

# The Whyte Review

Ms Munday OBE & Mr Hollingsworth  
Chief Executive Officers of UK Sport and Sport England

Anne Whyte QC  
The Whyte Review

8 February 2021

Dear Ms Munday and Mr Hollingsworth,

## **Whyte Review – Interim Report**

I write further to my appointment by UK Sport and Sport England in August 2020 to lead the Whyte Review, commissioned following allegations of abuse in the sport of gymnastics. In accordance with paragraph 8 of the Terms of Reference for the Review, please find below my Interim Report.

### **INTRODUCTION**

1. Throughout the summer of 2020 several British gymnasts and former gymnasts made public disclosures to the press about alleged abuse within the sport of gymnastics. These disclosures followed the airing of an American documentary called “Athlete A” about sexual abuse within the sport of gymnastics in the U.S.A and the failure of the sport to address such abuse and to protect and support its own gymnasts. The allegations made by British gymnasts included descriptions of emotional and physical abuse by coaches. One of the common themes running through these disclosures was a sense that the governing body for the sport of gymnastics in the UK, British Gymnastics, had not only failed to prevent or limit such behaviours but had condoned them in the pursuit of national and international competitive success.
2. In August 2020, I was appointed by UK Sport and Sport England to conduct an independent review into the concerns that had been raised in relation to British Gymnastics with specific Terms of Reference. By paragraph 5, these Terms of Reference require me to investigate for the period August 2008 to August 2020 (the relevant period) the:
  - a. nature and volume of complaints received by British Gymnastics, including (but not limited to) allegations of mistreatment, sexual, mental (emotional and neglect) and physical abuse, bullying, harassment and discrimination;
  - b. approach taken by British Gymnastics to resolving complaints;

- c. reasons for any delay in complaints being raised;
  - d. adoption and application by British Gymnastics of safeguarding and complaints procedures, including how compliance with safeguarding standards by clubs and member coaches was monitored and assessed; and
  - e. culture and practices of British Gymnastics, including its registered clubs, in relation to its treatment of gymnasts and consideration of their welfare.
3. In commissioning the above investigation, as appears at paragraph 4 of the Terms of Reference, the intended outcomes of the Review ('the Outcomes') are:
- a. To determine whether:
    - i. gymnasts' wellbeing and welfare is (and has been) at the centre of the culture of British Gymnastics, its registered clubs and member coaches and if not, why not;
    - ii. safeguarding concerns and complaints have been dealt with appropriately in the sport of gymnastics and if not, why not; and,
    - iii. gymnasts, or their parents, carers or guardians, have felt unable to raise complaints with appropriate authorities and if so, why.
  - b. If any failings are identified at 4(a) i, ii or iii, then the Reviewer shall make recommendations to ensure that for the future:
    - i. gymnasts' wellbeing and welfare is at the centre of the culture of British Gymnastics;
    - ii. safeguarding concerns and complaints in the sport of gymnastics are raised with the appropriate authority and appropriately resolved in a timely manner; and,
    - iii. gymnasts have appropriate pathways and the necessary support to raise concerns and complaints.
4. I shall refer to the complaints specified in paragraphs 4(a)(ii), 4(b)(ii) and 5 (a) of the above Terms of Reference as relevant complaints. Please note that in relation to paragraph 4(a)(iii) I am proceeding on the basis that "raise complaints" includes raising "concerns".
5. I am assisted by two advisors who will bring individual and independent performance and sports administration expertise to my analysis of information and to the consideration of recommendations. These advisors will not be involved in formulating any of the determinations set out in paragraph 4 of the Terms of Reference.

6. Mr Mike Cave is the Academy Manager at Fulham Football Club and works as part of a multi-disciplinary team of staff whose objective is to support the development of children and young adults in their aspirations to become professional footballers. His current role includes the strategic management of sports staff across a wide range of disciplines, ensuring that the Club provides a safe environment for all of its participants. He has relevant commercial and coaching expertise and has held the positions of Performance Director and Head of Player Development at Fulham. He therefore has a detailed understanding of the structures underpinning high performance sports and the pressures and expectations involved for all its participants.
7. Ms Tonia Couch is a former British Diver who competed at the 2008, 2012 and 2016 Olympic Games during a highly successful 12-year senior career. She took up diving at the age of 10 having previously focused on gymnastics. Since her retirement in November 2017, she still coaches diving to young children, in addition to managing a successful business away from the sport. As a former elite athlete in a sport which has parallels with gymnastics and as someone still engaged in coaching, she will be able to bring a highly pertinent perspective to the issues engaged by the Review.
8. My Review is supported by a secretariat whose work is summarised in my Letter of Appointment by the Commissioning Organisations and by Ms Joanna Warwick, a junior barrister.
9. Under the Terms of Reference, I am required to prepare an interim report for the Commissioning Organisations. This report shall include the required summary of the nature and scale of the information that has been received and a view on whether the Terms of Reference adequately cover the issues that have been raised. Upon receipt of this report, the Commissioning Organisations will consider whether changes are required to the Terms of Reference and whether it is necessary to take any other steps in light of the information in the interim report. I have set out below my view as to the sufficiency of the Terms of Reference at this stage. I have also taken this opportunity to provide the Commissioning Organisations with an overview of the wider work that the Review has undertaken, is currently undertaking and plans to undertake. This information is supplemental to my letter of 17th December sent to the Chief Executive Officers of the Commissioning Organisations.

## **LAUNCH OF THE REVIEW**

10. The Review commenced on 25 August 2020 with the launch of its website and the Call for Evidence, which requested anyone with information relevant to the Review's Terms of Reference to submit their information.
11. In advance of this launch, the Review created a website to keep the public informed about the progress of the Review (see here: <https://www.whytoreview.org>). The

Review has drafted and published important information on this website including FAQs, a Privacy Policy and an Appropriate Policy Document. These set out in as much detail as possible how the Review will use the information provided to it, as well as information about the processes being followed by the Review and the scope of its work. The Review has also produced for the website a Safeguarding Statement and Protocol, setting out how the Review will deal with safeguarding issues arising.

12. In the initial stages of the Review it became apparent that a significant proportion of the gymnastics community were somewhat hesitant to share their experiences with the Review and the Secretariat spent time addressing questions about how we would use an individual's information and whether a person had the right to remain anonymous throughout the process. We updated our FAQ page to provide further information about information handling and I published video updates informing the public about the Call for Evidence and encouraging them to come forward. The Commissioning Organisations supported the Review by working with its partners to promulgate press coverage about the Call for Evidence and its approaching deadline. I understand from feedback that the videos were well received by the gymnastics community and both videos have had over 1300 views.

13. The original closing date for the Call for Evidence of 25 September 2020 was extended to 9 October 2020 to ensure that individuals had sufficient time to make their submissions. I felt this was particularly important in view of the reticence some people had initially expressed about providing information.

#### **CALL FOR EVIDENCE: THE 'NATURE AND SCALE' OF INFORMATION RECEIVED**

14. In total, the Review received information from nearly 400 individuals during the Call for Evidence. The Whyte Review received 272 submissions directly, with over 100 of these on the final day of the Call for Evidence. In addition, 118 separate submissions were received via the British Athletes Commission, through a joint hotline set up with the NSPCC.

15. Information has been submitted by gymnasts, parents, coaches, welfare officers and other people connected with the sport of gymnastics across the country. The breakdown of the information received is as follows:

- Current and former Gymnasts: 126
- Parents, carers and guardians: 145
- Current and former Coaches: 46
- Individuals associated with British Gymnastics: 26
- Current and former Welfare Officers: 7
- Registered Clubs: 7
- Others (unidentified, volunteers, sports photographers, members of the public etc): 33

16. The Review has analysed this material and categorised the information via a document review platform. All of the written information received in the Call for Evidence has been reviewed and is summarised in a central spreadsheet, which provides a high-level overview of the individuals and clubs at the basis of individual complaints. This spreadsheet also records any requests for anonymity, privacy concerns and the basis for processing that individual's data. Collating the information in this way has allowed us to analyse the information and identify themes, as well as inform our strategy for holding meetings with individuals who have provided information to the Review.
17. The large volume of submissions that we received in the Call for Evidence reflects the scale and scope of the issues that I have identified within them. I have received information relating to coaching dynamics, common practices and concerns in the sport, training regimes, coach engagement with parents of gymnasts, safeguarding practices, complaints handling, and information regarding the culture across clubs. Concerns have been raised about the practices and culture at clubs throughout England, Wales, Northern Ireland and Scotland. Over 90 clubs and 100 coaches have been identified in submissions. Whilst many issues raised are at the elite level of the sport, this is not exclusively the case. Some of the re-occurring issues emerging from the information I have received are of bullying, belittling, extreme weight management, regular over-stretching, use of excessive physical force, training on serious injuries, gas-lighting, coercive control and a reluctance to raise complaints/lack of opportunity to do so. In a significant number of cases, the individual sharing their experiences with the Review continues to be impacted by their experiences in gymnastics, in some cases many years later.
18. The nature of the information being provided to the Review means that we are frequently dealing with information that requires a referral to local authorities for safeguarding reasons. I have provided more detail of the Review's safeguarding work below. The Review is seeking in all cases to ensure that it engages with individuals sensitively given the difficult and emotive nature of the information many people are providing.

## **MEETINGS**

19. The Review is holding meetings with a significant number of the individuals who provided written information as part of the Call for Evidence. We are triaging and allocating these individuals to an interviewer in tranches to ensure we speak to a cross-representation of individuals. Since November, the Review has been meeting with these individuals and so far 64 meetings have been held and 19 more meetings have been scheduled. Although the Review had originally envisaged meeting everyone who had submitted relevant information that was within the scope of the Terms of Reference, I have since reached the view that this will likely not be proportionate or necessary, and that the Terms of Reference can be fulfilled by

speaking with a significant proportion of individuals rather than each individual. I will of course be considering all of the written submissions that have been received and that fall within the scope of the Review.

20. When selecting who to speak with, I am ensuring that the individuals who speak with the Review reflect the range of individuals who have made submissions to the Review in terms of the nature of their involvement in gymnastics, the clubs/coaches involved and the discipline and level of gymnastics involved. This will allow me to develop a sufficiently clear idea of the issues that fall within the Terms of Reference. The Secretariat is identifying a cross-section of individuals for me to speak with, so that I have a sufficiently broad perspective of the issues that have been raised. I am hoping that the majority of the meetings with individuals will have taken place by the middle of March.
21. Many individuals providing information and attending meetings have been significantly impacted by their experiences within gymnastics and find it challenging to recount difficult and sometimes traumatic experiences. The Review has endeavoured to make individuals feel as comfortable as possible about assisting the Review. We provide an information sheet to each individual in advance of any meeting, which sets out details about the process for the meeting to allow people to understand and think about the interview in advance. When inviting individuals to interview, the Review has offered the opportunity for a support person to join the meeting and signposted individuals to access independent support and advice from the British Athletes Commission.
22. The Review has developed a consistent, streamlined process for arranging meetings with the Review. In short, an individual is invited to interview; if that individual agrees, the individual will be allocated to a designated lawyer who will arrange a meeting with that individual. In advance of the meeting, the designated lawyer will review their written submission and complete a questionnaire, noting down key information about the nature of the submission and identifying any key information that is missing. The meeting takes place by video-conferencing facility and the Secretariat support services then produce a transcript of that meeting, which is sent to the individual to review. The designated lawyer completes a summary sheet following each meeting, providing a high level summary of the meeting discussion and noting whether any safeguarding issues arise. These summary sheets are reviewed by the Secretariat team to identify any documentary enquiries or individuals we may want to speak with as a result of each interview. They also enable me to obtain an overview of the contents of meetings held by other members of the team in order to draw out themes and issues arising. We are keeping a log of themes and issues arising in submissions and interviews. This process will assist me to efficiently analyse the

information received in meetings and ultimately inform my findings and enable me to draw reasoned and informed conclusions in the final report.

23. It has become evident that many meetings that are held give rise to potential follow-up steps that will be important to consider. This includes some cases where meetings may be sought with individuals who have not made submissions to the Review, where it is important to speak with them to corroborate and/or test information that has been received. This is an important step in ensuring that any findings and conclusions that I reach are evidence-based and robust. It is also to ensure procedural fairness so that individuals who are the subject of criticisms or complaints have an opportunity to respond.

## **SAFEGUARDING**

24. Due to the nature of the investigation, the Review has received information in the Call for Evidence and is receiving information in meetings that give rise to a significant number of safeguarding concerns.
25. In consultation with expert safeguarding advisors, the Review has developed a Safeguarding Statement and Protocol, which can be found on the Review website. This has informed the Review's approach and decision-making with regard to making referrals. These advisors have also provided advice as to how to identify and deal with safeguarding issues that are likely to arise or have arisen and remain on retainer to assist with safeguarding issues when they arise. The Review has also developed an internal decision-making document to support Team members handling safeguarding issues. This sets out for the Secretariat how the Review approaches safeguarding concerns and how safeguarding should be considered and handled during the course of meetings with individuals. These structures are necessary given the complexity of the decision-making around safeguarding which involves an assessment of the risk of significant harm for both the individual providing the information and those vulnerable adults or children who may be at risk from the individual the subject of the concern.
26. The Review is analysing both written submissions and oral interviews to identify any safeguarding issues that may require a referral to the relevant authority. Before making a referral, the Review has always asked for consent from the individual to pass on the information and contact details to the relevant authority. In some circumstances, the Review has referred information even if the individual has not consented to this, if it is felt that there may be ongoing criminal conduct or a child or adult may currently be at risk of significant harm. Where an individual doesn't respond the referral is made on an anonymous basis to provide further time to have this discussion.

27. Due to the sensitive nature of the submissions and the desire to avoid causing further distress or trauma to potentially vulnerable individuals, these conversations about consent can be delicate and require experience in speaking with vulnerable individuals. Many individuals request that the referral be made anonymously with the primary reason provided that they remain involved in gymnastics and fear repercussions. To date, the Review has made 39 referrals to the statutory authorities. This has involved engagement with 27 Local Authority Designated Officers throughout the country which has required significant resource. [REDACTED]

## **BRITISH GYMNASTICS MATERIAL**

28. On 17 September 2020, I wrote to British Gymnastics and requested various categories of information. In response, I received a significant quantity of material from British Gymnastics which we, as a team, are still analysing. In order for British Gymnastics to provide the Review with some of the more sensitive material requested, the Review has been liaising with British Gymnastics about, and is in the process of finalising, a Data Sharing Protocol. This is to ensure that British Gymnastics and the Review are complying with their Data Protection obligations. The Review has exchanged further correspondence with British Gymnastics about this Protocol in the last couple of weeks and we anticipate that it will be finalised shortly.

29. As I explain below, I consider that once the data/information sharing agreement is finalised, I will invite British Gymnastics to provide more information and documentation.

### **Independent Complaints Process**

30. My requests to British Gymnastics have included a record of any complaints currently open under the British Gymnastics Complaints and Disciplinary Policy and Procedure, including the nature of the complaint, date received and current stage of the complaint. The spreadsheet sent in response to this request itemised some 327 open matters, most of them having been received in the second half of 2020.

31. On 25 November 2020, British Gymnastics announced that there would be an Independent Complaints Process ("ICP") overseen by Christopher Quinlan QC. As the Commissioning Organisations are aware, this process is entirely separate from the Whyte Review and it is not my function to determine the merits or outcome of any individual complaints.

32. The limited criteria for matters to be referred to the ICP are:

1. Complaints that were received by the BAC or the dedicated Helpline operated by the NSPCC in the period 6 July 2020 to 9 October 2020;



2. Complaints that were received by British Gymnastics in the period 6 July 2020 to 31 August 2020; which remain unresolved on 30 November 2020 ["the ICP Commencement Date"] and relate to:

(a) Allegations of mistreatment, sexual, mental (emotional and neglect) and/or physical abuse, bullying, harassment and discrimination ["Mistreatment/Abuse"] which took place between August 2008 and August 2020;

(b) The handling by British Gymnastics of a previous complaint about Mistreatment/Abuse which was raised between August 2008 and August 2020 ["Complaints Handling"].

33. The overlap between my work and the ICP will be immediately apparent, although our functions are quite separate. I have had the opportunity to speak with Mr Quinlan QC. Given the relevant period within my Terms of Reference, there will be complaints which technically fall within my investigative remit which are now being handled by the ICP (see paragraph 4(a)(ii) and 5(b) of the Whyte Review Terms of Reference above). The ICP, due to its own set parameters, will manage some, though not all of the "open" complaints previously made to British Gymnastics, about which I have requested information and it will also manage some complaints, previously closed, about which there remain grievances in terms of the way in which such complaints were handled. The ICP will therefore manage some complaints that have been brought to my attention by individuals submitting information following the Call for Evidence. The anticipated timescale for the ICP process is not currently known.

34. I have considered the fact that there may be some participants who have come to the Review and raised matters which could be complaints or which, following interaction with the Review, they may now wish to treat as formal complaints, but which do not fall within the ICP Protocol at present or which the individual has not brought to the attention of the ICP. After careful consideration, I have concluded that it is for any given individual who is providing information to the Review to decide whether they wish to submit a complaint to the ICP and whether they wish to share any information already provided to me with the ICP. Whilst the Whyte Review will notify individuals of the existence of the ICP should it be appropriate to do so, it will not be considering whether the information it has received might fall within the scope of the ICP. Individuals already have control of the information they have provided to the Review and will be entitled to share it with the ICP should they wish to do so. I do not consider that it is part of the function of the Review to "gatekeep" submissions for this purpose or to seek consent from individuals to pass on information to the ICP. Such activity is not within the scope of the Terms of Reference.

35. It will obviously be necessary for me to maintain lines of communication between the Whyte Review and the ICP because I will need to report, in a proportionate manner, on the way in which British Gymnastics, through the ICP, is managing and approaching the relevant complaints which fall within my Terms of Reference.

### *Past Complaints*

36. Given the Terms of Reference, I have also requested from British Gymnastics data about all of the “closed” complaints that have been received during the period 2008-2020, with information about the nature of the complaint, the outcome (and reason for that outcome) and the time taken for the complaint to be resolved. British Gymnastics has a system for categorising its complaints alphabetically. In response, I have received two excel spreadsheets. One provides very basic anonymised information about 116 closed category A to C complaints dating in terms of ‘date opened’ from 11 June 2016 to 28 July 2020. The other provides the same sort of anonymised detail about 544 closed category D to F complaints dating in terms of ‘date opened’ from 26 January 2016 to 1 October 2020. In the covering information, British Gymnastics explained that it is estimated that there were up to 3,500 closed complaints for the relevant period, namely 2008 to 2020. These spreadsheets therefore exclude closed A to C complaints which predate 11 June 2016 and closed D to F complaints which predate 26 January 2016. It follows that there is a lot more data covering 2008 to 2016 which I have not yet been provided with.

37. In its covering response, British Gymnastics explained that it had used various case management systems over the relevant period and that the human resources involved in extracting the requested data varied according to the recording system in place at any given time but was, in any event, onerous. This explained why it had only provided data from 2016/2017 onwards rather than for the entire relevant period. I was informed that in the five years prior to July 2020, British gymnastics had received an average of around 300 complaints per year. It estimated that there are up to 3,500 closed complaints in total for the relevant period, with some 2,500 of those still to be reviewed by British gymnastics in order to provide the information that I have requested from them. I am in the process of deciding with British Gymnastics the appropriate course to take in obtaining as much information about the closed 2008 to 2016 complaints as I consider necessary to fulfil my Terms of Reference. It will not be possible physically to obtain all of that information until the data/information sharing agreement is finalised.

38. Given the volume of complaints, it is impracticable to investigate each individual relevant complaint covered by the Terms of Reference, whether ‘open’ or ‘closed’. I propose therefore to take the following approach to the open and closed complaints data and documentation, with a view to addressing paragraphs 4 and 5 of the Terms of Reference in a representative and proportionate manner:

- a) To analyse the volume and nature of relevant complaints from 2008 to 2020 and the time taken to resolve such complaints, where known.
- b) To report, in descriptive terms, on the policies and procedures in place over the relevant period for resolving relevant complaints and for monitoring club compliance with safeguarding standards.
- c) To conduct dip sampling of complaint files for the entire relevant period in order to meet the investigative requirements contained within the Terms of Reference.
- d) To track and report on some of the specific complaints that have been brought to my attention by individuals responding to the Call for Evidence.
- e) To track the way British Gymnastics has handled multiple complaints about a particular coach or club.
- f) To collate and assess the anecdotal evidence that I have received in written submissions and during oral interviews with individuals about the way in which British Gymnastics has handled their complaints.
- g) To collate the anecdotal evidence that I have received in written submissions and oral interviews about why individuals have felt unable to make a complaint previously.
- h) To retain the option of obtaining expert advice about appropriate safeguarding complaint practice, policy and procedure for the purpose of making recommendations.

### **Ongoing enquiries with British Gymnastics**

39. As we continue to analyse the documentation and submissions received and to interview individuals, we are recording the additional information that we will require from British Gymnastics, as well as other organisations. I have taken the deliberate decision to delay contacting senior officials from British Gymnastics or personnel, including coaches, about whom complaints have been made (should they agree to engage), until I have been able to digest the majority of the material received to date. British Gymnastics and its personnel must have a reasonable opportunity to comment upon the relevant issues that have been brought to my attention about the culture within the sport at recreational, regional, national and international level and about the management of relevant complaints.

40. The information sharing agreement will allow for the communication to me of information containing personal data, including more detailed information about individual complaints. I will request further documentation that I consider to be

relevant to the Terms of Reference. This can be done, if necessary, in a piecemeal fashion over the coming weeks. I anticipate asking the organisation itemised factual questions about a wide variety of individual issues including, but not limited to safeguarding, gymnast welfare, coaching, club and competition cultures, training and education, practice and procedure and staffing structures.

41. We wish to complete most of the interviews with individuals who have already made submissions by the middle of March 2021. I do not anticipate approaching employees or officials associated with British Gymnastics and any other associated organisations (who have not made submissions but who I consider hold relevant information or ought to be given the opportunity to comment) until the initial interviewing process is complete and collated and until we have digested the relevance of that material and all of the other written material received. Realistically, these individual overtures will not be made before April 2021. Once that process is complete, it will be necessary, to consider what, if any, further steps are required to ensure that anyone likely to be the subject of criticism in the report, has had a fair and appropriate opportunity to comment upon such criticism (“the Maxwellisation process”).

## JURISDICTION

42. According to the Terms of Reference, the Review shall only consider matters which are within British Gymnastics’ jurisdiction. My understanding is that at the time of the establishment of the Review, it was intended to cover England, Northern Ireland and Wales but not Scotland. However I am not aware of the rationale for this or of the reason for distinguishing Scotland from the other Home Countries.

43. British Gymnastics represent the four home nations at the Olympic Games, at the Federation Internationale de Gymnastique (“FIG”) and European gymnastics (“UEG”). I would understand this to mean that at the very elite end of the sport, British Gymnastics is selecting and managing gymnasts potentially from all four home countries. In response to the Call for Evidence, I have received information from individuals relating to the sport in England<sup>1</sup>, Wales, Northern Ireland and Scotland. Some submissions are clear as to which jurisdiction they relate to, but many speak across multiple jurisdictions and categorisation is therefore not entirely straightforward. With this caveat, there are ■ submissions relating to Welsh gymnastics, ■ relating to Northern Ireland and ■ relating to Scottish gymnastics. They are in general all relevant to the current Terms of Reference.

44. As a result, I sought further information from British Gymnastics about the extent of its jurisdiction over the various home counties. As an organisation, it has working partnership agreements (“WPA”) with the respective gymnastics bodies in Wales,

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<sup>1</sup> Including the Channel Islands, the Isle of Man and Gibraltar.

Scotland and Northern Ireland. Each of these agreements is different in terms of complaints and safeguarding.

45. For example, under the WPA with Wales, Welsh Gymnastics resource and manage only a limited type of complaint or safeguarding case. The more serious cases either attract support from British Gymnastics or require British Gymnastics to conduct the full investigation, processing and hearing of such matters with the support of Welsh Gymnastics.
46. Conversely, Scottish Gymnastics resource and manage any complaints and safeguarding cases within Scotland although it has various reporting obligations to update British Gymnastics' case management system and has the option of obtaining support from British Gymnastics. Since individual members of Scottish Gymnastics are also members of British Gymnastics, British Gymnastics has jurisdiction to consider the impact on the individual's membership of British Gymnastics of any suspension of or expulsion from membership of Scottish Gymnastics that arises from a safeguarding or disciplinary complaint.
47. Complaints and safeguarding concerns in Northern Ireland are largely dealt with by British Gymnastics in practice, since Gymnastics Northern Ireland has limited infrastructure to handle complaints.
48. Given the starting point of the Review, I have been working on the premise that Wales and Northern Ireland are within the scope of the Review. Members of my team have been in touch with the Commissioning Organisations in order to seek their assistance on the question of whether or not Scotland is within the jurisdiction of British Gymnastics as it is not clear to me why Scotland would be excluded. At the time of drafting this interim report, I am not aware that the Commissioning Organisations had reached a definitive view.
49. It will be apparent that Scottish Gymnastics has more autonomy in relation to safeguarding than Wales and Northern Ireland. In fact, Scottish Gymnastics has recently set up its own review into issues of abuse and I have had the opportunity of speaking with Mr Doc McKelvey, the organisation's Chief Executive about this review. The Scottish independent review will cover the period from 2016 and will involve all disciplines to ensure that best practice is embedded and assured across all of its performance programmes. It is therefore confined to elite gymnasts. Scottish Gymnastics has committed itself to reviewing closely any findings and recommendations made by the Whyte Review and has pledged to implement those findings and recommendations within Scottish Gymnastics.

50. As I indicated above, to date my review has received [REDACTED] submissions relating solely to the sport of gymnastics in Scotland. It is apparent that one of these, referred to us through the British Athletes' Commission, may have contributed directly to the decision to set up the Scottish review and may be being investigated by that separate process. The remaining [REDACTED] submissions do not appear to come within the work of the current Scottish review.

51. My view is that the Scottish submissions should come within the Whyte Review, for the following reasons:

- a) This would be consistent with the approach being taken in relation to Wales and Northern Ireland. Although Scottish Gymnastics appears to have greater autonomy from British Gymnastics than its Welsh and Northern Irish counterparts, it is not entirely distinct. British Gymnastics retains strong links with Scottish Gymnastics over the issues of safeguarding, welfare and complaints and requires to know about the way in which, for example, coaches are sanctioned and managed. These reporting requirements alone, justify inclusion of Scotland. There also appears to be overlap in terms of membership, coaching qualifications and national selection for elite events such as the Olympics.
- b) The contents of the Scottish submissions are highly pertinent to my Terms of Reference and raise issues of welfare and complaints handling;
- c) The parallel Scottish review will, in all probability, not consider [REDACTED] out of the [REDACTED] submissions I have received.

## THE TERMS OF REFERENCE

52. Of the 390 submissions received, around 50 are considered to be out of the scope of the Terms of Reference as currently drafted (not including any relating to Scotland – see the jurisdiction point above).

53. A number of submissions are out of scope because they lack sufficient substance and I do not propose to consider them. Others are deemed to be out of scope because they concern events predating the relevant period. Some of these relate to practices, clubs or coaches who are already on the Review's radar.

54. I have given careful thought to the question of whether the current Terms of Reference ought to be amended in the light of the information that has been provided to me to date, including the out of scope submissions. In doing so, I have also kept in mind the circumstances giving rise to this Review and the fact that some of the cultural issues raised appear to be long-standing.

55. In reaching my conclusion I have also considered that;

- (i) paragraph 9 of the current Terms of Reference already bestows upon me and discretion to consider information from outside the relevant period where necessary and proportionate.
- (ii) paragraph 10 allows me to revisit with the commissioning organisations whether additional investigations or changes to the Terms of Reference are required.

56. Of the out of scope cases which relate to practises, clubs or coaches already known to the Review or which provide useful background information or context which is of assistance to meeting the outcomes of the Review, I have decided that the proportionate course is to consider some of these within the discretion contained in paragraph 9 of the Terms of Reference (see above). In that sense, the fact that there are potentially relevant out of scope submissions, does not require an amendment to the Terms of Reference.

57. The written and oral material received to date, which is in scope, has enabled the Review to identify a significant number of pertinent issues which need to be reported upon. Each of them sits comfortably within the current Terms of Reference. Therefore, on the basis of current known information I do not believe that the Terms of Reference require amendment. Should that assessment change in the future, I will promptly notify the Commissioning Organisations.

## **NEXT STEPS**

58. I am very conscious that the Commissioning Organisations will want to receive a final report as quickly as possible. The response to the Call for Evidence exceeded expectations. I am endeavouring to strike a proportionate balance in terms of the number of interviews conducted and in terms of dividing the labour of analysing the information received between myself, members of the secretariat and Ms Warwick.

59. We are all conscious that the Review must be conducted thoroughly but efficiently. My investigations to date indicate that the culture within the sport, especially where it impacts upon welfare and an ability to complain, is complex and is driven by an extraordinarily wide number of factors from such obvious issues such as coach education, rigorous training/specialisation at a very young age or club infrastructure, to the way in which the sport is technically judged, funded and dependent upon volunteers.

60. I am in the process of collating and summarising anecdotal evidence for the purpose of report writing and of analysing the organisational documents provided to date. I am also gathering further information from British Gymnastics. I anticipate that it will be at least another 2-3 months before all information has been gathered. As I explain above, once these tasks are complete or virtually complete, I will arrange (if they

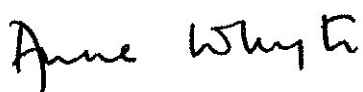
agree) to speak with a sufficient number of individuals from both British Gymnastics and other organisations to ensure that the evidence that I have received is as balanced and reliable as possible and in order to ensure that I have received a comprehensive organisational perspective. I am waiting to hold these meetings until most other information has been gathered, so that I can undertake them in full knowledge of the evidence that has been provided to the Review.

61. As set out above, the sheer process of agreeing how to share personal information is complex and (at the time of writing) still incomplete. Investigative information gathering is necessarily sequential with various lines of enquiry entirely dependent upon the ongoing receipt of information. In the meantime, we will continue to assess written submissions (where no interview has taken place).

62. Once these steps have been completed, I will consider the information received and reach a view on the matters to be determined under the Terms of Reference. I will consult, where necessary, with the two advisors to obtain their expert perspective on performance and management issues. I will draft my report and once I have reached a sufficiently advanced stage of report writing, it will be necessary to ensure that the “Maxwellisation” process is fairly conducted. Whilst I will endeavour to draft parts of the report in a provisional way as I proceed, it is inevitable that report writing will be very time consuming. It is impossible at this stage to place a definitive timescale upon finalisation of the report, but I hope, subject to unforeseen circumstances that it will be complete by the end of August 2021.

I look forward to hearing from you as to your view on the jurisdiction point raised above and whether you agree that no changes are required to the Terms of Reference at the current time. I would be very happy to speak with the Commissioning Organisations to discuss anything in this report and answer any questions if this would be helpful.

Yours sincerely,



Anne Whyte QC  
Reviewer  
The Whyte Review