment. And their rights to be able to make a complaint and have it treated seriously. But we didn't necessarily apart from induction slides it wasn't a formal policy or education<sup>167</sup>*

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165 **80T**, Q435-Q437.

166 **83T**, Q63-64.

167 **89T**, Q120 and Q145.

### 3.5.2 Tools developed during the life of the Program

WAIS and the WAG Program did have some policies, procedures, practices and governance structures in place and they developed throughout the life of the Program. A WAG Program Handbook was developed over time which evolved into a thick volume towards the end of the Program and included information relating to administration, logistics, policies including the parent viewing policy, coaching standards and logistical arrangements. Noticeably, there was no complaints handling policy or guidance as to how to deal with allegations of abuse.

The WAIS Fliers and WAG Fliers Gymnastics Programmes Coaches and Administrators Professional Standards (2011) document provided guidance on issues such as the relationship between coaches and gymnasts/parents, athlete supervision, and male coach limitations on their interactions with female gymnasts.

The WAIS *Gymnastics Programme Culture Policy* was launched in 2009 and updated in 2012. It listed 10 goals. These were:

1. Strategies: To have membership to the program seen as a highly valued achievement by the gymnasts, their parents and the public; and to have an annual induction/presentation.
2. To acknowledge the achievements of the gymnasts as they progress from stage to stage.
3. To establish traditions which promote a good feeling in the gym, and develop a good rapport between gymnasts and coaches.
4. To have traditions in place which inspire current gymnasts to achieve, and to regularly acknowledge the achievements they have made.
5. To maximize the length of the careers of our international gymnasts.
6. To engender an appreciation amongst the gymnast for the privileges and opportunities they receive by being a member of the WAIS gymnastics programme.
7. To document and display significant achievements of members of the program since its inception.
8. To keep a strong link between past gymnasts and the program.
9. To acknowledge the achievements of all coaches.
10. To develop strong relationships with partners, Clubs, GWA & GA.

Despite these goals seeming to be the basis of a positive and inclusive culture, it is nevertheless reasonably likely that in some areas the policies, procedures, practices and governance structures were not adequate in protecting some gymnasts from abuse and or harm.

### 3.5.3 Complaint handling mechanisms

A key theme of this Review – and possibly one of the main factors contributing to the continuing harm suffered by WAG Program gymnasts – was the lack of an adequate complaint handling policy or mechanism. WAIS now has in place an internal complaint handling policy, which can be found in the Athlete Protection Policy.<sup>168</sup> WAIS Athlete Grievance Officers are available to take complaints from Athletes and can be investigated. Confidentiality applies, and the process is outlined in the Policy.

As will be outlined further in the following **Recommendations** sections, Sport Integrity Australia recommends that a complaint mechanism independent of WAIS and any sporting organisation would be a desirable option for athletes, their families, coaches, support and other staff to access.

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168 <http://wais.org.au/images/cms/assets/policies/wais-athlete-protection-policy.pdf>

### 3.5.4 No adequate complaint-handling mechanism

Parents of gymnasts told Sport Integrity Australia that in the early days of the WAG Program, they had never heard of a complaint procedure at WAIS.<sup>169</sup> From around 1996, a handbook for parents was developed by the WAG Program manager and coaches and provided to the parents.<sup>170</sup> The 2016 version of the Handbook does not include a complaints procedure nor any guidance as to accessing support in a situation where abuse may have occurred. One coach who was present during the relevant period explained the evolution of safeguards for the gymnasts:

*[P]rior to about 1992, it was very much the coach did their thing and that's all we knew. And as it has grown, more people are in the circle, more eyes on the task, more eyes on the athlete to try and help, more expertise until it is where it is today, where it is a flat levelled, multi-disciplined team, not unlike a medical team where you would have the therapist, the doctor, the surgeon discussing cases. The case is the athlete. And we all work together to try and help them progress their journey.<sup>171</sup>*

A 2015 presentation disclosed to Sport Integrity Australia entitled 'WAIS Women's Gymnastics Induction' outlined the levels of athlete, in terms of their likelihood to achieve national and international status and their likelihood of winning medals. The presentation also makes reference to relevant policies for participants including the complaint procedure.

Gymnasts were surrounded by support personnel, including physiotherapists, psychologists, nutritionists and medical practitioners. Most of these were not WAIS staff, but regularly treated the gymnasts and other athletes at the WAIS premises. Some participants indicated that complaints of abuse could have been made to psychologists and other support staff. This may have been an option if they had been offered a safe environment to do so, one without fear of reprisal or punishment. As outlined above, many of the gymnast participants spoke of a culture of fear and punishment and that they were frightened to speak up against coaches.

Participants reported that most of the sessions with sports psychologists were in a group setting, with coaches present. The rationale for this was vigilance from a child safety perspective. However, a coach always being present could have become an inhibiting factor on the gymnasts feeling able to speak up.<sup>172</sup> That is, the group sessions were not a safe environment for raising complaints of abuse or concerns about coaches, for fear of retribution or punishment.

Some gymnasts were of the view that the psychologists they spoke to at WAIS were not impartial and felt that at times, support staff made decisions and recommendations in line with the WAG Program's objectives. Psychologists focused on assisting the gymnasts achieve skills, as one gymnast stated: "I didn't think it was helpful because they'd just sort of go [...] "Imagine yourself doing this skill" and "What are you thinking about?" I don't think that was a psychology that we really needed."<sup>173</sup> There was very little trust in those who were running the WAG Program, as one gymnast recalled:

*The only people I ever talked to or felt comfortable talking to were my teammates, because they were the only ones who, well, I thought understood and who were going through the same things as me or who had been through similar things before, and I could lean on them for help or support. I think they were probably the most key people who kept, you know, me sane throughout the 10-plus years I was there.<sup>174</sup>*

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169 **62T**, Q131.

170 **83T**, Q64.

171 **83T**, Q73.

172 **78T**, Q43, Q48.

173 **12T**, Q95-Q96.

174 **12T**, Q100.

Several parents of gymnasts reportedly did speak with coaches and WAG Program managers about their concerns after their children reported harsh treatment. In one case, the parent stated they were told that justification for the yelling and ostracisation was that their daughter wouldn't listen and was being a "baby".<sup>175</sup> Present at that particular meeting were coaches, managers and a psychologist. The parent told Sport Integrity Australia "And I thought there is no way I'm sending [my daughter] back there"<sup>176</sup> and said that other parents who spoke with her shared similar stories and showed support.<sup>177</sup> The CEO of WAIS at the time met with this parent and was apologetic. He asked whether the allegations were of a sexual nature, to which the parent responded in the negative.<sup>178</sup> Sport Integrity Australia received documentation which showed that a letter had been sent to the WA Minister for Sport and Recreation, the WA Shadow Minister for Sport and Recreation, the Federal Minister for Sport and the Federal Shadow Minister for Sport in the early '90s which outlined allegations of abuse in the WAG Program.<sup>179</sup> The letter was disclosed to the WAIS CEO at the time, who met with the parent and told them he was concerned that the letter would make its way to the media,<sup>180</sup> and called it "mischievous".<sup>181</sup>

Although the matter in question was investigated by the then-WAIS CEO, the investigation yielded no evidence of abuse. From correspondence to the then-Minister for Sport, it is evident that WAIS was aware that gymnastics was a unique sport that took a toll on those who participated in it, as the following excerpt shows:

*There is a history of problems associated with athletes in this sport similar to those experienced by the [complainant]. They are caused by the intensity of the sport, the young age of the athletes and the need for these athletes to combine an intensive training program with their schooling. There are often tears during training sessions. We are basically asking young minds to accept adult responsibilities and workloads. This must occur if we expect a result from the program. A legitimate question is whether it is morally correct to undertake such a program in the first place but it should be noted that the sport is accepted by the peak international bodies, including the International Olympic Committee.*

The gymnast at the centre of that particular complaint did not return to WAIS.

Examples such as these may have contributed to parents being hesitant to lodge complaints at the time. Based on the information provided to Sport Integrity Australia, it is reasonably likely that during the WAG Program, and particularly at the outset of the Program, the policies, procedures, practices and governance structures in place were inadequate to protect athletes from abuse and or harm.

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175 62T, Q49.

176 62T, Q50.

177 62T, Q65-Q69.

178 62T, Q102-Q104.

179 62T, Q76-Q92 and annexure to interview.

180 62T, Q108-Q126.

181 62T, Q104, Q127.



## 3.6 CURRENT WAIS POLICIES, PROCEDURES AND EDUCATION PROGRAMS RELATING TO THE SAFETY AND WELLBEING OF ELITE ATHLETES, PARTICULARLY CHILDREN

### 3.6.1 Governance and Policies at WAIS

WAIS currently has a suite of policies which continue to be developed and updated. These can currently be accessed on the WAIS website<sup>182</sup> and include:

- *Code of Conduct for WAIS Sport Coaches* (introduced June 2001)
- *Sport and Athlete Management Policies* (Athlete Performance and Management Policy first introduced April 2013)
- *Athlete Agreement Terms and Conditions* (introduced 2005)
- *Athlete Protection Policy* (introduced May 2014)
- *Athlete Categorisation, Selection and Deselection Policy* (introduced April 2013)
- *Athlete Transitions Policy* (introduced July 2004)
- *Athlete Mental Health Policy* (introduced July 2011)
- *Athlete Travel Policy* (introduced October 2014)
- *Athlete Benefits Policy* (introduced December 2010)
- *Anti Doping Policy* (introduced May 2005)
- *Anti Match-Fixing Policy* (introduced April 2013)
- *Sport Prioritisation and Investment Policy* (introduced March 2011)
- *Safe and Ethical Practice Policy Framework* (introduced May 2014)
- *Research Policy* (introduced September 2009)
- *Athlete Performance Management Policy* (introduced April 2013)
- *Athlete Code of Conduct* (introduced October 2005)
- *Supplements Policy* (introduced March 2006)
- *Sports Medicine and Injection Policy* (introduced March 2006)
- *WAIS Staff Code of Conduct* (introduced May 2014)

### 3.6.2 Evolving policies and procedures

WAIS piloted a program called Respectful Behaviours which was tested over two and a half years ago. It is now being rolled out and involves education about how to better manage the relationships.<sup>183</sup> WAIS staff completed two 2-3hr online workshops in late 2021 (due to COVID restrictions) with a third in-person workshop scheduled for February or once borders are re-opened. Attendance was mandatory for performance staff, with greater than 90% attendance achieved. The first two workshops focused on awareness of issues pertaining to appropriate behaviour in high performance. The third workshop will focus on WAIS specific requests on dealing with minors and vulnerable athletes in a high performance environment and how to have challenging conversations appropriately.

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182 <http://wais.org.au/wais-athlete-and-staff-policies>

183 89T, Q148.

WAIS had a mental health referral network and facilitated mental health assessments over five years ago<sup>184</sup> and athletes also have access to the AIS Mental Health Referral Network.<sup>185</sup>

The WAIS *Disordered Eating Prevention Policy* was approved for use by the WAIS Board at their meeting on 9 December 2021. One of the recommendations in that policy is that there be a way to take body mass assessment or body composition assessment calibrated on individual requirements. That is, beyond taking skinfolds and utilising other methodologies. In addition, there is also a focus on finding the best manner for communicating information, and to assess the risk of the athlete's potential reaction to information.<sup>186</sup>

The WAIS *Safeguarding Children and Young People Policy* was approved for use by the WAIS Board at their meeting on 9 December 2021. An updated version of the *WAIS Safe and Ethical Practice Policy Framework* was updated at the same meeting. Sport Integrity Australia has reviewed WAIS policies against the National Integrity Framework and have identified a number of improvements that would strengthen WAIS safeguarding practices, including recruitment, screening and management of personnel appointed to work with children, clear definitions for abuse, bullying, discrimination and harassment, independent assessment of complaints and provisions to support vulnerable persons in a complaints process.

### 3.6.3 Transition policy

WAIS introduced a Transition Policy<sup>187</sup> into its governance framework from 2004, a move which Sport Integrity Australia endorses and recommends is implemented by sporting organisations and institutions generally. The Transition Policy focuses on four areas of athlete transition – entry, within scholarship, exit and retirement. It provides for a 12 month exit program, with access to psychology, nutrition, gym support, their coach for up to two years and a WAIS initiated check-in program for the first 12 months managed by the three WAIS Athlete Wellbeing Advisers.

### 3.6.4 Child Safeguarding

It is important to note the tenure of the WAG Program, being 1987-2016. Sport, both nationally and internationally, has changed significantly since 1987. High profile allegations of abuse, current academia and research into the impact of abuse and developmental trauma are shaping the understanding of the needs of athletes and participants in sport today.

However, since the Royal Commission into Institutions Responses to Child Sexual Abuse, established in 2013 (Final Report published in 2017<sup>188</sup>), 122 recommendations were made by the Commonwealth Government, to address key risk areas identified by the Commission. Findings were made, based on the voices of those with lived experience of abuse in institutions nationally. Progress on the implementation of the recommendations can be found here ([Annual Progress Report 2021 | Australian Government Response to the Royal Commission into Institutional Responses to Child Sexual Abuse \(childabuseroyalcommissionresponse.gov.au\)](https://www.childabuseroyalcommissionresponse.gov.au/)) The National Office for Child Safety has developed a set of 10 Principles that aim to keep children and young people safe in all organisations that provide services to children across Australia (*10 Principles for Child Safe Organisations*).<sup>189</sup> These Principles have been largely created using the most relevant articles from the *United Nations Convention on the Rights of the Child* which Australia has ratified (see **below**).

The National Principles have been implemented by several types of organisations, such as Religious Institutions. Additionally, most states and territories have their own Child Safe Organisation Standards which vary, slightly, from state to state, but are based on the 10 National Principles. Sport Integrity Australia

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184 **89T**, Q103.

185 <https://www.ais.gov.au/MHRN>

186 **89T**, Q51.

187 <http://wais.org.au/images/cms/assets/policies/wais-athlete-transitions-policy.pdf>

188 Available at <https://www.childabuseroyalcommissionresponse.gov.au/final-report>

189 [https://childsafe.humanrights.gov.au/sites/default/files/201902/National\\_Principles\\_for\\_Child\\_Safe\\_Organisations2019.pdf](https://childsafe.humanrights.gov.au/sites/default/files/201902/National_Principles_for_Child_Safe_Organisations2019.pdf)

has developed a Child Safeguarding Policy template which incorporates the 10 National Principles for National Sporting Organisations.

Whilst there has been no legal obligation to date for Sports to have a Child Safeguarding Policy, there has always been a legal duty of care to keep children and young people safe in sport. Ultimately, a shift in culture at all levels of all sports is needed, to understand what constitutes abuse in sport, the impact of abuse in sport, and the shared responsibility of those involved in sport to stop abuse from happening.

While GA, WAIS and more specifically to this Review, the WAG Program, are not unique in their historical failure to provide robust policies and frameworks to ensure the wellbeing and safety of their participants was paramount, the large number of children who competed at the elite and sub-elite levels is significant, arguably more significant than other sports.

WAIS provided Sport Integrity Australia with some 11,000 documents numbering over 15,000 pages, which provided some insight into the structure of the WAG Program throughout its tenure. Many of the documents provided demonstrate, at the very least, a commitment to put measures in place to safeguard their young gymnasts, as noted in the section above outlining the evolving policies.

The National Principles draw on the work of the Royal Commission, Australia's Children's Commissioners and Guardians and the 2005 National Framework for Creating Safe Environments for Children. They provide a national approach to embedding a child safe culture across all sectors of Australian society in which children are involved. Underpinned by a child-rights approach and based on the standards recommended by the Royal Commission, the National Principles are designed to build capacity and deliver child safety and wellbeing in organisations, families and communities and prevent future harm. In order to allow flexibility in implementation and in recognition of the variety of organisational types, sizes and capacities, the National Principles outline at a high level the 10 elements that are fundamental for making an organisation safe for children.

### **3.6.5 The UN Convention of the Rights of the Child**

The United Nations General Assembly adopted the *Convention on the Rights of the Child (UNCRC)* in November 1989. It came into force on 2 September 1990 and Australia ratified the treaty and became a State Party to the UNCRC in December 1990. The UNCRC recognises that fundamental human rights apply to children under the age of 18 and that they are entitled to special protections due in part to their vulnerability to exploitation and abuse.

The UNCRC places certain obligations on State Parties including Australia and regard should be given to the principles therein. The preamble reaffirms certain fundamental values:

*Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,*

*[...]*

*Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care [...]"*



# 4. RECOMMENDATIONS



# 4. RECOMMENDATIONS

## 4.1 PARTICIPANT RECOMMENDATIONS

The participants in this Review have provided valuable insight and made many useful recommendations on how the sport could improve operations to keep children and young people safe. These voices and recommendations come from the very core of the sport, voices from those with lived experience of being a gymnast, their parent, a coach, a support person or medical practitioner affiliated with the WAG Program.

Recommendations made by those who participated in this Review include:

- More parental involvement and transparency
- Better education for coaches, including on child development
- Better oversight of coaches
- That gymnastics should be a women's sport, not a girls' sport
- That there need to be guidelines around how many hours a child can participate in elite sport
- Independent assessment/complaints handling mechanism
- Having children involved in the consent process at a minimum assent - that they understand what it is they are being signed up for in participating in an elite program.
- Improvement of aftercare
- Policies around how to better handle eating disorders
- Better balance between training and school/work
- An apology from WAIS
- Independent medical advice/second opinion
- Redress
- Accountability by those responsible for abuse

## 4.2 SPORT INTEGRITY AUSTRALIA RECOMMENDATIONS

Based on the information and insights gleaned from this Review, Sport Integrity Australia provides a number of recommendations to assist WAIS take the necessary steps to provide a safe environment for current and future athletes, free from abuse and harmful practices.

### RECOMMENDATION 1

#### **WAIS adopt the National Integrity Framework including the independent complaint handling process.**

- The National Integrity Framework (NIF) is a streamlined suite of policies that sets out the broad expectations for the conduct of all participants in sport. These expectations relate to safeguarding children, member protection, competition manipulation and sports wagering, and the misuse of drugs and medicines.
- The NIF also includes the Complaints, Disputes and Discipline Policy. This policy outlines the procedures for managing, reporting, assessing and determining potential breaches of the integrity policies contained in the Framework. Under this policy, Sport Integrity Australia will undertake the independent complaint assessment and review process.
- The NIF provides sport organisations with an independent complaints-handling mechanism, a hearing and appeal process and an avenue for recommending sanctions. The Australian Government allocated funding to ensure that all sports have access to this integrity framework without having added costs associated with ensuring athletes are safe.
- Adopting the NIF is a positive step towards ensuring that proper safeguards are in place to protect gymnasts and athletes at WAIS going forward. By signing up to the NIF, they will have available to them a free and independent integrity framework.

### RECOMMENDATION 2

#### **WAIS must ensure that all sport programs involving children are child-focused and age appropriate.**

- Programs should focus on including the child in decision-making processes, ensuring that an athlete understands the program demands and commitment. The child must have the option to leave a program without retribution.
- Programs must provide full transparency and a reasonable involvement of parents/guardians in the training and competition environment of their child.
- Coaches of child athletes must undertake professional development specific to coaching children, including child development, puberty and child neuro-development in the sporting environment.

### RECOMMENDATION 3

#### **WAIS should continue to embed athlete wellbeing into policies, procedures, and practices into all sport programs.**

- Sport Integrity Australia acknowledges that WAIS initially introduced a transition policy in 2004. A tailored and continually evolving transition program should continue to be provided for athletes in elite programs, which focuses on ensuring athletes are receiving the education to leave them best placed for a future outside sport.
- Ongoing training and support to be provided to athlete, coaches, and support personnel on detecting eating disorders at the earliest opportunity.
- If the use of skin-fold testing and weighing of young athletes is justified, then it must be carried out with full consent of the athletes (and parent/guardian if involving a child), and under professional guidance of those with the requisite experience in managing eating disorders.

### RECOMMENDATION 4

#### **WAIS, in collaboration with the impacted Gymnasts, engage in a restorative and reconciliatory process.**

- The scope of the restorative and reconciliatory process should be gymnast-focused and responsive in addressing the impacts of abuse and harm.
- The restorative process should be facilitated by an independent mediator with experience in restorative processes.
- The process should include an apology to those Gymnasts who were subjected to behaviours at the subject of this Review.



# CONCLUSION



# CONCLUSION

This Review has highlighted allegations of abuse, mistreatment and unacceptable conduct which occurred up to 25 years ago in the WAIS WAG program. The main reason these behaviours were able to perpetuate was because there were no adequate oversight mechanisms, safeguarding policies or complaints avenue in place. Harm was suffered by many gymnasts. The passing of time in no way removes the validity of the lived experiences told in this Review. The landscape across sports has changed considerably since the WAIS WAG Program, including coaching methodologies, coach education, advances in sports science and the ability to speak up and be heard in a safe and secure environment. Social media platforms provide an outlet to air issues privately or publicly. Support networks exist. Despite this, a key responsibility remains with sports to create an environment which is conducive to open and honest dialogue, where concerns can be aired without fear of retribution or ostracisation.

Sport Integrity Australia is fully committed to working with WAIS to implement the recommendations in this Review. Sport Integrity Australia fully endorses a restorative and reconciliatory pathway for the gymnasts, WAIS and former WAG Program affiliates.



# APPENDICES

# APPENDIX A

## MEMORANDUM OF UNDERSTANDING

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## Memorandum of Understanding

### Review of historical allegations in relation to the Women's Artistic Gymnastics Program at the Western Australian Institute of Sport

Between **Sport Integrity Australia**

And **Western Australian Institute of Sport Inc.**

Date: 24/05/2021

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NOTE: FOR THE PURPOSES OF THIS REPORT THIS ANNEXURE APPEARS AS APPENDIX B

## Details

Date: 24/05/2021

Parties:

**Sport Integrity Australia**, a non-corporate Commonwealth entity established by the *Sport Integrity Act 2020* (Cth); and

**Western Australian Institute of Sport Inc.**, an association incorporated under the *Associations Incorporation Act 2015* (WA).

### 1. Background

A number of former athletes of the Western Australian Institute of Sport (WAIS) Women's Artistic Gymnastics (WAG) program (the **Program**) represented by former gymnast, Ms Julia Murcia (the **Complainants**) have raised allegations of mistreatment including neglect, bullying, body shaming, food restriction, retribution, verbal abuse, assault, threats of physical harm, acute injuries (including broken bones and joint damage) not being treated with the appropriate seriousness or care and being forced to train and compete with these serious injuries while in the Program at WAIS between 1987 and 2016.

As a result, the Complainants and WAIS have commissioned an independent review by Sport Integrity Australia and have agreed to a Terms of Reference, attached to this MOU at Annexure A. This MOU sets out the terms of the agreement between WAIS and Sport Integrity Australia for the conduct of that review in accordance with the Terms of Reference (the **Review**).

This MOU replaces the previous MOU that was entered into between WAIS and Sport Integrity Australia on 1 February 2021, which is now terminated by agreement of the parties.

### 2. Purpose of this MOU

This document sets out the details of the agreement between Sport Integrity Australia and WAIS in relation to Sport Integrity Australia's review of allegations in relation to the Program.

Nothing in this MOU is intended to have legal or binding effect or to create a legally binding relationship between the Parties.

### 3. Interpretation

#### 3.1 Definitions

Capitalised terms used in this MOU have the following meanings:

- **Complainants** means former athletes who participated in the Gymnastics program at WAIS who are making the allegations against WAIS as described in the Background.
- **MOU** means this Memorandum of Understanding made between the Parties, as varied from time to time in accordance with clause 11, and includes any attachments and annexures.
- **Party** means either of Western Australian Institute of Sport Inc. or Sport Integrity Australia, depending on context, and **Parties** has the corresponding meaning.
- **Personal Information** has the meaning given by the *Privacy Act 1988* (Cth).

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- **Program** means the Western Australian Women's Artistic Gymnastics program conducted by the Western Australian Institute of Sport Inc. from approximately 1988 to 2016.
- **Protected Information** means information that:
  - a) was obtained under or for the purposes of the *Sport Integrity Australia Act 2020* (Cth) or a legislative instrument made under the *Sport Integrity Australia Act 2020* (Cth); and
  - b) relates to the affairs of a person (other than an entrusted person); and
  - c) identifies, or is reasonably capable of being used to identify, the person.
- **Review** means the review to be conducted by Sport Integrity Australia in accordance with the Terms of Reference.
- **Terms of Reference** means the terms of reference for the Review agreed between the Complainants and WAIS and attached at Annexure A.
- **WAIS** means the Western Australian Institute of Sport Inc.

#### 4. Term

This MOU commences on the date on which it is signed by the last party to do so and will continue until concluded as set out in clause 13.

#### 5. Review process

##### 5.1 Conduct of the Review

Sport Integrity Australia will conduct the Review in accordance with the scope, criteria and process set out in the Terms of Reference and will deliver a Final Report as set out in section 6 of the Terms of Reference.

##### 5.2 Provision of access to information and assistance by WAIS

WAIS agrees to promptly provide to Sport Integrity Australia any information or documentation reasonably held by WAIS which is requested as part of the Review.

WAIS also agrees to facilitate access and provide directions to its staff as reasonably requested by Sport Integrity Australia as part of the Review.

##### 5.3 Final Report

In accordance with the Terms of Reference, the full version of the Final Report will be provided to the Complainants and the state government of WA. A redacted, anonymised version of the Report will be made available to the public.

Subject to law, the unredacted version of the Final Report is not to be disseminated beyond the parties named in the Terms of Reference without the prior consent of Sport Integrity Australia, WAIS, and Ms Julia Murcia on behalf of the Complainants.

##### 5.4 Cooperation

The Parties agree that they will cooperate with each other to ensure compliance with this MOU.

## 6. Handling of information

### 6.1 Confidentiality and Protection of Personal Information

The Parties acknowledge and agree that any information exchanged under or in relation to this MOU is to be treated as confidential.

WAIS acknowledges that Sport Integrity Australia may only disclose Protected Information in accordance with the *Sport Integrity Australia Act 2020* (Cth).

WAIS will comply with any conditions, restrictions or caveats imposed by Sport Integrity Australia in respect of the handling, storage or disclosure of information.

The Parties acknowledges that the other Party may provide/disclose personal information or sensitive information as defined in the *Privacy Act 1988* (Cth) to it.

The Parties agree that:

- A Party disclosing personal information or sensitive information is authorised to do so, either by consent of the individual or by law.
- The Parties receiving the information will comply with any conditions on its disclosure, including directions in relation to information handling.
- Unless otherwise agreed, the Parties will comply with the Australian Privacy Principles in relation to the use and disclosure of information shared under this clause.

### 6.2 Survival of obligations

The Parties acknowledge and agree that their obligations of confidentiality, including any obligations imposed by contract, survive the expiry or termination of this MOU.

### 6.3 Use of information for intelligence purposes

WAIS acknowledges that Sport Integrity Australia may use any information obtained during the course of the initial assessment or investigation process for broader intelligence purposes, in a de-identified and aggregated form.

## 7. Communication

### 7.1 Communication protocols between the Parties

The Parties agree that they will each comply with the processes set out in this MOU regarding communication with each other to ensure the independence and integrity of the Review are maintained.

Communication about this MOU, including resolution of any disputes between the Parties, handling of media enquiries, and strategic discussions, will be between the Relationship Managers for each Party.

The Relationship Managers are:

- (a) Sport Integrity Australia: Emma Johnson, Deputy CEO – Sports Engagement
- (b) WAIS: Neil McLean, Chair



## 8. Media guidelines

In relation to matters involving both Parties, media management, including media releases and conferences, are to be coordinated following consultation between the Parties and must comply with the respective media policies of the Parties.

Each Party agrees not to comment publicly on any matter before a court or tribunal or on any investigation that involves the other Party without first obtaining written consent from the other Party.

The Parties may agree to enter into specific arrangements for communication and media issues.

## 9. No binding legal or financial obligations

This MOU does not establish any legal or financial liabilities between the Parties.

Any legal or financial liability arising under this MOU will be dealt with according to law, legislation and/or other instruments intending to establish a legal or financial relationship.

## 10. Resolution of differences

Any difference arising from the interpretation or implementation of this MOU should be resolved by consultation or by any other means mutually determined by the Parties acting in good faith.

## 11. Subcontracting

WAIS acknowledge that Sport Integrity Australia may engage third parties to assist in conducting all or part of the Review. Sport Integrity Australia remains responsible for the delivery of the Review in accordance with this MOU and ensuring that any subcontractors are bound by appropriate confidentiality obligations.

## 12. Variation and review

Should either Party seek to vary this MOU, the Parties will negotiate in good faith.

This MOU may be varied at any time by agreement in writing and signed by persons holding the offices of the original signatories or by the Chief Executive Officers of the Parties.

## 13. Termination

Termination of this MOU will automatically occur when Sport Integrity Australia provides WAIS with a Final Report as set out in 5.3 of this MOU.

Termination of this MOU will not affect any liabilities and obligations separately established by law.

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## Signature page

Signed for and on behalf of **Sport Integrity Australia** by:



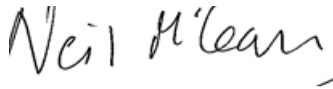
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Name: Emma Johnson

Position: Deputy Chief Executive Officer

Date: 20 May 2021

Signed for and on behalf of **Western Australian Institute of Sport Inc.** by:



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Name: Neil McLean

Position: Chair

Date: 24/05/2021

# APPENDIX B

## TERMS OF REFERENCE

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### TERMS OF REFERENCE

#### INDEPENDENT REVIEW OF ALLEGATIONS OF ABUSE AND HARM IN RELATION TO THE WOMEN'S ARTISTIC GYMNASTICS PROGRAM AT THE WESTERN AUSTRALIAN INSTITUTE OF SPORT (WAIS)

#### 1. Background

A number of former athletes of the Western Australian Institute of Sport (WAIS) Women's Artistic Gymnastics (WAG) program (**Program**) represented by former gymnast, Ms Julia Murcia (the **Complainants**) have raised allegations of mistreatment including neglect, bullying, body shaming, food restriction, retribution, verbal abuse, assault, threats of physical harm, acute injuries (including broken bones and joint damage) not being treated with the appropriate seriousness or care and being forced to train and compete with these serious injuries (collectively **abuse**) while in the Program at WAIS between 1987 and 2016.

As a result, the Complainants and WAIS have commissioned an independent review by Sport Integrity Australia and agree to the following Terms of Reference:

#### 2. Objectives of the Review

The objectives of the Review will be:

- To examine the Complainants' experiences and allegations of abuse and or harm.
- To understand the culture of the Program throughout its period of operation in:
  1. preventing abuse and harm from occurring.
  2. responding to allegations of abuse and harm; and
  3. ensuring the safety, wellbeing and empowerment of athletes at WAIS, including having regard to the *UN Convention on the Rights of the Child*.
- To review WAIS's current child safe policies, procedures and processes and examine their effectiveness in:
  1. preventing abuse and harm from occurring.
  2. responding to allegations of abuse and harm; and
  3. ensuring the safety, wellbeing and empowerment of athletes at WAIS, including having regard to the *UN Convention on the Rights of the Child*.

### 3. Scope of the Review

Sport Integrity Australia will independently review the matters set out in this Terms of Reference, having regard to the objectives of and criteria for this Review.

The Review will examine:

1. The nature of the culture experienced by the Complainants and any other relevant parties during their participation in the Program, including the allegations of abuse and harm that were the catalyst for this Review.
2. The allegations of abuse and or harm from the Complainants.
3. The effect of the alleged abuse and or harm on the Complainants during their participation in the Program and in their time since leaving the Program.
4. Any conduct and / or omissions on the part of WAIS staff, management, coaches, and other relevant personnel that contributed to the abuse and or harm.
5. Responses by WAIS to address allegations of abuse and or harm raised during the life of the Program and the extent and appropriateness of those responses including the adequacy of governance structures in place for the making and handling of complaints and how individual complaints were responded to when they were raised; and
6. Current WAIS policies, procedures and education programs relating to the safety and wellbeing of elite athletes, particularly children, including how the policies, procedures and programs are implemented, monitored and enforced.

### 4. Criteria for the Review

In conducting the Review, Sport Integrity Australia will consider:

1. Whether there is a reasonable likelihood that the abuse and or harm occurred.
2. If there is a reasonable likelihood that conduct and /or omissions on the part of WAIS staff, management, coaches, and other relevant personnel contributed to any abuse and or harm.
3. Whether WAIS's policies, procedures, practices and governance structures in place during the life of the Program were adequate to protect athletes from abuse and or harm; and
4. Whether WAIS's contemporary policies, procedures and practices are adequate to prevent harm and effectively respond to complaints and/or allegations of abuse.

## 5. Review process

Sport Integrity Australia may conduct the Review at its discretion, provided that:

- The Review includes engagement with the Complainants and their families, staff, coaches, and other relevant personnel involved in the Program. This engagement may be through confidential written submissions and/or interviews.
- Any person who is interviewed or provides a report may be assisted by a person or persons of their choosing.
- The Review is undertaken in a manner respectful of the wellbeing of the participants.
- The Review results in an independent report in writing (the **Final Report**).
- Any person named in the Final Report, including any person alleged to have engaged in wrongdoing in connection with the Program, shall be provided the opportunity to receive a copy of the Final Report, provided they agree in writing to keep the Final Report confidential.
- Sport Integrity Australia shall afford participants in the Review, including any alleged wrongdoer, procedural fairness.
- If at any time Sport Integrity Australia determines that an applicable law or regulation requires it to bring information to the attention of the police or other appropriate authority, then it may do so in order to comply with that law or regulation as the case may be.

## 6. Final Report

After conducting an initial assessment and any further investigation (where applicable) into the allegations of abuse and or harm, Sport Integrity Australia will prepare the Final Report which will be provided to WAIS, Complainants and the WA State Government.

The Final Report will set out:

- Steps taken by Sport Integrity Australia during the Review.
- Sport Integrity Australia's findings on all the areas for review set out in section 3, having regard to the objectives of and criteria for the Review; and
- Any recommendations SIA deems necessary and appropriate.

In preparing the Final Report, Sport Integrity Australia will have regard to privacy principles and will consider requests for anonymity by any party if they are made.

A full unredacted copy of the Final Report will be provided to WAIS, the Complainants and the WA State Government. All parties receiving the unredacted copy agree to act strictly in accordance with clause 6.1 (Confidentiality and Protection of Personal Information) as set out in the MOU.

WAIS will have fifteen (15) business days to consider the full report, its findings, recommendations and its response.

- After fifteen (15) business days has lapsed, a redacted version of the Final Report prepared by SIA will be made publicly available, which provides anonymity to all complainants, WAIS staff, coaches and personnel and all other parties, in compliance with the Australian Privacy Principles and defamation laws.

- 3 | Terms of Reference for the review of allegations of abuse and harm in relation to the Women's Artistic Gymnastics program at the Western Australian Institute of Sport

## 7. Timing

It is expected that the review be performed and completed by 30 September 2021 or later by agreement of WAIS and Julia Murcia on behalf of the Complainants.

## 8. Review outcomes

Having regard to the outcomes being sought by the Complainants, WAIS will be responsible for taking appropriate actions in response to any findings made by Sport Integrity Australia in the Final Report.

WAIS commits to address and provide a formal response to the Final Report its findings and recommendations within fifteen (15) business days of receiving the Final Report from SIA.

WAIS's response(s) must specify whether WAIS; supports, supports in principle or rejects each of the recommendation(s). If WAIS is to reject a recommendation(s), WAIS must provide clear rationale as to why.

In the event that WAIS rejects the implementation of a recommendation(s), it is acknowledged that the Western Australian Government may have the view that the recommendation(s) should be accepted and implemented; WAIS and the WA Government in this event will negotiate a suitable way forward.

# APPENDIX C

## PROCEDURAL FAIRNESS PROCESS

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### **Appendix C – Procedural Fairness Process**

11 February 2022 – Draft Report and attachments sent to all participants.

13 February 2022 – Further email from SIA to all participants regarding confidentiality requirements.

3 March 2022 – Email to all participants advising that WAIS has been granted an extension to provide their response by 18 March 2022.

28 March 2022 – Email to all participants providing revised date for public release of Final Report.

### **Submissions from Gymnastics Alliance Australia:**

12 February 2022 – Email from GAA to Sport Integrity Australia - GAA acknowledgement of draft report

24 February 2022 – Letter and GAA overall statement (+ cover email) to Sport Integrity Australia

2 March 2022 - Conference/meeting in the procedural fairness context between Sport Integrity Australia and three key members of GAA

3 March 2022 – GAA response to SIA regarding extension of responses

7 March 2022 – GAA email and cover letter providing feedback from the 2 March meeting and comments on the Report draft

10 March 2022 – Email from GAA following up on their email about the draft responses

10 March 2022 – Email from SIA to GAA advising that SIA is considering response to GAA and will reply in due course

15 March 2022 – SIA response to GAA regarding correspondence and draft report

15 March 2022 – GAA acknowledgement of SIA response letter and request for transcript

15 March 2022 – SIA and GAA correspondence re: transcript

17 March 2022 – Email from SIA to GAA enclosing transcript

18 March 2022 – Response email from GAA to Sport Integrity Australia

18 March 2022 – Response from GAA to Sport Integrity Australia re: trauma informed

28 March 2022 – SIA response to GAA re: 18 March email and advising updated date for public release of Final Report.

28 March 2022 – Response from GAA to Sport Integrity Australia re: release date

### **Submissions from WAIS:**

25 February 2022 – Letter to Sport Integrity Australia from WAIS Chair

28 February 2022 – WAIS request for extension on response to draft report

3 March 2022 – SIA providing extension to WAIS for response to draft review to 18 March 22

17 March 2022 – WAIS advising they will not make the deadline

17 March 2022 – Email from Sport Integrity Australia to WAIS Chair seeking reasons for extension request, advising 22 March preferable

17 March 2022 – Email from WAIS Chair to Sport Integrity Australia outlining reasons for extension request

18 March 2022 – Email from Sport Integrity Australia to WAIS confirming extension request granted to COB 22 March 2022.

17 March 2022 – Letter to Sport Integrity Australia from WAIS Chair seeking extension of deadline to submit responses

22 March 2022 – WAIS consolidated response + covering email

23 March 2022 – Follow up email from WAIS confirming response received

24 March 2022 – SIA response to WAIS advising SIA has received response

**From individual participants:**

17 February 2022 – [74T] re: media reporting and requesting copy of transcript (provided 18 February 2022)

22 February 2022 – [78T] response to draft report

4 March 2022 – Request for extension from [80T]

8 March 2022 – [75T] response to Draft report

14 March 2022 – [76T] response to Draft report, requesting further submissions and copy of transcript (provided transcript 16 March)

19 March 2022 – [80T] response to draft report

21 March 2022 – Updated [80T] Response to Draft Report

**From other parties**

1 March 2022 – ToR request from Auditor General for WA's Office and SIA's response

3 March 2022 – DLGSC requesting revised release date

7 March 2022 – Response to DLGSC advising we will update them re: release date

16 March 2022 – Request from DLGSC for revised date of release

18 March 2022 – Email to DLGSC re: date

28 March 2022 – Email to all participants (including DLGSC) providing revised date for public release of Final Report





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