

Submission to the Senate Community Affairs References Committee inquiry into the future of rugby union in Australia.

by Gary Gleeson

WHO AM I?

I'm just an ordinary member of the Western Australian Rugby Community. I've got a long history in Rugby Union as player, coach, match official, parent and administrator including:

- Coaching Coordinator, University of Western Australia Rugby Club (Inc);
- Head of House and Grounds, University of Western Australia Rugby Club (Inc);
- Foundation President of Albany Rugby Union Football Club Inc. (2005 – 2007);
- Secretary, Great Southern Rugby Union Association Inc (2005 – 2007);
- Manager, WA Country Representative Sides (Men's and Women's);
- Father of two Rugby mad sons now aged 17 and 18. Both are junior Centurions having played more than 100 games for the club. My eldest son will move to the Seniors effective the 2018 season and recently commenced in the UWA Rugby Academy. My younger son was Captain of his Under 15 Premiership side.

I've travelled extensively including touring the United States of America with UWA Rugby to play Harvard and Yale. We also played the Potomac Athletic Club in Washington followed by an official reception in the Australian Embassy. I toured South Africa with the Wallabies after winning a contest on Fox Sports TV. A highlight of my life.

A BRIEF OVERVIEW

The Rugby WA Premier Grade competition has existed in one form or another for well over a century. My own club, The University of Western Australia Rugby Club was formed in 1929 when UWA moved to the Crawley campus and is by no means the oldest club in WA.

The Perth Spirit are the reigning National Rugby Championship Champions and are performing very well in the current season. The Western Force were very competitive in 2017. After a slow start battling significant injury problems in the first part of the season the Force finished second in the Australian Conference with the same number of wins as the Brumbies.

Two teams were excluded from the Australian Rugby Union's process to select the team to be culled. The NSW Waratahs and the Queensland Reds. It is worth noting that the Force beat the Queensland Reds twice in 2017. In round 1 an injury depleted Force lost to the NSW Waratahs by only 6 points and comprehensively thrashed them 41-11 in the last match of the season.

The Force also beat the Melbourne Rebels twice. In 2017 the only Australian team arguably better than the Force is the ACT Brumbies who recorded the same number

of wins.

Western Australian Rugby fans have put up with a lot. Not only the usual dramas associated with establishing a team from scratch. We've also had to battle complete indifference, even open hostility and sabotage from people 3000 miles away – from people who are supposed to be promoting and growing the game we love nationally.

Now it seems we're back to the bad old days. We've been told we aren't wanted.

Western Australia is used to eastern states' interests trying to screw us over right across the political, commercial and sporting fields. As every WA Senator regardless of political colour knows, nothing is more guaranteed to rally the WA public to any cause than an attack from the east. Attacks that unfortunately occur all too often.

So if the ARU gets away with this, don't be surprised if the enthusiasm for the Wallabies reverts to what it was pre-Force.

SPECIFIC COMMENTS ON THE INDIVIDUAL TERMS OF REFERENCE

a. the Australian Rugby Union Board deliberations leading to the decision to reduce Australian teams from five to four in the national competition;

I have no inside knowledge of this process but submit that even to an outsider it is obvious that the process was not impartial, fair or transparent. Along with many others, I am of the opinion that the decision to cull the Force was made long ago. That the so called independent evaluation was in fact nothing more than a clumsy effort to justify a pre-ordained outcome. I'm sure the Committee will hear more of this from other parties.

If that it is true that the it means that the players staff of the Western Force, who are all employees of the ARU were subjected to months of unnecessary stress and distress with little regard for their welfare. The employees of the Melbourne Rebels were as well but they are not direct employees of the ARU.

In my considered professional opinion as a retired WorkSafe Inspector I believe there exists sufficient grounds for an investigation into a breach of Section amended on 19 (1) of the Occupational Safety and Health Act 1984 by the Chairman, Chief Executive and Board members of the Australian Rugby Union Limited as their actions show a reckless disregard of their Duty of Care to their employees.

I submit that the Committee should recommend to the Western Australian Minister for Minister for Mines and Petroleum; Commerce and Industrial Relations and the WorkSafe Western Australia Commissioner that they ensure such an investigation takes place.

b. whether there continues to be a truly national rugby union footprint in Australia;

It is self-evident that there can be no "national footprint" in any activity that excludes Western Australia, one third of the country.

The actions of what many are now calling the “Eastern Australian Rugby Union” (EARU) has resulted in professional rugby being restricted to the Eastern seaboard with no representation in two thirds of the country.

We hope that the proposed Indo-Pacific Rugby Championship will preserve the Western Force and provide our children with something to aspire to including a pathway to the Wallabies but that is not a substitute for the ability to take on the best the rest of the country has to offer head to head. The opportunity for those of ability to demonstrate they are the best in their position, worthy of selection in the Wallabies.

As a parent of two teenage sons with rugby ambitions it disturbs me that their only path to the top of our game now seems to require them to leave the support of their family and live elsewhere in the world.

c. the role of national and state-based bodies in encouraging greater national participation in rugby union;

As Senators have heard from others, Rugby WA and the Western Force has certainly made major contributions into encouraging greater national participation in Rugby Union.

My observation is that this commitment has not been matched by other state-based bodies. In particular, it is well known in Rugby circles that many in the Sydney rugby community believe that the game begins and ends in Sydney and aren't particularly interested in a truly national footprint.

d. the corporate governance arrangements and composition of national and state-based rugby union bodies, including community representation on those bodies;

It is obvious that the weighting that New South Wales and Queensland have on the ARU Board enables them to manipulate things to suit themselves and they frequently do. Local problems are treated as national ones.

To an outsider, the existence of both a “NSW Rugby Union” and a “Sydney Rugby Union”, both represented on the ARU Board is incomprehensible. In WA whilst there are separate Unions in several country regions running their own competitions, all metropolitan rugby is run directly by Rugby WA.

The most striking example of this can be seen on any Australian rugby social media forum. Endless complaints, particularly from Sydney based commentators, that Rugby Union is in trouble with participation falling. That may be the case in NSW, but in other parts of the country, especially Western Australia, Rugby is actually growing. In WA the major problem facing Rugby organisers is not recruiting players, it is finding grounds to put them on.

There are several members of the ARU Board that appear to have little significant experience in Rugby as player, administrator, parent or any other capacity. This is

symptomatic of the situation where what are colloquially referred to as “the Suits” have taken over the game. Where the “business” of making a profit is the main objective, often to the detriment even the exclusion of the “sport”. They fail to understand that for most of us Rugby is our passion, a way of life. We don’t particularly care about the “business”. This fundamental disconnect between those running the ARU and its most important stakeholders, the players/fans, is causing a continual decline in Rugby Union in Australia.

The current structure of the ARU is clearly dysfunctional. The actions that have led to the “discontinuing” of the Western Force have destroyed any capacity the ARU has to effectively operate in Western Australia. The trust of the WA Rugby Community has been destroyed. There can be no healing whilst any of the current ARU Board members remain in office.

I submit that the Commonwealth Government should intervene and take whatever action is necessary to force reform. In particular the Government must act to ensure that the Sydney / Queensland axis of control of the national organisation is removed.

e. the impact of the decision to reduce the number of Australian teams on national participation in rugby union;

The Rugby WA Premier Grade competition has existed in one form or another for well over a century. My own club was formed in 1929.

However, when I played we all knew that no matter how good you were, you were never going to be even looked at by the Wallabies selectors. They didn’t even seem to be aware there was a rugby competition in Perth. The best we could hope for was to be selected in a state team to be thrashed by the All Blacks or Springboks when they stopped over on their way to and from South Africa.

We never saw the Wallabies, ever. They were just not part of our rugby experience. They were the Sydney/Brisbane team. Nothing to do with us. Some followed them. Many didn’t.

With nothing to strive for, many quality players even preferred to play lower grades because it was less demanding and just as much fun. No one cared if you attended training. The game was just about working up a thirst for the festivities afterward.

That all changed with the arrival of the Western Force and the accompanying Rugby Development Officers. Rugby WA went from one half-time administrator to dozens of full time staff. Both the quality and quantity of players improved rapidly to the point where the best of the WA Premier Grade Teams would now hold their own anywhere in the country.

Suddenly there was a pathway to the highest honours for those who had the skill and application. People we saw every week at our clubs were in the Wallabies. Initially imported from elsewhere but in recent times an increasing number of locals made the Wallabies. Test matches were played in Perth. We came to love the Wallabies.

Dane Haylett-Petty, Kyle Godwin, Richard Hardwick, Curtis Rona, Chance Peni are

living proof that local kids can make the Wallabies. With that example legions of WA kids who have come all the way through the WA system dreaming of playing for the Wallabies. My two sons now age 17 and 18 still have that dream. They are amongst dozens of quality players raise in this positive environment just emerging from junior ranks. Just when it appeared everything is finally coming together the ARU destroys it with no alternative put in place. No attempt at a Plan B. Just the total abandonment of WA. My boys and their friends are shattered. They've even talked of abandoning the game altogether and taking up AFL.

Personally, I would have been amongst the most fanatical of Wallabies supporters. I've attended every Test in Perth and many elsewhere. I even did an overnight trip to South Africa to attend a Test. However, all my enthusiasm for what many are now calling the "East Coast Wallabies" has evaporated. I attended the recent Wallabies V South Africa Test in Perth and found myself unable to care who won. That feeling has continued throughout the Rugby Championship. I know many others who feel the same including my sons.

f. any other related matters.

The effect on other Western Australian representative teams.

I submit that the Committee should take particular note that the culling of the Western Force from Super Rugby will have a significant adverse effect on all WA Rugby Representative teams, male and female, senior and junior, not just the Super Rugby Team.

We have seen massive retrenchments at Rugby WA. I am advised that these include 15 staff supporting the Perth Spirit in the National Rugby Championship whose employment will be terminated as soon as the current NRC season is completed. These same staff support the other teams including Junior Gold Cup, men's and womens' sevens and the Western Force Women.

Who is going to do this work in future years? Are the amateur clubs going to be expected to pick up the slack? Or is the real intention of the ARU that WA teams will not be supported and therefore not competitive?

Growing the game outside of Perth

As noted above. I was the foundation President (and recruiter, coach, registrar and jersey washer) of the Albany Rugby Union Football Club (Inc). I was also Secretary of the Great Southern Rugby Union (Inc).

The Force came to Albany early in their existence. At that stage there wasn't even a Rugby ground in Albany. They ran a clinic on the Middleton Beach foreshore. My sons got their first exposure to Rugby there. My youngest was given a Rugby ball and slept with it for years. The visit by the Force squad stirred up enough interest in Albany to enable the club to form. Within 12 months we had grounds and clubrooms (shared with a local AFL team). In 2007 Albany hosted a very successful Country Carnival attended by teams from around the state. It is perhaps worth mentioning that the AFL club based in the same clubrooms provided the catering and made a

healthy profit from the carnival. Many local businesses benefitted substantially from the influx of players and supporters for the carnival.

For years, along with many other country fans we drove to Perth for every Force game then turned around and went home as soon as it was over. 10 hours on the road for 90 minutes of Rugby. Such was the passion the Force inspired.

Country teams will be playing the curtain raisers for the next Perth Spirit game.

The effect of the Western Force was state wide, not just Perth. With that inspiration removed I fear many country clubs will wither and die if not looked after. The question is with the massive retrenchments at Rugby WA who is going to look after WA Country Rugby?

Intellectual Property

It is important to understand that there is much more involved than the Super Rugby team. The brand "Western Force" is used for a number of other Rugby WA representative teams as well including Junior Gold Cup, men's and womens' sevens teams and the Western Force Women.

As well as the Super Rugby licence acquired in dubious circumstances via the Alliance Agreement, the Australian Rugby Union Limited in the same transaction acquired the intellectual property of Rugby WA. The name "Western Force" and as I understand it the National Rugby Championship team the "Perth Spirit".

I submit that the ARU should return the intellectual property acquired from Rugby WA via the Alliance Agreement to Rugby WA with no strings attached.

If the recent transaction whereby the Victorian Rugby Union acquired the Rebels is a guide, the market value would appear to be one dollar.

Prosecutions?

I have formed the opinion that there are grounds for the Senate to refer the behaviour of the Australian Rugby Union Limited, it's Chairman, CEO, Board members and some senior employees to various Commonwealth and State Government agencies with a recommendation for formal investigations potentially leading to prosecutions.

I am a retired WorkSafe Inspector. I hold *inter alia* a Certificate IV in Government (Statutory Investigation and Enforcement) and was once a designated WorkSafe Prosecutor. I believe there exists sufficient grounds for an investigation with a view to prosecution into a breach of Section 19 (1) of the Occupational Safety and Health Act 1984 by the Chairman, Chief Executive and Board members of the Australian Rugby Union Limited as their actions show a reckless disregard of their Duty of Care to their employees.

I draw the attention of Senators to the article by Pek Cowan at <https://www.playersvoice.com.au/pek-cowan-stress-tears-and-a-club-ruined/> which gives an excellent description of the stress the ARU subjected it's employees to.

I submit that the Senate should recommend to the Western Australian Minister for Mines and Petroleum; Commerce and Industrial Relations and the WorkSafe Western Australia Commissioner that they ensure such an investigation takes place, is given priority and is fully resourced.

I believe that there are also grounds for similar action by other agencies, particularly those involved with corporate governance but will leave the specific to others more expert in those fields.

I submit that the Commonwealth should consider redirecting a proportion of any funds that might otherwise have been paid to the ARU instead directly to Rugby WA. As 20% of Australian Rugby players are registered with Rugby WA that would be the starting figure.

CONCLUSION

The game of Rugby Union is in deep trouble in Australia. In my view it cannot recover from its current malaise whilst any of the current ARU Board remains in office. There must be a fresh start.

My sons and I thank you Senators for your interest in Rugby, in standing up for Western Australia and for the opportunity to comment. I am available to discuss any of this at any time.

Gary Gleeson