

Submission to the Joint Standing Committee on Implementation of the National Redress Scheme (NRS)

Alison Quigley, LLB; BA; MPhil; Doctoral Candidate in Law undertaking policy analysis of child sexual abuse prevention policies; National Survivor Day Ambassador; Owls for Justice Inc president; former National Office for Child Safety (NOCS) National Strategy Advisory Group sport sector representative within the Australian Federal Attorney-General's Department.

Email: [REDACTED]

Committee Secretary

Joint standing committee on the Implementation of the NRS

PO Box 6021

Parliament House

CANBERRA 2600

The position of athlete survivors

I write you as co-founder of Athlete Rights Australia, an organisation that was founded on the back of *Athlete A*, a Netflix documentary on the child sexual offending of Dr Larry Nassar. Dr Nassar was a US physician working at Michigan State University and for the USA Olympic Gymnastics team. His offending extended over four decades and impacted hundreds of survivors.

In Australia it is fair to say that awareness of his 2018 conviction remained relatively subdued until the release of the documentary, *Athlete A*, screened in lieu of the Tokyo Olympics in 2020. *Athlete A* triggered a wave of awareness about CSA in sport, and empowered more athletes around the world to come forward with stories of abuse in sport. In Australia, the Netflix documentary triggered various clusters of gymnasts to seek help and advice from legal and restorative teams according to their needs. From then until the present day, the main restorative processes advertised for these cohorts have been NRS and the Australian Institute of Sport (AIS) Restorative Program. In the latter, payouts have varied from between \$5000 to \$50,000 with scope limited to those who trained at the AIS as scholarship holders only, meaning hundreds or even thousands of athletes may have missed out. I also note the AIS Restorative Program will close at the **end of this year**. **Meanwhile a good deal more of these gymnasts are still coming to terms with what happened to them and whether, in fact, what they experienced was a 'relationship' or CSA.**

Throughout my ARA work, I am in touch with multiple survivors who seek to understand their rights within the Australian sports system. Some have suffered CSA, while others have suffered various forms of physical, emotional abuse and neglect. Some have experienced all.

The themes that are surfacing in these conversations with the sporting sector are:

1. Sport is a neglected sector for research and understandings of CSA epidemiology. While church-based offending has been well understood as occurring on scale, research for CSA in the sport sector is far less understood and known. This means governments are less likely to think about sports contexts for offending when considering program designs such as the NRS.
2. An understanding that abuse within sport is more inclined to be normalised including in relation to grooming. This can delay realisations that what occurred was actually abuse.
3. The complex nature of sports systems themselves. Sports bodies can be set up as NFPs, incorporated associations, charities, as sole traderships and proprietary limited companies. From the NRS administrative perspective, the sheer level of complexity of the research needed can cause delays with processing applications.
4. The slow response from sports bodies to sign up to the NRS. Applicants and would-be applicants struggle to understand why their sports bodies haven't signed up and this creates anxiety. I experienced this firsthand when, as a CSA survivor, I launched a campaign to ensure Gymnastics Australia (GA) signed up to the NRS. This was achieved after a two-year campaign. I am now astonished that some peak state bodies within the GA system still have not committed to the NRS. In the survivors' mind this is not about whether an actual claim is forthcoming. Rather, we see it as an indication of cultural readiness to change. In the survivors' mind there is some justified cynicism that some sports bodies are 'sitting it out' to wait for the NRS to finish so they are then 'off the hook.'
5. Awareness the NRS exists. To reach those in sport – a very fragmented sector – we may need more creative ways to raise awareness including more diverse forms of advertising. Even today I am hearing of people who have been abused in sport not being aware of the NRS's existence despite it being on foot since 2018.
6. The fact that disclosures can take a long time owing to the nature of CSA and its effects.
7. That there are so few alternative redress schemes and that the AIS scheme will close for new intakes at the end of this year.
8. The fact that there is no fully funded national body addressing the redress needs of those in sport as a distinct sector. I would appreciate further discussions about funding a body such as Athlete Rights Australia to further this critical work in raising awareness about the NRS.

For all these reasons above, I believe it is critical the NRS be extended for a **period of three years**.

If you have any further questions, please do not hesitate to contact me through the email offered above.

Yours sincerely,

Alison Quigley