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Friday 13 December 2019

Kathryn Mandla  
Head, National Office for Child Safety  
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### **Annual Progress Report**

Dear Kathryn,

Thank you for the opportunity to submit our annual progress report into the implementation of the recommendations of the Royal Commission.

Following is the Tennis NSW report to include on the Royal Commission website. Please don't hesitate to get in touch if you have any questions.

Best regards,

Lawrence Robertson  
Tennis NSW CEO

## IMPLEMENTATION OF RECOMMENDATIONS BY MAJOR INSTITUTIONS (REC 17.3)

### ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE

#### TENNIS NEW SOUTH WALES

##### Introduction

Tennis New South Wales is a member of Tennis Australia (**TA**). Tennis in Australia is governed under a federated model. Each State/Territory has its own identity and governance structure identified in the TA Constitution as a Member Association (**MA**)<sup>1</sup>. Each MA is required to implement all National Policies and By-Laws as amended from time to time, including but not limited to the Anti-Doping Policy, the Anti-Corruption Program, the Member Protection Policy, the Safeguarding Children Guidelines, the Code of Behaviour: Tournaments and Weekly Competitions, the Social Media Policy, the Whistleblower Policy, the Privacy Policy and any Terms and Conditions of any IT software or system provided by TA. The MA must impose such Programs and Policies on its staff and members (who are, for the most part, tennis clubs, associations of tennis clubs, accredited tennis coaches and other state-based tennis industry bodies) and must ensure that its members do likewise to their members<sup>2</sup>

##### Organisation Commitment

Tennis New South Wales, through our association with our national body, TA, has made the following public commitment to Child Safety;

*"TA and Tennis New South Wales have a zero tolerance approach to any form of child abuse and are committed to ensuring the sport of tennis is a safe and friendly environment for children and young people. It is imperative that children and young people who access our activities, programs, events or services feel safe and supported."*

*We will ensure that child safety is embedded in our organisation's culture, reflected in our policies and procedures, and understood and practised at all levels of our sport. We commit to making sure that everyone involved with delivering tennis in Australia, including club administrators,*

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<sup>1</sup> Tennis Australia Constitution at 2 April 2019 **Definition -Member Association** means the controlling authority responsible for administering Tennis in each of the States and Territories of Australia, which as at the date that this Constitution is adopted, are:

- (a) New South Wales – Tennis New South Wales Limited;
- (b) Queensland - Royal Queensland Lawn Tennis Association Limited;
- (c) South Australia – Tennis SA Incorporated;
- (d) Victoria - Victorian Tennis Association Incorporated;
- (e) Tasmania – Tennis Tasmania (Inc);
- (f) Western Australia - The Western Australian Tennis Association (Incorporated);
- (g) Northern Territory - Tennis NT Incorporated; and
- (h) Australian Capital Territory – Tennis ACT Limited,

and at any time where there is a dispute in relation to which body is the controlling authority responsible for administering Tennis in a particular State or Territory and that dispute cannot be resolved between the relevant bodies, the dispute will be determined (for the purpose of this Constitution) by a resolution passed by a simple majority of Members;

<sup>2</sup> Tennis Australia Ltd Member Association Partnership Agreement – 2019/2020



*volunteers, parents and participants, understand the important responsibilities they have in relation to child safety.*

*Our commitment extends beyond creating an environment that minimises risk or danger. We are committed to building an environment that is both child-safe and child-friendly. Together we can provide an environment in which children feel respected, valued and encouraged to reach their full potential"*

- TA Chair **Jayne Hrdlicka** and TA CEO **Craig Tiley**

In 2001, the TA Board adopted the TA Member Protection By-Law (**By-Law**). TA was the first National Sporting Organisation to adopt and implement a By-Law nationally. All MAs were required to adopt the By-Law and to ensure that the By-Law was adopted by their members. The By-Law has been reviewed annually. In 2005, the By-Law was renamed the TA Member Protection Policy.

Post the Royal Commission into Institutional Responses to Child Sexual Abuse (**the Commission**) TA engaged the Australian Childhood Foundation (**ACF**) to undertake a "gap analysis" of the Member Protection Policy and all child-related procedures as part of a nation-wide review, which included a survey of relevant stakeholders such as club administrators, past and present staff members and participants. Consultations have been undertaken with personnel from every MA.

TA & Tennis New South Wales embarked on a national education and information campaign aimed at strengthening safeguarding children measures. The campaign is part of our ongoing commitment to providing a safe environment for all participants.

TA also implemented the following measures and actions, all of which Tennis New South Wales supports and endorses:

- A 24-hour telephone reporting and assistance service, enabling victims to obtain information and advice on what to do next
- An online form for lodging complaints
- New online learning tools to educate clubs, coaches, staff and volunteers around Member Protection and safeguarding the community
- Face-to-face training and workshops for all MA Member Protection Information Officers
- Training for other stakeholders, including club administrators, volunteers and staff members
- New Safeguarding Children Guidelines, which outline clear expectations for the tennis community as to their behaviour towards children
- Online resource kits for club administrators, coaches and parents/guardians
- An extension, in the Member Protection Policy wording, of the term "Child abuse" to include "grooming"
- Improved processes relating to the reporting of child abuse and protection of "whistle-blowers" from victimisation
- MA stakeholder workshops to engage staff and volunteer members across Australia to hear their views on how children and young people are currently safeguarded.

- Creation of the Integrity and Compliance Unit (**TAICU**) in May 2016, headed by Ann West

In addition, TA unreservedly apologised on behalf of the sport to those involved in the case study discussed at the Commission. They have all been, and will continue to be, offered support from TAICU and the TA Welfare team.

It should also be noted that, over the past 10 years, TA, working with and through the MAs, has:

- Nationalised the coaching body
- Required Working With Children checks, as well as a National Police check, for every registered coach
- Developed a list of restricted persons, who cannot work or provide services within the tennis community.

**Note:** TAICU continues to lobby for a nationalised Working With Children check process to ensure that coaches and other stakeholders who are restricted in one state cannot receive clearance to work in another.



## Section 1: Identifying the institution

- Tennis New South Wales Limited trading as Tennis New South Wales
- PO Box 6204, Silverwater NSW 1811
- Mr Lawrence Robertson, CEO Tennis New South Wales,  
[lawrence.robertson@tennis.com.au](mailto:lawrence.robertson@tennis.com.au)
- Not for Profit – Sporting Organisation

Website [www.tennis.com.au/nsw](http://www.tennis.com.au/nsw)

Organisational Category Sporting body

## Section 2: General reporting against recommendations relevant to all institutions

### Theme 1: Making institutions child safe

#### Measure:

- Tennis Australia Safeguarding Children Guidelines
- Tennis Australia Member Protection Policy
- Tennis Australia Safeguarding Children Resources

#### Report Volume:

Volume 6 and Volume 7

#### Recommendation(s) the measure is in response to:

Recommendations 6.6 and 7.8

#### **Recommendation 6.6 Child safety is embedded in institutional leadership, governance and culture.**

Tennis New South Wales is a registered employer with the Office of Children's Guardian REG0003968. This registration allows Tennis New South Wales to verify an individual's unique Working With Children (**WWC**) number and the status of an individual's application for a WWC.

Tennis New South Wales' commitment to achieving the highest standard of child safety is embedded in the governance and culture of the organisation. Its Board has adopted the Child Safeguarding model implemented by TA.

All persons who have direct contact with children and are involved in the delivery of tennis, including staff, volunteers, coaches and officials, must adhere to the *Child Protection (Working with Children) Act 2012 (NSW)* and *Child Protection (Working with Children) Regulations 2013*.

Tennis New South Wales staff, together with TA staff, have provided "face to face" education in relation to child safety to Tennis New South Wales staff and member clubs. These sessions feature practical examples of being involved with children, reporting processes and understanding the basic principles of making tennis a safe and welcoming environment for children.



On top of this, all of our Club Development Officers have been tasked with conducting random spot checks with each of our affiliated Clubs to confirm their compliance with our requirements, including having an appointed Member Protection Information Officer (**MPIO**), as well as displaying all of the respective Child Safe materials. In the past 12 months leading into the completion of this report, Tennis New South Wales' staff had completed 156 spot checks with Tennis New South Wales' affiliates.

The Member Protection Policy states that its purposes are to protect the health, safety and well-being of those who participate in the activities of tennis. Further, TA and all Australian Tennis Organisations<sup>3</sup> (**ATOs**) will not tolerate any form of abuse, neglect, harassment, unlawful discrimination, vilification, victimisation, indecency or violence against any adult or child by personnel and such conduct is a breach of the Member Protection Policy.

Club Committees and personnel are encouraged to engage with parents to ensure that they fully understand that their child is safe and protected and that they are aware of the standards set by the Club. These standards include the screening of all persons engaged with children who are part of the Club community.

The Member Protection Policy and the Safeguarding Children Club Resource Kit provides and explains the screening processes for those involved in child related activities, including employees, TA Coach Members and TA Official Members. The screening process involves –

- Production of a current WWC check
- Production of a current National Police check
- Reference check (at least 2); and
- Interviewing the person seeking to work with child in child related activities.

The Member Protection Policy clearly outlines the complaint handling processes.

Education and awareness is a key to providing our stakeholders with resources that will assist them in the interaction with children and young people. Together with ongoing face-to-face education, TA has developed a webinar series, to which all Tennis New South Wales affiliates have access.

The Safeguarding Children Webinar series is a free training course suitable for coaches, administrators, officials, players, parents and spectators involved in the sport of tennis. The series features practical scenarios and techniques designed to assist the viewer in understanding their obligations and how they can create a child-safe environment. The webinar series learnings are:

- What safeguarding children means
- Your responsibilities
- How you can report a child protection concern
- The support available for clubs and coaches
- Exploring child safe scenarios.

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<sup>3</sup> ATO is defined in the MPP as Australian Tennis Organisation (ATO) includes Member Associations, Affiliated Organisations, Regional Associations and Affiliated Clubs



In addition to club posters and the webinar series, the following fact sheets are free to download from the TA website and have been developed in association with the ACF:

- Dealing with child abuse
- What is a Member Protection Officer
- What is child abuse
- Where to get help
- Reporting allegations of child abuse

They are not meant to act as stand-alone documents. They are part of a bigger safeguarding children training campaign. <https://www.tennis.com.au/play/for-parents/safeguarding-children>

Tennis Clubs are a community and as such are an important facet of a child's development. The Club commitment to safeguarding children in the TA Safeguarding Children Club Resource Kit states (in part) that the Club:

- is committed to the safety and wellbeing of every child who participates in their activities, programs, events and services
- is committed to providing children with positive and nurturing experiences
- supports families and communities to promote the healthy development and wellbeing of children
- strives to ensure children are protected and not exploited, abused or harmed during their involvement with the Club's activities, programs, events and services.
- listens to children and will address any concerns they raise with the Club
- will ask for consent from children and their parent/guardian before providing information about them to other individuals or organisations
- may not ask for consent to disclose information to the police, regulatory authority or relevant statutory child protection agency if the Club has concerns about the safety or wellbeing of a child.

## **Measure 1.2: Improvements to institutional responding and reporting (Volume 7)**

Recommendations 7.7 and 7.8

**Recommendation 7.7 Consistent with Child Safe Standard 6: Processes to respond to complaints of child sexual abuse are child focused, institutions should have a clear, accessible and child-focused complaint handling policy and procedure that sets out how the institution should respond to complaints of child sexual abuse.**

Tennis New South Wales, in adopting the Member Protection Policy, has implemented the procedures that involve the response to complaints of sexual abuse against a child. Attachment C to the Member Protection Policy has detailed information on procedures for responding to allegations of child abuse, covering the steps of receiving the allegation, reporting the allegation (government agency contact details are provided), protecting the child and managing the situation, and taking internal action

The child is a focus of these procedures, which are –

- Make sure you are clear about what the child has told you
- Do not challenge or undermine the child
- Reassure the child that what has occurred is not his or her fault
- Do not seek detailed information, ask leading questions or offer an opinion
- Explain that other people may need to be told in order to stop what is happening
- Do not discuss the details with any person other than those detailed in these procedures. Promptly and accurately record the discussion in writing
- Do not contact the alleged offender.

Recommendation 7.8

**Consistent with Child Safe Standard 1: Child safety is embedded in institutional leadership, governance and culture, institutions should have a clear code of conduct.**

Tennis New South Wales' Child Safe Commitment (see page 1 of this letter) appears on its website and is detailed in its Member Protection Policy and its Safeguarding Children Guidelines. The Guidelines have been developed both to identify and prevent behaviour that might be harmful to children and to assist anyone who is bound by the Member Protection Policy to meet their obligations under it. They are effectively Tennis' Child Safe Code of Conduct.

Tennis New South Wales takes complaints seriously and responds to them promptly and accordance with its documented procedures. The Complaint management process is outlined in the Member Protection Policy and within the information provided to stakeholders.

In that regard, all complaints alleging breaches of the Member Protection Policy must be registered with TAICU for assessment and investigation.



The basic principles of this process are:

1. Listen
2. Report
3. Protect
4. Investigate

#### Actions

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is any doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the MPIO so that he or she can manage the situation.

The welfare of the child is important and every effort must be made to ensure that the child is safe and comfortable with the processes discussed during the reporting process.

Counselling services are available via the help line 1800 11 SAFE (1800 117 233) or [tennis.com.au/childsafes](http://tennis.com.au/childsafes).

Tennis New South Wales is committed to providing a safe environment for children and young people. All applications for a position at Tennis New South Wales or TA refer to the importance of child safety, compliance with Tennis' Member Protection Policy is an express term of every employee's Employment Agreement and the following statement appears on all advertisements for a job in Tennis:

*"Tennis New South Wales is committed to providing a safe environment for all tennis participants, including children and young people. It is essential everyone involved with delivering tennis in Australia understands their responsibility in relation to child-safety."*

Tennis New South Wales' recruitment for staff and volunteers, post application, involves the following four touch points:

- Provision of a current Working With Children Check;
- Provision of a current National Police Check;
- An interview with the applicant (usually before a panel of at least two staff); and
- A check of at least two referees.

In addition, these processes are defined and outlined in more detail in a number of policies, including the Member Protection Policy and Recruitment Policies and Procedures.

### **Measure 1.3: Improvements to recordkeeping and information sharing (Volume 8)**

Recommendations 8.1 and 8.4

**To allow for delayed disclosure of abuse by victims and take account of limitation periods for civil actions for child sexual abuse, institutions that engage in child-related work should retain, for at least 45 years, records relating to child sexual abuse that has occurred or is alleged to have occurred.**

Tennis New South Wales has recognised the importance of record keeping. Tennis New South Wales currently uses the TA Case Management System for all matters relating to child abuse.

Clubs can provide information via a reporting process which is uploaded to the Case Management System.

All child abuse matters once recorded are maintained in the system and are marked DO NOT DELETE.

The value of record keeping within Clubs will be included in the recommendations for 2019 and beyond.

### **Theme 2: Children's Voices**

#### **Measure 2.1: Children participate in decisions that affect them**

Tennis New South Wales is committed to listening to all those involved in the sport, including children. Children are the greatest asset the sport has and every opportunity is provided to hear what they have to say, including about their safety.

Children and youth were consulted in relation to the development of the child-safe posters that are distributed to Tennis New South Wales' Members to be displayed in prominent places in and around their premises.

Tennis New South Wales and TA are in the process of creating opportunities to hear what our young people have to say in relation to being involved in the sport and what they need from their club, coaches, officials and, importantly, their parents. On a practical level, this will involve the increased involvement of Tennis New South Wales' Youth Advisory Group (YAG).

The YAG was formed in 2017 and consists of 8 registered New South Wales tennis players, aged 14-21, who are actively participating in tournaments and/or competitions or are volunteering at a tennis club or association. In the past, the YAG has provided the Tennis New South Wales Board and Management with feedback on issues of importance to players and the game, including:

- Player development
- Tournament and competition culture/playing environment
- Player mental and behavioural health and well being



- Tennis integrity
- Rules and regulations
- Disciplinary procedures

Tennis New South Wales is currently exploring the possibility of the YAG meeting more often, adding more members and having more opportunities to directly influence decisions taken by both Management and the Board that directly impact on, and affect, children, including our child protection policies and process

Whatever form the means by which children are given a voice in tennis takes, Tennis New South Wales believes that enabling children to participate in the decisions that affect them will effectively empower them. This in turn will not only make tennis a more inclusive, cohesive and safety-conscious sport but will also provide the children with the confidence to call out inappropriate behaviour when they see it.

### **Section 3: Reporting for specific non-government institutions**

Working with TA and other MAs, Tennis New South Wales will continue to be an integral part of the review and implementation of policies and procedures that involve the protection of children and young people involved in the sport.

The welfare of the children and young people is a key focus of our business. Every effort will be made to support any child or young person who makes a complaint or reports that they are uncomfortable when involved with people who deliver the sport.

The national policies and procedures produced by TA have been adopted and implemented by Tennis New South Wales and our stakeholders. These procedures and policies are reviewed annually and comprise;

- Tennis Australia Member Protection Policy
- Tennis Australia Safeguarding Children Guidelines
- Tennis Australia Fact Sheets
- Tennis Australia webinar

#### **Measure:**

- All policies and procedures will be reviewed annually
- Stakeholders will be educated how to manage a complaint if a report of abuse is made to them
- Stakeholders are educated in reporting procedures and record keeping
- All reported matters will be uploaded to a centralised data base housed at TA

#### **Report Volume:**

Volume 6, 7 and 8

**Recommendation(s) the measure is in response to:**

- That contemporary education processes be developed to ensure all stakeholders are fully conversant with the protection of children and young people involved in tennis
- That Tennis New South Wales and its affiliates are fully conversant as to the importance of record keeping and reporting of the abuse of children
- That all Tennis New South Wales policies and procedures are reviewed annually
- That Tennis New South Wales staff are viewed as ambassadors in relation to making tennis safe for children and young people

**Section 4: Attachments**

<https://www.tennis.com.au/play/for-parents/safeguarding-children>

<https://www.playbytherules.net.au/>