

Dear Health and Sport Committee,

In response to your request for further information, we have summarised our position below.

### **With regards to the situation and progress to date**

A number of positive changes have been delivered over the last few months by Cricket Scotland. They include the following;

- They have increased transparency on key decisions. This includes publishing in full the selection process and criteria, and those involved.
- They have readvertised openly all casual and self employed coaching roles in the performance setups. These have traditionally been appointed with little process and has led to a lack of diversity and/or opportunities beyond the same people.
- They have appointed someone to lead on Changing the Boundaries implementation, and a Head of EDI, who has significant experience in anti-racism within sport.
- They have for the first time, after years of lobbying, introduced professional contracts for female players.
- They have entered into a partnership agreement with SACA, an innovative programme first launched south of the border supporting players from a South Asian descent to gain access to high quality coaching and support to progress into the performance setup.

### **Areas of concern in recent weeks**

#### **A lack of any meaningful engagement**

In essence, the issue which led to the criticism from the campaign publicly, was an inability and unwillingness to engage meaningfully with the wider cricketing community, in particular those that have experienced racial discrimination.

Trust continues to be an issue, something a number of Cricket Scotland employees fully understand. Gordon Arthur (former CEO), and a number of internal leadership members of Cricket Scotland took the time to engage and listen, and let that shape their actions and activities in relation to equalities. However that was not understood and practiced at all levels – particularly at board level.

We've been consistent in our position that meaningful engagement and input is required from those who understand systemic racism to help the governing body navigate the challenges ahead. We were assured by the governing body they understood that, and that the EDI advisory board would be the vehicle for ensuring the relevant expertise helped shape the actions that were to take place.

However, from those assurances following their first committee appearance in 2022 following the publication of the Changing the Boundaries report, it took five months to form then meet as an EDI committee (January 2023). The group were then asked to sign up to a Terms of Reference and action plan which they had had no input into before the meeting. They felt unable to do so, having raised a number of concerns, including;

- The expectations of the group in supporting the changes required. It read like a need to champion the governing body, rather than advise and critique their approach.
- The fact that they wanted the group's support to deliver a 'siesmic shift' but was expected to do that over 6, one hour meetings.

- That the plan made no mention of the problems, or the findings of institutional racism, but used its own more harmonious language. They showed no understanding or ownership of the problem, or the work that needed to be done to address it.
- There were no clear milestones or guidance as to what good would look like, and on what basis the group would consider its work to be achieved

All of these concerns were shared at the meeting, and followed up in writing within a week. For weeks following that no further communication was received (not even an acknowledgement), or any indication as to when the group might meet again. We raised concerns again in March in writing about the lack of ongoing engagement or response.

Meanwhile, it transpired that the governing body has started the process of commissioning a large scale training programme for immediate roll out, with no consultation of the EDI group, or the wider cricketing public. This would have seen a significant investment in a programme immediately rolled out with no scrutiny by the group, by an organisation with limited expertise in this area.

In the Coalition for Racial Equality and Rights' guidance on effective anti-racist training, it sets out ten principles by which anti-racism training would be effective. The ten principles include the following;

- That the training is part of a wider programme of work to proactively reduce racial inequalities and address racism within the organisation (or more specifically, don't do it unilaterally, do it when other measures are in place to compliment it)
- Training objectives are set using a strong evidence base and training needs analysis
- Trainers work with the organisation to create a training plan tailored to meet its needs

Whilst the roll out would in theory of covered an action in the Changing the Boundaries report, and enabled the governing body to 'tick a box', it would have risked wasting public money to rush through something that had not been thought out, or scrutinised by its own advisory group. Based on what we know, it would have failed these three basic tests outlined above, rendering the training ineffective and wasting public money.

This is in spite of the assurances that this group would be key to helping shape the action plan, this key example demonstrated that the governing body had no intention of using the group's expertise meaningfully, and was simply a necessary concession they had to make, rather than a vital part of shaping a plan.

At this point engagement became non existent, as we continued to raise concerns in private about the lack of response or dialogue on a number of issues. In speaking to wider contacts in the cricketing community, including regional associations, they were feeling the same. Similar claims had been made about progress and engagement with them, which they felt were simply not true.

Following weeks of no meaningful correspondence, the former chair then issued the now infamous release, claiming they had delivered a step change in EDI and were on track to come out of special measures by October.

We were stunned by such a bold claim, particularly considering all that had gone before. This positioning was simple not the reality that many were experiencing on the ground, and most saw it for what it was, exaggerated claims to try and rail road through change without doing the work required to engage the very people they are there to support.

To be clear on our position, we know and understand there are many priorities for a governing body, and also understand that things take time. But to make this claim on top of all the above was an

attempt to create a different narrative in public, rather than engaging in the dialogue required with it's own expert panel and wider stakeholders.

This in turn led to many feeling they simply could not continue in the EDI group, as it was a performative gesture, and they wanted no part in it. Throughout the two weeks between the release and the former chair's subsequent resignation, our message was consistent; engage in meaningful consultation and engagement with experts and stakeholders. Get back round the table. The silence continued, and inevitably the now former chair resigned, blaming the campaign, **sportscotland** and several others for the failings. We have been accused of applying unreasonable amounts of pressure to the former chair directly, and having undue influence via **sportscotland**, thereby preventing them from carrying out their role.

The reality could not be further from the truth. We only met the former chair once in his entire tenure. One of our membership had one subsequent conversation. All our dialogue has been with the former and current Chief Executive, and he has simple not engaged with us beyond two fairly brief meetings. I am not sure how it is possible to create pressure, without any meaningful engagement, or any attempt to work with people. The former chair did not attend the single EDI group, or offer to meet any of those stakeholders when concerns were raised, or indeed when they resigned. This included one of their own international players, who up until a month after resigning, nobody in a leadership role, had even bothered to reach out to, and check if they were ok.

Subsequently the former chair has continued to blame everyone else for his exit, rather than listening to the feedback or concerns laid out by multiple parties, not just Running Out Racism. He has also continually put information out on social media which is factually incorrect, and/or deliberately misrepresenting facts to undermine the Running Out Racism, **sportscotland** and a number of other key individuals who have spoken about their concerns. We have not engaged in this directly, as we wish to remain focused on helping the sport to bring about the changes required, not dwell on this difficult and challenging period. Although the whole episode has caused damage and division in our sport, we can only hope that this time around we can find someone with the skills, experience and leadership style to build trust, engagement and consensus across a sport that is badly in need of such an approach. It has been a massive setback for our sport.

### **A lack of progress in the investigations, and a lack of adequate ownership from the governing body**

We believe the investigation process has taken far too long. This has a number of impacts. It is not fair on the complainants, some of which first raised issues as early as February last year, during the review. It is also not fair on those who have been complained about. It's in everyone's interest that although these are required to be investigated thoroughly. However they must also be done with a pace and urgency to enable closure to happen for the individuals involved.

This lack of progress, and the lack of any detail in the public domain (a good thing), has led to all sorts of speculation, and an emboldened narrative that the findings of the Changing the Boundaries review were flawed, and that the issue of racism in the sport has been grossly understated.

By such slow progress taking place, and no real proactive communications strategy by the governing body which demonstrates any real ownership of the findings from the report, or any attempt to ensure the cricket community understands why it was found to be institutionally racist, this has emboldened a narrative that it could all be made up.

The governing body must do more to take ownership of the findings of the report, explaining the reasons behind it, to the wider cricketing public. We believe that there is a fear of talking about any of the report, its findings or owning it confidently whilst these investigations are ongoing. This in itself has led some to directly link individual investigations to the systemic findings already made, and in turn question whether the findings of the report are valid.

The governing body must do more to show they accept the institutional findings, and start to do so within the sport and its comms approach. By enabling all of this to be mixed up together, it is enabling others to control a false narrative, creating further division across our sport.

### **Treatment of whistleblowers**

This emboldened narrative has resulted in continued and sustained abuse of the individuals who have spoken publicly about their experiences. These include speculation and accusations about their character, ridicule and targeting of their family and direct abuse and slurs.

Following analysis, the number of messages targeted at the two most high profile individuals – Majid Haq and Qasim Sheikh, totals nearly 3000. At its worst, they were targeted with 20-30 messages a day or a personal or derogatory nature.

Following the Plan4Sport report last July, many hoped this would provide the closure they so badly needed. Sadly this sustained abuse, along with the lack of any meaningful support or proactive restoration from the governing body as it grappled with its own issues, has had a significant impact on the individuals that were brave enough to speak up.

They in turn were in a dark place, and started to get drawn into the continual abuse. There was a period where this became really fractured and difficult, and their frustrations were evident at times in their public profile. Sadly, very little recognition has been given to the pressure and sustained abuse they faced, only scrutiny of how they reacted to it. We've received a constant stream of feedback that 'they don't help themselves' or that 'we would be better distancing ourselves from them'.

Our position is steadfast and clear. The tens of people that we continue to support owe a lot to these two individuals for clearing the way for them to feel confident to speak up. We will not criticise them for expressing their feelings at times. Instead, we continue to express a view that if the narrative is to shift, those individuals must first be shown compassion, understanding and an appreciation for what it will have been like to do what they did, at great personal cost.

We only need look at the recent commentary and developments in La Liga, which resulted in many questioning the reaction of Vinicius Jr to sustained racist abuse, as a comparative to the abuse itself. People who suffer abuse and targeting are human beings. Whilst we continue to fail them, they cannot be expected to respond in a rational way under such intense pressure and abuse.

The sport has failed them and many others in the past. It must not fail them now. I know many are waiting for the outcome of specifics of investigations, but the conclusions of the report are clear, it's come at great personal cost to them and the governing body must now play a proactive role in their rehabilitation from the trauma its caused.

There has been no gain for the individuals in this. In Majid Haq's case, it cost him his career and he's been punished ever since by being ostracized from any formal involvement in the sport he gave so

much to. In Qasim's case, he rebuilt engagement with the governing body and sport through his podcasts, but since speaking out many involved in the sport have declined to engage. As an olive branch, he recently reached out to ask if they wanted to cover all the positive things happening in the pathway to address the findings in the report. This was declined as they were too busy. This was an ideal opportunity to share a platform and show that we are all united in rebuilding the sport, in spite of the divisive narrative. The sport continues to fail to grasp what it needs to do to help repair the damage, and the key role it has in engaging the whistleblowers and wider ethnically diverse cricketing community in doing that.

This does not need to be tied up in the specifics of any individual cases. It's simply the right and compassionate thing to do, and also the only thing that will help improve the situation. Until it improves significantly on this front and grasps its role in being proactive, not passive, the situation will continue to deteriorate.

### Where we go from here

#### Role of sportscotland

On the whole **sportscotland** have been good over the period in question. They have continued to engage with us to understand how the wider minority ethnic cricket community feels about progress and change, and in understanding what is working well, and what needs to be improved.

We have at times over the previous months been critical of a lack of urgency in progressing the investigations, and in the lack of investment into the sport to help support the change. They have now addressed both of these, and we are content that **sportscotland** is currently performing its oversight role appropriately. It's vital that the sport is given the resources to deliver meaningfully on the Changing the Boundaries findings and recommendations, and we would encourage the committee to continue to monitor and encourage this to happen.

We do believe that the recent events mentioned above, and in other sports such as the SRU, highlight the difficulties **sportscotland** have in influencing change when they receive resistance. In reality, the only powers they have are the ability to withhold funding. Such a measure would have been counterproductive in helping most situations, and as such the impasse when the former chair and board refused to engage meaningfully resulted in a messy and complex situation. We think it's vital that Scottish Government now explore what other measures **sportscotland** can be given to sanction or implement change where sports reach difficulties, and refuse to address the problems in an appropriate manner. A range of softer sanctions and measures available to use in these circumstances would be helpful in resolving future situations. We would encourage Health and Sport Committee to ask the Sports Minister to explore potential options for this with civil servants.

#### The role of Cricket Scotland

Subsequent to the recent turmoil, there have been a number of positive developments. A new Head of EDI has been appointed, who is well known in equality in sport, and anti-racism work, and we believe if this individual is given the opportunity to shape the approach of the governing body, this could really help the sport move forward.

Cricket Scotland have now also appointed a new individual to lead the Changing the Boundaries implementation. Assuming that person works alongside the Head of EDI in the way mentioned

above, that gives us cause for optimism that the governing body now has the skills and resources to deliver in a way it has lacked until now.

There have also been two new board appointments who have significant knowledge of the game in Scotland, which was lacking before. This will assist in some of the points below.

Some of our campaign group have had the opportunity to speak to the new interim CEO on a couple of occasions. He seems to have a good track record in leading change in sport, and the early signs are positive in regards to this appointment.

### **Meaningful engagement and consultation**

Delivering on the report is not just about a set of actions. For them to have the desired impact, it's critical the different constituent parts of the cricket community are alongside them in this journey. We don't want them to just roll out a training programme. This has to be the right training and interventions based on where the sport and the individuals within it are at. This requires more dialogue to help shape a set of interventions that will deliver the required result.

Currently, there is a real lack of understanding of what the findings mean, the frustration of the time that's past and a huge array of various starting points for people in understanding what needs to happen and what their role is in it. This makes the situation complex.

Any education roll out needs the right people scrutinising it. And it needs to be built in a way that reflects the various starting points of much of the cricket community, is designed to build real understanding of the issue, and what their role is in helping improve the situation in our sport.

It's vital that the EDI group is re-established urgently, and given a meaningful role in helping shape the actions within the equality action plan. In addition, the governing body must do a better job of consulting with the wider cricketing community on its plans for this, to ensure the practicalities of rolling anything out are understood, and buy in from other key stakeholders is gained.

### **Keep an urgency on the investigations, and ensuring restorative justice approach is at the centre of it.**

Whilst we are pleased that progress finally seems to be being made with the investigations, this must be maintained.

In terms of the final stages of this, we must learn from the ECB hearings in England. They were confrontational at times. It remains Running Out Racism's policy to ensure that we treat with absolute confidentiality the information that is shared with us by complainants, who have asked for our support as advocates in their cases. This confidentiality is also vital to ensuring that any process is not compromised by public discourse on issues.

Taking this approach is vital to creating the conditions by which learning can happen safely for those who have caused issues for those who have experienced racism, and give the opportunity for reconciliation, using restorative justice principles. We do not wish people's careers to end through this. There may well need to be sanctions depending on the seriousness of the issue, and whether or not the individuals are willing to accept their misdemeanours. Almost all complainants want the

sport and individuals within it to learn, to change approach and recognise that the way it is setup has treated people badly as a primary outcome.

We hope those who are part of complaints against them will be willing to listen to those who have concerns, and be open to the fact they have caused harm.

Anyone wishing to do that will get the full support of the campaign, in reconciling with those who feel the way they do, and will in the process be showing leadership on an issue that continues to divide our sport. We can only heal when people finally accept our sport has a problem, and those who have suffered over the years deserve to be treated with compassion and listened to.

We will continue to champion and encourage this approach, which we believe is critical to enabling progress for the sport.

### **More confident, and proactive communications regarding the report findings**

We think the situation could benefit greatly from a more proactive approach by Cricket Scotland to communications with the wider cricketing community. This would include a stronger ownership of the findings of the report, and becoming a more authoritative voice on why those findings were made, and what the sport needs to do next to address this. Until now, they have avoided any dialogue like this, sticking instead to updating on actions from the report. This functional update makes the sport look passive and compliant, rather than embracing fully the findings, taking ownership and seeing it as an opportunity to change for the better.

We completely appreciate that the ongoing individual investigations need to be completed, but these need to be decoupled from the findings of the report, and the need to own the systemic nature of some of them. The ongoing investigations are a connected, but also entirely different, issue from the findings related to Cricket Scotland's practices and culture. Owning and addressing these is critical to help moving forward.

Until Cricket Scotland address the findings with authenticity and a rich understanding, the sport will continue to be divided, with people unsure of what to do next, and encourage people to buy into counter narratives.

We believe a stronger and more proactive engagement strategy will help counter some of the negative narrative currently out there, and begin to lay the groundwork for the sport to come together and rally around the changes and improvements that need to be made.

The organisation also has a responsibility to the whistleblowers. It must do more to reach out to them, engage with them and demonstrate by its actions that speaking out does not result in ostracization. In doing so, this will start the healing process, which will take time but is necessary to move the sport forward.