

# Digital, Culture, Media and Sport Committee

## Oral evidence: Sport Governance, HC 320

Wednesday 6 December 2017

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Members present: Damian Collins (Chair); Julie Elliott; Simon Hart; Julian Knight; Christian Matheson; Brendan O'Hara; Rebecca Pow; Jo Stevens; Giles Watling.

Questions 579-711

### Witnesses

I: Peter Eriksson, Former Director and Head Coach, UK Athletics Paralympic Performance (2009-13)

II: Michael Cavendish, Deputy Performance Director, UK Athletics

Written evidence from witnesses:

- [Peter Eriksson](#)
- [UK Athletics](#)
- [UK Athletics \(Supplementary\)](#)

## Examination of Witnesses

Peter Eriksson, Former Director and Head Coach, UK Athletics Paralympic Performance (2009-13)

Q579 **Chair:** Good afternoon and welcome to this further session of the Digital, Culture, Media and Sport Select Committee on sports governance and, in particular, the classification of para-athletes. Mr Eriksson, can I just confirm that you can hear me on the video-link before we go any further?

**Peter Eriksson:** I can hear you well.

Q580 **Chair:** Very good, I am glad to hear it. We can hear and see you too. This session today follows up on the previous session the Committee held on Paralympic classification in sport. At that time it had been our intention that Mr Eriksson should be able to give evidence to us by video-link from Canada, as he is doing now. I am glad that today the technology is working and we are able to put our questions to him.

We also wanted today's session to be an opportunity not only to question Mr Eriksson but to give other bodies involved in overseeing the classification of para-athletes the opportunity to respond to some of the evidence, both written and oral, that the Committee received at the previous session. I am delighted that UK Athletics are able to join us to give evidence today. We have received a detailed written submission from the IPC, which was published yesterday. It is disappointing we did not have the chance to question them ourselves, particularly as the IPC had previously criticised the composition of the previous panels and felt they did not give due balance. We wanted to give the IPC the chance to be here in person to do that but they have not been able to do so today.

We have also published a written statement from Michael Breen, which the Committee has agreed to publish this afternoon. As people who watched the initial session would know, we received a substantial amount of written evidence from the Breens that the Committee wanted a chance to reflect on. Mr Breen has now produced a shorter written summary, which we believe enables him to respond to some of the criticisms of his evidence that have been given by others but also, in the Committee's view, does not reveal any new details or information. It merely restates the issues he has raised around the allegations raised in the previous Committee hearing.

We did receive a written submission from Helen Breen as well. We felt that did make new allegations and so, rather than publishing that, instead today we will be writing to UK Athletics asking them to respond directly to the Committee about the allegations that Helen Breen has made in her written evidence to us. We will then decide, following their response, on how we should proceed with it.



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After that introduction we can now proceed to the oral evidence questions. I will start, Mr Eriksson. Last year you stated that you believed that the process of ultimately overseeing classifications should not be conducted by the IPC but by an independent body. I would like to ask if that is still your view and if you could explain to the Committee why you think that reform is necessary.

**Peter Eriksson:** In opening, I would like to say that I think that the IPC is doing a better job than has happened in the past. I have been around in this sport for 37 years and I think that we have seen that the evidence-based classification that proceeded in the last five or six years is really making a difference for classification in general. I am only talking about classification in athletics because I don't know the other sports.

It is always optimum to have an independent organisation doing it, but that is also associated with high costs—we all know that. I think it is continuously improving. I can see the IPC has been taking on all the suggestions that have been made recently on what can be improved and how we can do better, because we can always do better. Again, I come back to the same fact: compared with 10 years ago or 20 years ago, the IPC is doing a fantastic job. Also, we should believe that the classifiers are well educated. They know what they are doing, and what the medical doctors, the technical staff and physiotherapy staff want.

Q581 **Chair:** You said the IPC is doing a good job and made good progress, but do you still believe it should be done by an independent body if the resources were there to make that happen?

**Peter Eriksson:** Absolutely.

Q582 **Chair:** Is that because you believe that there could sometimes be a conflict between national federations and the IPC because they have to work with each other on a huge range of other issues and, therefore, it would be better if the classification was carried by people totally independent of those relationships?

**Peter Eriksson:** I don't think it is a conflict. I don't see a conflict between the national federations and IPC; I don't see that at all. I think it is just the progress of how we manage sport in general and, of course, there are many aspects of sport. It has nothing to do with any conflict to me.

Q583 **Chair:** Do you think there needs to be more transparency around the process of classification? In the Committee's work looking at doping in sport, some people have said to the Committee that they believe that athletes' medical records should not necessarily be totally confidential and there should be a broader disclosure—either published in some form or to a broader group of people that work within their sport—so that with regards to the anti-doping rules, people will be satisfied that there is no question of dubious practices. I would be interested in your view on that and whether you think something similar should exist in para-sport as well.



**Peter Eriksson:** It is a privacy issue. I don't think that is feasible at all. I think what the IPC is doing right now and the way it is handling the issues with its medical records is sufficient enough. We have to have faith that we have a system that is functional. I think it is very functional and IPC is doing a much, much better job as we go through the years. My answer to the point about disclosing medical information and basically breaching privacy law is that I do not agree with that at all.

Q584 **Chair:** The question is to satisfy that beyond reasonable doubt. Athletes have a public position, whether they like it or not, because they are competing. If doubts remain over the system, is there a better way of removing those doubts?

**Peter Eriksson:** By taking away their privacy you mean? Is that the question?

Q585 **Chair:** Yes, by requiring a more public disclosure of their—

**Peter Eriksson:** We are not demanding that from Olympic athletes either, because there are certain issues that Olympic athletes have to deal with too. That is not disclosed. It has to do with younger identification, for example, and that was taken away many, many years ago, so I don't see a reason why we shouldn't treat the Paralympic athletes just like anyone else at the Olympics. So the answer is still no. We have to rely on the authority that is leading international classification doing the right job and having faith in the system.

I want to add something to this. I have been coaching since 1982 and I have been in four different countries. I would say that the British system is high class. It is the best you can find in the world when it comes to classification, and to ensuring that the athletes are in the right classes and that they have the right information. There is always going to be second guessing about classification and that is what where this privacy issue comes in.

The people who are second guessing are athletes who feel that they could not win because they are competing in the wrong class, but reality might be that they were not good enough to be on the podium anyway. There are coaches, there are parents, and there are other athletes that are constantly pressing classification. It is their right to do that but the basis for it should be, "Educate yourself about classification so you know what you are talking about". Mr Breen, for example, is a perfect example of having no background in classification but still continues having opinions, even though he gets the answers from UK Athletics and from IPC, and he is not happy until he gets an answer that suits his bill.

Q586 **Chair:** Yes. Your criticisms of Mr Breen are clear. He is not the only person that is complaining about the classification system. There are plenty of other people, including other athletes as well, that are complaining about the classification system and saying that it is not clear. It has been said to us as well in evidence that, depending on where in the



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world you get tested, you can get different results. Is that your experience as a coach?

**Peter Eriksson:** No, I wouldn't look at it that way. The guidelines from the IPC are pretty clear on who fits in what category and what class. Again, I come back to the same thing: the classifiers are educated the same way. They are highly educated by the IPC, and it is getting better and better every year, so it is not like you can go to whatever country it is and get a different outcome from what you had previously. There has been proof that an athlete has appealed against the classification system and has been to different classifiers or different countries to be classified, and it is the same outcome. That is just speculation that you can go to a certain country and get a different classification. There can always be improvements but I don't think that statement holds any water whatsoever.

Q587 **Chair:** Have you seen the written evidence that Ian Jones provided to the Committee?

**Peter Eriksson:** Ian Jones, yes.

Q588 **Chair:** Yes. He says there in his written evidence that in 2012 he was sent for classification in Croatia and confirms he was given a T44 classification, which had been his main classification. Then afterwards he was reclassified in Indianapolis as a T38 athlete, which he had never been classified for before, and he could not understand why he had been put in the T38 class. How would you explain that?

**Peter Eriksson:** Ian Jones is a very complex issue and we had to deal with that leading up to 2012, so I will try to make the long story quite short. As I wrote in my submission, we took all the athletes that we felt could have been a risk for us at the 2012 Games to be reclassified. We sent maybe 10, 15 athletes for extensive investigation by independent medical professionals. Ian Jones was one of those guys. If we could not find any evidence that we could support a reclassification, then we would inform the athlete about it. Ian Jones was an athlete where there was no evidence of disability, period. We could not find any evidence to see what the problem was. When it came to classification, he had in his record from 2008 that he needed to get a new classification prior to the 2012 games and that was done once or twice, as you mentioned. I don't know why it changed from 44 class to 38 class but the 44 class is very specific on the type of disability while the 38 class is the lighter level of disabilities that exist in the system. Our choice was then to either select him or not select him, and we chose not to select him because there was no evidence of a disability.

Q589 **Chair:** He was classified in May 2012, so pretty close to the Olympics, and he was given a T44 Les Autres rating then. Then for some reason you and Paula Dunn decided to send him for another classification in Indianapolis. Given that he was classified in May 2012 and you said you wanted an accurate classification for the Olympics, why was it necessary



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to send him again to be classified between May and the Paralympics?

**Peter Eriksson:** I don't remember if we sent him to go for another classification or not. I think he was called for another classification. I can't recall the details of that. Because he was not confirmed as classified and he had been in the system for so many years and then he went from the 44 class to be under review again as a 44—we wanted to ensure that we have him as a confirmed classification. He came back as a review again from the 38 class. That shows a lot of doubt about the class he belonged to, or even if he belonged in the system at all.

Q590 **Chair:** Just to read it out so we are absolutely clear, because you may not have it in front of you and it may be a while since you have seen it, he says, "In May 2012, I was sent to Croatia to attend another classification clinic and again I was confirmed as a T44 Les Autres athlete. In spite of this, I had a meeting with Peter Eriksson and the sprint coach, Paula Dunn, and for some reason I was sent to another classification in Indianapolis at the American trials, which was the last international race before selection". Then he goes on to say, "For some reason I was reclassified as a T38 athlete, which is the cerebral palsy class. I was never diagnosed with cerebral palsy. I had no medical evidence saying I had cerebral palsy and I clearly told the classifiers on the panel that I did not have cerebral palsy. The whole thing was a mess".

How do you explain that because he is saying he had a confirmed classification and yet for some reason, in the couple of months between that classification and the start of the London Games, you sent him again? Why was that?

**Peter Eriksson:** Number one is that T38 class is not the cerebral palsy classification.

**Chair:** No, I understand that.

**Peter Eriksson:** It is actually a neurological class. I am sorry but when you speak when I speak I cannot hear you. It breaks up. The first thing is that I do not believe that that is the correct information and that if he had a confirmed classification as a 44 we would have sent him again. I don't recall those details but that would never have happened in my mind. If he is confirmed then we are all good, so why would we send him to another place if he was confirmed? That does not make sense.

Q591 **Chair:** That is an important point. Perhaps what we might do is ask whether Mr Jones or UK Athletics would be happy to write to the Committee with documentation. Presumably, if he was a confirmed classification in Croatia there would be some sort of documentary evidence to show that it was a confirmed classification. That would be the case, wouldn't it, Mr Eriksson?

**Peter Eriksson:** That is fine with me. I don't recall it and I don't see any reason why we would send him to another place if he is confirmed—that is exactly what we wanted from the team, to have as many confirmed



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athletes leading into the Games as we could, because there was no reclassification at the Games, per se.

Q592 **Chair:** Yes. He is saying he was confirmed so presumably there must be some record of that, so it would be interesting to clarify that. There is also the question then of this sudden change in classification. Within a very brief period of time his classification has changed to one where he is able to compete much more easily. He says that in Indianapolis he did not run a particularly good time for him but still won the race easily. That would show that the classification had been incredibly favourable. In fact, if he had run that time in London then he would have won the Gold medal.

**Peter Eriksson:** That is assuming that everybody was there in Indianapolis. I think the Indianapolis competition when it comes to the 38 class, in North America in particular, it is not highly competitive. That is kind of irrelevant to me. I think I did see some confusion on that, in the submission saying that he had run seven seconds slower or eight seconds slower in the 400 metres. It is not really an issue of how fast he was running. It is: was he a confirmed classification or not? Was there any evidence that he had a disability that fit into any of those classes? There wasn't, as far as we knew, in the information we got from independent professional medical staff in the UK.

Q593 **Chair:** You can see why people raise concerns about the classification process. Here we have an athlete who says he has a confirmed classification. He is then reclassified to move into a different class and he says, regardless of the quality of the field at Indianapolis, that his personal best time would have won him the Gold medal at London as a T38 athlete had he been selected. That classification was changed just before the Games. You can see why people have their doubts about the integrity of the system when changes like that can be made at the last minute.

**Peter Eriksson:** That is presuming that you believe everything one person says. Perhaps he could have won a Gold medal, but that is only speculation as far as I am concerned until he ran the race. I just think this is trying to stir up the water and make the team look bad and it actually isn't bad at all. We have a pretty fair system.

Q594 **Chair:** It is not speculation. It is a matter of fact that he was reclassified just before the London Games and that his personal best time would have been enough to win the Gold medal at London as a T38 athlete. That is not speculation. That is a matter of fact. The fact that these changes were made at the last minute, and a reclassification was made at the last minute, means that people question the integrity of the system and also question whether classifications taking place in one Games or one city can be very different from those in another. Would you not agree?

**Peter Eriksson:** It is not going to be the exact same classification with the way they have been classified but it is following the same route.





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Then, again, I come back to the same thing: his personal best was not in 2012 anyway; it probably was in 2008 so, again, it is speculation that he would have won a Gold medal. The fact was that his personal best was better but it has no relevance to the same year. If he was sent for a second classification, the only reason for that would be that he was not confirmed in the first place.

**Chair:** That is something we will try to get some evidence on. If he did receive a written confirmation after Croatia—he says he was confirmed then—that will be a matter of fact. That should be easy to establish and we will see if we can find that documentation to establish what Ian Jones said. I would like to bring in Chris Matheson for questions.

Q595 **Christian Matheson:** Mr Eriksson, just one question. You answered the Chair then and said that it is a question of whether we believe the words of one man, but the problem is we have had numerous pieces of evidence cited to about numerous different cases where this kind of reclassification is happening, which of course was one of the reasons why we are having this particular aspect of this inquiry. It is not just one person, is it? It is numerous occasions where this is going on.

**Peter Eriksson:** If you go to a track and field event where you have Paralympic athletes, you are going to hear everybody and their mother having the same opinion that whoever beats their son or daughter or wins the event is in the wrong class, when that is actually not a fact.

Again, people are entitled to their opinion and I think that there is clear evidence that we are listening to the fringe athletes sitting on the barriers screaming the loudest. The ones that know the system is pretty functional or very functional do not say much at all.

Q596 **Christian Matheson:** You are suggesting that the only people who have a cause for complaint are the parents of children who did not win their event.

**Peter Eriksson:** No, I did not say that. As I said earlier, in any competition you can see coaches, other athletes, and parents who are suggesting that an athlete—whoever the athlete is—is in the wrong class. This has been a saga for a long time, and for specific athletes in the UK for the last seven or eight years. We see the same thing repeating itself now.

It started with Hannah Cockroft, who I coached personally. It started in 2009 and it is still going on. She has been classified three or four times and we are still sitting here today trying to justify that she is in the wrong class because Mr Breen and somebody else thinks that she is in the wrong class. We have to trust that we have a system and faith in the system that is functioning.

**Chair:** Following on from Mr Matheson's question, I think it is wrong of you to say, as you did, that these are grievances brought up by fringe athletes and people who have not won medals. We have received widespread complaints, including from people that have won Paralympic





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medals. People have returned those Paralympic medals because they are so lacking in faith in the system itself. This is much more widespread than I think you are suggesting there. It is wrong of you to suggest that this is being brought up as a matter of disgruntlement rather than genuine concern.

**Rebecca Pow:** Good afternoon, Mr Eriksson. I want to add to that because we have an article here that was in the newspaper about Bethany Woodward. She won a silver medal in T37 a few years ago. She withdrew from Team GB to allow her to speak out on this very issue over classification. Similarly, Tanni Grey-Thompson gave us a lot of evidence and raised this whole issue of the mismatching of the correct athlete with the correct classification system. It is definitely a serious issue that we do need to get to the bottom of. What do you say to all those people because I am sure they are not making it up? I don't think you would give back a medal if you were not serious about this.

**Peter Eriksson:** The question is: when did Bethany Woodward withdraw from the team?

**Rebecca Pow:** Sorry, I did not catch that?

**Peter Eriksson:** When did Bethany Woodward withdraw from the team?

Q597 **Rebecca Pow:** When? This was an article that was in *The Guardian*. It was 2016. It was when this issue started to be raised, started to come to public attention. Bethany Woodward was 23. She won the silver in the T37 200 metres in London four years ago, so that was four years before that, and she said she had withdrawn from Team GB earlier that year—2016—so she could speak out about the issue. She told *The Sunday Times* she had lost faith in the team over the whole issue, and she had represented her country for a long time. This was over the cerebral palsy issue and classification.

**Peter Eriksson:** Well, Bethany Woodward was injured a couple of years prior to 2016 and, as far as I know, she was pregnant in 2016 but I was not there in 2016. When it comes to Tanni Grey-Thompson, it is an interesting comment that she feels that classification is a flawed system. She is the person who wrote the duty of care but now is going all over the place to make sure that her competitors are not in the same event that she is. That is a double standard as far as I am concerned.

Q598 **Chair:** I am not really certain what you are saying there, Mr Eriksson. Are you questioning Bethany Woodward's action because of when she decided to give her medal back? Is that what you are doing?

**Peter Eriksson:** No, I am not questioning that at all because I don't know who she was complaining about, and who the athlete was. Then again, what background does Bethany Woodward have in classification? It is such a wide range within a class—how an athlete can look like and the functionalities. You can be on the upper level and you can be on the lower level of that specific class, because you cannot have a classification system that is an exact science for each disability that exists.



That is why you have a classification like this. Again, I would stress that any class, if it is a certain class—it was just mentioned by the lady to your left that it was a CP class. It is not a CP class. It is never logical with injuries and it could a lot of different impacts. A disability could have impacts that you don't see in the actual running but that are severe when someone doesn't run or the other way around. There is a wide range of vulnerabilities within the class. Again, I hope you get the facts on why this person shouldn't be in this specific class and just don't make a claim, "Oh this person is in the wrong class". What is the specific threat?

**Q599 Chair:** The reason we raised this with you particularly was your suggestion earlier on that grievances are largely brought by fringe athletes and parents, and people who are disgruntled, yet here we have someone who has won a Paralympic medal and who is so unhappy about the process that they have given that back. That is not a very common occurrence. In your experience, are there many athletes who have handed back medals because of their concerns over classification?

**Peter Eriksson:** I did not hear that question, sorry.

**Chair:** Are you aware of many other examples of athletes who have handed back a medal because of their concerns about the classification process?

**Peter Eriksson:** No, I don't know any people.

**Q600 Chair:** No. I think it is wrong to dismiss that and say that the person who has done that is not qualified to give an opinion when they have done something that is almost unprecedented because of the strength of their feeling, and I think you do know to which athlete that concern was being directed at.

**Peter Eriksson:** I do not know that athlete in particular. I know in general what you are talking about, but I don't know that athlete personally and I have no information on that happening, so saying anything about that I think is just wrong.

When it comes to protesting a classification in general you can do that to the IPC and you can do that to UK Athletics, but you have to be very specific on what are the inconsistencies in that person's functionality in order to say that. You can point the finger at anybody and say, "Well, they are in the wrong class" because they might be telling you that to have the number two in the field. That does not justify the claim. Having no specifics on functionality or what the problem is, is not right.

**Q601 Chair:** I am just saying that we have people who are in the heart of the system, who are personally involved with it, and who have taken unprecedented steps to register their concerns and protest about it. That should not be dismissed as the actions of people who have some sort of disgruntlement or who are just merely on the fringes of the sport.

**Peter Eriksson:** Who are you referring to?



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**Chair:** I was referring to Bethany Woodward, who is actually here listening to the evidence being given. I was referring to her action. This is someone who is at the heart of the sport who is giving a view about someone they competed with, not against, and is so upset about what happened that she has returned her medal—you yourself said that you cannot think of any other occasion where that has happened. I think an athlete is in a pretty good position to give a physiological view about someone that they compete with. They may not be a medical doctor but they know what physical movement within a class looks like because that is what they do every day.

**Peter Eriksson:** I disagree with that, though, because it is about functionality and co-ordination and medical records. If you are an athlete it doesn't give you a clearer insight than anybody else, so I disagree with that statement.

Q602 **Jo Stevens:** Hello, Mr Eriksson. I have listened carefully to what you have said and you have dismissed the evidence that we have heard from numerous people, including Mr Breen, Bethany Woodward, and from Tanni Grey-Thompson. Are you saying that there are no problems that you are aware of, or that you accept that there are any problems with the classification system and all these people are just wrong?

**Peter Eriksson:** What I said and what I wrote in the statement before is we have seen a tremendous improvement in the classification system under the IPC as well as in the UK, which I think is world leading country. We can always make a system better. I think these people have made these claims on achieving classification, or whatever it is, and have very little actual background for their own statement. In particular, Tanni Grey-Thompson has benefited herself from making sure that other athletes get out of her class. I think it is wrong. It is unfounded. Show the detail of why an athlete should not be in a specific class instead of just saying, "I think they're cheating". I don't think anybody is cheating purposely. I don't know whether I will be in the North American or European system.

Q603 **Jo Stevens:** Can I check this again, you are saying that Tanni Grey-Thompson has said what she has said about her concerns in order to benefit herself? Is that what you are really saying?

**Peter Eriksson:** No. She has benefited in the past and now she is—I don't understand why she has raised the question of classification because she has been involved in sport for a long time and she knows the improvements that have happened.

Q604 **Chair:** Sorry, can you explain, what do you mean that Tanni Grey-Thompson has benefited in the past from reclassification? What do you mean by that?

**Peter Eriksson:** Well, I mean you have written evidence on that, for example. There was this other lady—I don't know—who just wrote about



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how things were affected with her classification, but the only one that can benefit from the changes of other people in her class is her.

Q605 **Chair:** Yes. To be clear, are you suggesting that she was involved in that reclassification?

**Peter Eriksson:** No. That is not the point. The whole point is that this also involved her husband, who was her coach at the time.

Q606 **Chair:** I think it is the point because that is the insinuation you are making. Just so we are really clear, are you suggesting that she was in some way involved in getting Anne Wafula Strike and other athletes reclassified? Is that what you are suggesting?

**Peter Eriksson:** No. I said that she was the only one to benefit from it.

Q607 **Brendan O'Hara:** Can I take you back to your time in the UK? How would you describe the culture of UK Athletics during your period of office?

**Peter Eriksson:** I think it was a very good culture. I think within all the changes that aligned up during the Games. In 2008 the team finished 18th and, with the investment of UK Sport, the goal was to finish higher up on the medals standing and we actually finished in the top three. I think it was a good team. I had a fantastic team that we worked with during the Games. The support was excellent. As I wrote in the documentation as well, we improved the national classification and the international classification in the country.

We selected a team who were 50% of the athletes at the Games level, which is usually unheard of, and I think we raised the importance of the high performance of the Paralympic side. There was more awareness created. As you can see today, there were a lot of tickets sold for the 2017 World Championships. We changed the whole scenario as a team leading up to the 2016 Games as a goal for the sport.

Q608 **Brendan O'Hara:** You will be aware of course of the allegations that UK Athletics had a medals-only mindset, and sometimes that arrived at the cost of the wellbeing of the athletes themselves. What do you make of the allegations and how would you respond to them?

**Peter Eriksson:** I did not really hear the question. Can you repeat it, please?

Q609 **Brendan O'Hara:** Sure. The allegation has been made that UK Athletics had a medals-only mindset, and sometimes that came at the expense of the wellbeing of the athletes. How would you respond to those allegations?

**Peter Eriksson:** I do not think that jeopardised the wellbeing of the athletes. It was very direct sport for the athletes and the personal coaches in general throughout the whole programme and we monitored what occurred when it came to health and the injury status. I think that



the wellbeing of athletes was always in the forefront of what we did. Elite sport, in Olympics or Paralympics, is a very niche part of sport. Our focus and the investment from UK Sport and UK Athletics was to take more medals, and that is what we focused on and that is what we did. So I don't agree that the wellbeing of the athletes was jeopardised at all. I think it was the opposite.

**Q610 Brendan O'Hara:** This Committee has received evidence that UK Athletics operated what could be described as a culture of fear among its athletes. Do you recognise those allegations and how would you respond to them?

**Peter Eriksson:** I do not think there was any culture of fear at all. I think that we stated very clearly how we selected teams and what it would take to be on the team, and that would be the same thing on the Olympics side. If anybody was feeling under threat there is always the mechanism to raise their concern through whistleblowing or—what is it called now? I wrote it down here to remind me—through the grievance procedure. We did not have any of that during the time I was there at all and I didn't hear it.

We also engaged quite a few sports psychologists to make sure that, if the athletes had concerns, they could go to anyone on the medical team. They could go to a sports psychologist to raise those concerns and get guidance on how those pressures could be solved. If that had any impact on any of the coaching staff or the staff, again, they could raise a grievance. But we would not be directly informed by the sports psychologists or the medical doctors about anything that jeopardised the athletes' best interests.

**Q611 Brendan O'Hara:** Therefore are you absolutely confident that, during your time in post, the grievance procedure was there, it was workable and there was an adequate whistleblowing mechanism available? Are you absolutely confident that is the case?

**Peter Eriksson:** Absolutely.

**Q612 Brendan O'Hara:** Can I bring us further up to date then? You recently left your role as Head Coach of the Canadian Olympic and Paralympic teams and, again, there was this idea of a medals-only mindset. There were allegations of bullying. Could you explain the circumstances around these recent developments?

**Peter Eriksson:** You are giving me some news I never heard of before, so I do not know what to say to that. There were never any allegations of bullying. You have to remember, when you select a team for a major event not everybody is going to be happy. We probably see every criterion over the period of six to eight months, and some even up to a year prior to the actual selection. For all of those criteria, if you didn't fall under the criteria here in Canada you can appeal to a commissioner within the sport, and then you can take it to court or arbitration in sport



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as well. Anything that was raised here—I don't know what its relevance is to this discussion, really—that had to do anything with voting in Canada.

You come to a point where you have only so many places you can fill for an Olympic Games or a Paralympic Games. The one that is on the verge of being selected and is not selected is where you have a problem. It is a problem for us because you want the athletes to win. It is a problem for the athlete because they don't get selected. There are many reasons for why athletes do not get selected but they have nothing to do with bullying.

The same thing in the UK, when you do selection in any sport you have lawyers present in the room to ensure that they fall under the published procedure. Then when you do an appeal you appeal that the procedure wasn't followed versus, "I am better than he or she is". Then, if that appeal does not go through, you can go to the next step—a legal hearing in Canada through the court system. If you are not happy with that you can go to the International Court of Arbitration for Sport. There was no mention of or anything about bullying, so whoever said that that is news to me.

**Q613 Brendan O'Hara:** Thank you for the answer. Briefly then, why did you leave your role with the Canadian Olympic and Paralympic team?

**Peter Eriksson:** I do not know what relevance that has to this, but there is a contract dispute that is still going on, so I do not want to comment on it.

**Q614 Brendan O'Hara:** Finally, do you think that this medals-centric mindset is a symptom of the rapid growth in elite para-sport?

**Peter Eriksson:** Do I believe that that is the right way of doing it?

**Brendan O'Hara:** No. Do you believe that the medals-centric mindset is a symptom of the rapid growth in elite para-sports?

**Peter Eriksson:** I am not sure I understand your question. Again, it is important to come back to the fact that elite sport is a small part of sport in general and what you are dealing with when you have a national team that is elite sport is focusing on medals. That has generally raised the quality of Paralympic sport across the world. If you look at how the UK team have done it, they had run a tremendous race from the 2008 Games and they are maintaining the same thing because they have a system in place—a really good funding system from UK sport, very good support from UK Athletics, and integration between the Paralympics and Olympics. You see also that Paralympic athletes now have Olympic coaches, which in the past—10 or 15 years ago—did not happen. Now you are getting closer to working together under the same vision as the Olympics are planning. I think that is an enhancement for Paralympic sport because it shows better the international stage and you also attract more attention to Paralympic sport in general.





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Q615 **Chair:** Thank you. Mr Eriksson, just to pick up on my colleague's questions, you left Athletics Canada after an internal review. That is correct, isn't it?

**Peter Eriksson:** No. That is not correct.

Q616 **Chair:** Well, they conducted an internal review and you left after it. That is correct, isn't it?

**Peter Eriksson:** There were several reviews done. I don't know which one you are referring to, but I think two or three reviews were done. The outcome of my tenure in Canada was that Canada had zero to two medals between 1996 and 2013. In 2015 at the World Championships we had a record eight medals and at the Olympic Games we had a record medal count of six medals. After I left in 2016, the medals at the 2017 World Championships were zero, so I am quite proud of the achievement and the performance of Canada during my tenure here. The impact of their reviews had nothing to do with me quitting or not being there at the moment.

Q617 **Chair:** You left after the review that was conducted after Rio. That is correct, isn't it? It is a matter of fact and that was reported in the Canadian media that you—

**Peter Eriksson:** The reviews were done in the September/October timeframe and I left in December. I do not even know why we are talking about this and I cannot give you the details either, as I said before, because it is a legal issue and it has no impact on anything that has to do with classification as far as I am concerned. I am really proud of the performance I had with the UK team, and I am equally proud of the record performance I had with the Canadian team and it has not been repeated.

Q618 **Chair:** Yes. For the sake of the record, in the press report after you left, Rob Guy, the Chief Executive of Athletics Canada, said that, "The results of the review confirm that people want to feel supported, they want to work with the Federation in driving performance, I suppose a style that is perhaps a little more supportive and engaging with these athletes and coaches". That is a reflection on your tenure, so the results may have been there but I think what my colleague was trying to get at is there were concerns about the style and the way people responded to that style.

**Peter Eriksson:** That is one man's comment that he said in the media and that is why we have a legal issue with that.

Q619 **Chair:** Yes. He is the Chief Executive, so he is not just one man. If I could turn back to Ian Jones. Ian Jones says that in January 2011 you insisted that he compete in the World Championships in New Zealand, even though he was injured and did not want to compete. Is that correct?

**Peter Eriksson:** I do not recall that at all. I don't remember him being injured. I don't think he even got selected for the team in 2011 and I do





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not recall him having an injury. I recall that his competition was sporadic at best, but I don't even know if he was selected. I cannot recall that period. He was selected in a team of 40 or 50 athletes.

Q620 **Chair:** What he says in his statement to us is that in December 2010 he was involved in a car crash. That a scan revealed a torn rotary cuff and he was in a great deal of pain. That you insisted on taking him to the World Championships in January 2011 in spite of the injury. He ran in a great deal of pain and had not been able to train for weeks before the championships. He is fairly specific in his recollections of that, and as a consequence of his poor performance he lost his funding as an athlete. What do you have to say about that?

**Peter Eriksson:** If an athlete has any form of injury it has to be cleared by the medical team, so if he was cleared by the medical team and selected then he should have competed. If he had an injury or, in this case you mention a car crash, and was not cleared by a medical he would not have been selected. I don't know what to say about that because I do not have any other evidence. We have to rely on the medical team to give clearance to athletes.

Q621 **Chair:** In this case, if the athlete is saying, "I am not fit to run" and the medical team say, "We think you are", you make them run.

**Peter Eriksson:** No. I can't make them run. They are an athlete, and they are ultimately responsible for their life in sport and their performance. If they do not want to run they don't run. How can I force anybody to run?

Q622 **Chair:** Well, because you are the coach. Part of the concern is that I think athletes feel that if they don't do what the coach tells them to do, then they don't get picked.

**Peter Eriksson:** Yes, but I am not his coach. He has his personal coach and he can have that discussion with his personal coach to make sure that they make the decision. Ultimately, the athlete is the one that should make the decision on their own wellbeing but, of course, you can then work with the doctors. We have a physiotherapist that gives you an indication on whether someone is ready to run. Maybe Ian was not fit enough to run in the first place because of his so-called car accident, which I cannot recall, and that is why he was not selected. Why would I try to force somebody to run if they don't want to run? That does not make sense. I have 40 or 50 other athletes on the team that can medal for the team anyway, so Ian Jones was not somebody that we had to have on the team. At best he was one medal if he was in shape.

Q623 **Chair:** Yes. What I am saying is his that evidence is clear that he did not want to run and you made him run, even though he was injured.

**Peter Eriksson:** Yes, that is incorrect and that is not true.

Q624 **Giles Watling:** Going back to classification if I may for a moment. In the



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previous evidence we had on classification, the father of Olivia Breen, Michael Breen, alleged that under your terms several athletes were classified in classes where perhaps they ought not to be. What do you say to that allegation?

**Peter Eriksson:** I am thinking, was it several athletes? He was referring to one athlete in particular. That was Hannah Cockroft who I personally coached from May 2009 onwards<sup>1</sup>. I do not even know how he can have that opinion because, first of all, he was not in sport at the time. Making a statement like that is a continuous and bullying approach as far as I am concerned. I have an e-mail here from Hannah that I can read for you if you want to hear it and I can forward it to you afterwards.

**Giles Watling:** I would prefer if you forwarded it to us.

**Peter Eriksson:** She is very clear on how her situation was and that is why I called Mr Breen a liar after the first hearing because I think coming out with a statement like this is totally unfounded. I do not even know how she received classification. I have been in one classification from 2000 until today, and that was in 2006 and involved a Canadian athlete that I helped through the classification. I do not know the classification. None of the coaching staff on the national team know the classification. We educated our physiotherapists—

Q625 **Giles Watling:** I have to say that it must be much more widespread than you are saying at the moment. He also said that a senior IPC official had knowledge of the practice, saying, "Everybody knows this story. It has been around since Peter Eriksson". That is the story of misclassification. How do you respond to that if everybody knows it?

**Peter Eriksson:** Again, if you are referring to Ryan Montgomery's statements, you are reading part of it, and it has been disclosed in IPC documentation on what he actually said in his conference call at the time. When it came down to this issue, that is why I think Mr Breen raised it, was with Hannah's classification. She said in an e-mail to me, "I attended my first international classification on 26 July 2009. This was the first time I had gone through the process of classification, providing medical information and moving to a functional test as well as being observed in competition. I was given a T54 class". Prior to that, she was given as a national classification a T53/54 class from the British Wheelchair Racing Association. She also goes on further saying, "My point of contact at British Athletics regarding classification was...I commenced training with Peter Eriksson in October 2009".

I did not know who Hannah was at the time of her international classification. I had no idea. I do not go to classifications. How do you cheat in classification on an international level? Even if I know a classifier that does the international classification, I cannot go around telling them what to do. That is their job. I do not tell the classification, I do not go to

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<sup>1</sup> Note by witness: On 3 January 2018, Mr Eriksson informed the Committee that Hannah Cockroft has notified him that he became her coach in October 2009.



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the classification, period. We have international classifiers that I believe know what their job is and how to do it, so if you can tell me how I cheated a classification I would be more than happy to hear it.

**Q626 Giles Watling:** Do you think—outside your own personal experience perhaps—that misclassification is very common right across the sport?

**Peter Eriksson:** No, I do not believe that at all. I have never seen it. I have never seen it happen. It is talked about. I do not know how you do it. I have no idea how anybody would do it, and I can tell you right now as far as I know anybody in the system in the UK—it was not prevalent when I was there. I think the European and North American countries are pretty consistent in following the IPC's classification rules. There is no room for cheating because if you indicate any cheating, you can get up to a two-year suspension. To me, it is—

**Q627 Giles Watling:** In all fairness, it is not just gossip. It is not just talked about. These are very senior people that have made these allegations one way and another. It is not just Michael Breen. It has come together. Michael Breen does have passion and I understand that, but it is not just talked about and you must have been aware of it across the board.

**Peter Eriksson:** I do not know how you cheat in classification. That is what I answered. I do not know who the other senior officials are that you are referring to.

**Q628 Chair:** Mr Eriksson, you may have also received this. I thought I should refer to it as it relates to our previous questions about Ian Jones's classification. The Clerks of the Committee have received a message from Craig Spence at the IPC and he says that Ian Jones was confirmed as a T44 athlete in 2008. In March 2012, under the rules at the time, there was a protest regarding his T44 classification under exceptional circumstances. He was then reclassified in Croatia in 2012 as a T44 athlete, but this time under a review status pending a request for further detailed medical documentation. Then in Indianapolis he was reclassified again as a T38 athlete. I do not know whether you recall this or whether we could contact UK Athletics to ask this information. In March 2012, did the protest come from the athlete or from UK Athletics? Looking at the athlete's testimony, he does not seem to be aware at all of the need for reclassification, yet someone has raised this and requested a reclassification on his behalf.

**Peter Eriksson:** According to the IPC classification rules, the only one who can protest somebody would be the head of classification. You do not protest your own country, like in the case of Ian Thompson in the past. What you can do with a protest is ask for special circumstances, and you have to create very clear evidence about the athlete that you are protesting, how their functionality is in the class they are in versus the class they should be in, and then you have to send that to the IPC. It then has to review it. If it finds substance to it, my understanding is that it goes to the chief classifier, who will be the person that raised this



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concern. In most cases, where somebody gets reclassified for any reason, it is coming from the chief classifier at the time. We never submitted anything for any of our athletes on the team to IPC. That would be just ludicrous and unethical, as far as I am concerned.

We have to remember that Ian Jones in 2008 might have been a confirmed class, but also the reason he was coming back to be classified again, in whatever year it was, is because on the classification card it said that he had to be reviewed within two or three years. It is very common that that happens, even if you are a confirmed classification.

Q629 **Chair:** We will make contact with Ian Jones. He proactively contacted the Committee with his own testimony. We did not seek it from him; he wrote to us because he wanted us to be aware of his circumstance. Looking at the information we have just received from the IPC, Ian Jones's testimony is that he is being sent for classification events. He does not understand if he is even up for reclassification or does not understand why he is reclassified. The IPC says that there was a protest lodged with it about his T44 classification. Someone must have lodged that, maybe even without the athlete himself being aware that that protest had been made.

**Peter Eriksson:** It does not have to be launched by anybody. It could be the chief classifier that says, "I need to see this person again". It was on his classification card from 2008 that he needed to be reclassified. I am not aware of any protest that was lodged against him. I do not recall that and I cannot figure out who would do that against him. I do not know that. The only information we get is that an athlete needs to be reclassified and then we have to send them to one of those opportunities for reclassification.

**Chair:** If Ian Jones has no objection, we might contact the IPC and UK Athletics and ask if they can supply us with the documentation of that protest to see who lodged that protest and why it was lodged. If Ian has no objection to that, we would be quite interested to find out those results.

Q630 **Rebecca Pow:** I want to go back. We touched on the grievance procedure and the whistleblowing procedure, Mr Eriksson. I believe I heard correctly that you said that people with worries could go to the medical staff and the physios and things like that. Could you clarify whether any set grievance or whistleblowing framework was in place when you were at UK Athletics on the Paralympic programme?

**Peter Eriksson:** The reason I said that they can go to the medical staff or the psychologists is if they did not feel that they could talk to the coaches and raise their concern, whatever that was. There is a whistleblowing procedure in place and it has been in place for a long time. There is a grievance procedure in place and has been for a long time.

Q631 **Rebecca Pow:** Mr Eriksson, thank you for that. Could I just chip in



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there, though? We have received quite a lot of evidence that clearly said there was no formal process for reporting concerns and that many people felt that they could not come forward for a whole range of reasons. One was that their funding might be affected, or that they might be left out of the team—we have quite a lot of evidence about these issues—and that staff did not encourage athletes to speak out about classification issues lest they be punished, as somebody said in their evidence. I wonder what you think of that.

**Peter Eriksson:** Again, there is a grievance procedure in place. It has always been in place. There is a way of raising classification as well if you are not happy with your national or international classification. You cannot punish athletes for raising concerns with classification, period, and by saying that you are taking away funding or you are taking them off the team, because it is very specific how you select for funding—it is very specific how you select to the team. There is no clause that says that if an athlete talks against the system you can kick them out. I don't see that at all. That has never been a threat, at least when I was there, and I doubt it because it would be shameless person that would threaten anybody for anything. There are several outlets for raising concerns, and you can even go to the Court of Arbitration for Sport, at the end of the day, if you are not happy with the outcome.

Everything had been in place as far as I was concerned. It was there when I was there. There was no concern raised. There was no protest raised against classification either, which would have been another outlet that Ian Jones could have gone to on the national level. He could have also done the grievance procedure if he wanted to.

Q632 **Rebecca Pow:** It is very strange that so many people submitted evidence expressing their concerns because they clearly were not all in the same room writing the letters. All the letters came independently. Another person said, "By challenging and having an opinion and speaking out at the time you were penalised as an athlete. It is frankly insulting to be treated this way after you have given so many years to the sport". It does seem that there are completely conflicting opinions between what we are hearing from you, Mr Eriksson, and what we are hearing from the athletes themselves. Do you think it is something that does need looking into?

**Peter Eriksson:** I do not know what years you are referring to in the first place, and I do not know who these athletes are either because I have not read everything that has been posted. This comes down to a lot of things with entitlement in sport and that is a new thing—we use different buzz words as threats, not being selected, taking away funding. Elite sport needs certain things in order to get on the team. You are not entitled to be selected. You are not entitled to funding. You are not entitled to whatever it is. You have to earn it and that is the unfortunate part with elite sport, depending on how you look at it. I have to disagree with the culture of fear. Whoever wrote it and what year they were referring to I would not know.



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Q633 **Rebecca Pow:** My final question is in your written evidence to us, on 13 October 2017, you listed some objectives for major improvements leading up to the 2012 Paralympic Games. They all seem very sound suggestions about classification: more trainers to do classification, medical files and so on. There is no mention at all about putting in a grievance procedure or any kind of framework or whistleblowing procedure, so maybe it was just assumed it was all fine.

**Peter Eriksson:** No, it was already in place. When we talk about the objectives for classification, it is that there was no classification education in place. There was no international classification. The coaches held the medical records. The doctors were not involved. We did not have an international classifier on the team. We set out the objectives to build up the classifications to the standard of the international level and following the IPC's framework.

The grievance procedure and whistleblowing was already there. Even though it was not in the objectives here, we also put in place that you could protest national classification. Each athlete was told, at the time of the national classification, that they could protest it if they were not happy with the outcome. On the international level it is a different procedure of protesting, which is more limited and more specific. All of that was in place. I don't know if you write an objective for something that is already there. If it is there, it is there, and both the whistleblowing and grievance procedures were already in place.

Q634 **Chair:** Mr Eriksson, from what you are saying it sounds like you are criticising the athletes for not complaining at the time and only doing so afterwards.

**Peter Eriksson:** I do not know what year they are complaining about and what they are saying, because the complaint that Bethany Woodward has raised is out of my scope. I don't know the athlete that she is referring to and the event is after the fact when I was there, so I cannot make a judgment on that. If they had concerns, they had ways of doing it. The biggest problem is that you produce a lot of documents in sport and most of the time athletes or coaches do not read them until after the fact. It is all there and they knew where they could go.

Q635 **Chair:** What we are seeing very clearly from lots of athletes who have approached us, some of whom are still so frightened about recriminations that they might receive that they do so anonymously, even though their careers may be over, is that people did not raise this at the time because they were convinced that action would be taken against them for being critical. Only towards the end of their careers or after they have retired do they feel capable of speaking out. We have had widespread complaints from athletes about the culture of fear within the sport.

I want to finally ask about sports psychologists. You mentioned earlier that athletes can go to a sports psychologist. We have also received evidence saying that the psychologists passed on concerns that athletes





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raised back to the coaches. Isn't that the case?

**Peter Eriksson:** No. It is not the case and it has to do with confidentiality, too. There could be a general comment maybe but they are not specific. That could not happen because if it was a confidential matter it would be unethical again. What is missing here is that we hear athletes saying, "We could not speak up and we did not speak up". There were several athletes that spoke up against classification on an international level, which concluded in us making an official request to IPC to review an athlete from another nation. That happened more than once and that goes under the special circumstances that I talked about before. I am sure those athletes did not write to you as much as the ones who are now complaining about it.

I think it was a very good set-up in the UK and there were a lot of options for the athletes to go to. After the fact is sour grapes to me.

Q636 **Chair:** I find it astonishing that you put it in that way. You certainly do not seem to have very much empathy for the athletes who have come forward with the complaints that they have raised, which is concerning because I think the distress of many of these athletes is real, even if you dispute their testimony.

With regard to the psychologists feeding back information to the coaches, you are quite right, that is unethical, but people are saying that confidential information that they never shared with the coaches became known to them after they had spoken to the sports psychologists.

**Peter Eriksson:** I do not know what you are referring to, but it never happened when I was there, to me anyway. I do not know what you are referring to, so it is just speculative to raise that issue. I do not know what to say about that. It did not happen.

Q637 **Chair:** So you had no direct experience of that and were not aware of that happening.

**Peter Eriksson:** No.

**Chair:** That is your view, okay. We do not have any further questions. Mr Eriksson, thank you very much for joining us this afternoon.

**Peter Eriksson:** Thank you.

Michael Cavendish, Deputy Performance Director, UK Athletics

Q638 **Chair:** Mr Cavendish, thank you very much for joining us this afternoon. To let you and anyone else watching the proceedings know, there is a chance that there may be votes in the House of Commons during this part of the evidence session. I hope that is not the case, but if there is we will need to pause while the voting takes place. We will resume as quickly



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as we can afterwards.

You will be aware that throughout the session we have just had with Mr Eriksson, and with the previous evidence session we had a few weeks ago, there have been widespread concerns raised about the rights and ability of athletes to raise grievances within the system. Is that something UK Athletics acknowledges as being a problem and what are you doing to address that?

**Michael Cavendish:** First, thank you for providing me with the opportunity to come and speak to you today.

I absolutely recognise that across the sporting system we need to make sure that the mechanisms through which athletes can raise grievances—whistleblowing, whatever it might be—are very clear, very concise and in place. Wherever there is an opportunity for us, the governing body, to improve we will always want to take on any suggestions or recommendations to do that.

We have a separate welfare team within UK Athletics—it covers the home countries as well—that is set up specifically to handle grievances and procedures. They have always been in place ever since I have been in the organisation. They sit separately. They do not even sit in the same office primarily as the rest of us at UK Athletics. We have various different grievance procedures and whistleblowing procedures depending on the nature of the whistleblowing or grievance complaint, whether it be below World Class Programme, official, staff member, coach, whatever that might be.

Q639 **Chair:** For a para-athlete today who is concerned about their classification within their sport, what would be the channel through which they could make a complaint? Who would they go to and is that person independent from their coaching team?

**Michael Cavendish:** As it stands at the moment, we have a classification co-ordinator who sits on our classification advisory group. They are tasked with essentially ensuring that the national classification system is run appropriately and effectively. They also feed into any athletes that go to the IPC for international classification. There are protest procedures for national level and they are documented and online. They were revised I think in early 2016. Athletes, when they go through their own national classification, are advised that they have the ability to protest their own classification.

As Peter alluded to, the international level is a little bit more complex because in many cases we are asking the IPC to make an exception if we were to protest or an athlete wanted to protest. Again, we have a process form that athletes can complete with evidence—and it has to be clear evidence for us to put that forward to the IPC—so that we can then do so.

Q640 **Chair:** What would be the nature of that evidence that they would need to present?



**Michael Cavendish:** They would have to be able to present something. It might be video evidence. Let's say there was a seated thrower, for example, who they could provide evidence was able to make a movement or hold an implement in a certain way that, according to the classification rules and regulations, an athlete in that class should not be able to do. Clearly, somebody being able to walk, for example, when they should not be able to walk as a wheelchair athlete, would be very clear evidence that, in terms of an international classification, we certainly would pass straight on to the IPC.

Q641 **Chair:** What weight is given to that sort of evidence—film evidence, evidence of physical ability—versus the information contained in an athlete's medical records?

**Michael Cavendish:** I cannot necessarily speak for the IPC, although at national level we follow the IPC rules. When an athlete goes through classification at any level—national or international—they have to submit a medical diagnostics form first, which essentially outlines the nature of their disability and the medical diagnosis that underpins their impairment. That has to be accompanied at national level and international level with a series of additional medical diagnosis criteria, whether that is a consultant report, an MRI scan, a CT scan, whatever it might be, that pertains specifically to that level or that nature of disability. I am not a classifier, so I cannot sit here and say exactly what weight they would give to very conflicting evidence from a medical diagnostics perspective versus video evidence, but my suggestion is that they would be taking everything into account to determine whether the athlete is in the correct class or not.

Q642 **Chair:** So that I am clear, the diagnostic form and the assessment of medical criteria would be completed by a doctor at the time of classification—would that be correct?

**Michael Cavendish:** No. That has to be submitted by an athlete in advance of being classified.

Q643 **Chair:** In terms of the evidence that is submitted in advance of the classification, presumably that would be submitted in conjunction with a doctor or some medic who works with that athlete or their team?

**Michael Cavendish:** Not necessarily, no. It would not be our doctor. It would not be anybody that is part of UK Athletics. For example, it might be a consultant report from an athlete who might have been diagnosed with a specific condition as a child and it will be a consultant report from the specialist, hospital or whatever it might be, that worked with that athlete when that person was a child. It is not the UK Athletics doctors completing that documentation. It is completely separate to us and then it is reviewed by the classifiers in advance and then within the classification system.

Q644 **Chair:** As you said, as part of the application there will be a diagnostics form that has been produced by a consultant. They will have sought that



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documentation themselves and then produced that along with their application?

**Michael Cavendish:** Correct, yes.

Q645 **Chair:** You said that could be someone who has worked with that athlete as a child. Is it required that these are historic documents or could they be documents that have been commissioned from a medic quite recently, before the application?

**Michael Cavendish:** It could be either. It is down to the exact nature and the type of impairment that exists as to what is appropriate and what is required. For example, if it is an acquired injury, if it is an injury they have picked up very recently, then clearly having something that was there from when they were a child is not going to be relevant. If it is something that has been very static from when they were a child—a CT scan showing brain injury or something that will not have changed over time—having that from maybe 10 years prior may well be appropriate. Again, that is for the classifiers to determine and not for me.

Q646 **Chair:** So that we are clear, it basically requires that, when the application is made, the athlete has a doctor or consultant to produce an assessment of what they believe their impairment might be if they are going for a para-classification?

**Michael Cavendish:** What the medical diagnosis is underpinning that, yes.

Q647 **Chair:** Yes, that would warrant them being placed in a particular class?

**Michael Cavendish:** Yes.

Q648 **Chair:** That is based on when the doctor sees the patient in front of them at that time?

**Michael Cavendish:** Yes.

Q649 **Chair:** That is then submitted as part of the classification process?

**Michael Cavendish:** Yes. In providing that, the doctor is not asked to justify the impairment or the classification. They are just asked to provide evidence of the medical diagnosis that may underpin whatever class it is they are going into.

Q650 **Chair:** Yes. We have obviously had a lot of discussion of classifications around cerebral palsy, for example. With something like that, is there a requirement to demonstrate when the first diagnosis occurred? That is often in childhood. Would that be necessary or is it enough for the doctor to provide an assessment of the athlete as they see them at the time?

**Michael Cavendish:** Again, my understanding is that it needs to be sufficient medical evidence for it to be very clear that an athlete has the condition—cerebral palsy or spinal cord injury or whatever it might be. In reviewing that information before they are putting an athlete through



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classification, if the classifiers deem that the medical diagnosis information that is provided is not sufficient, then they can ask for additional information that may be more recent. That may provide some different level of information that perhaps was not provided previously.

Q651 **Chair:** Is an athlete required to disclose their full medical history as part of the process or could they be asked to?

**Michael Cavendish:** As far as I am aware, they are not at the moment, no.

**Chair:** They are not, okay.

Q652 **Christian Matheson:** I have a quick question to follow up on that. When an athlete or their coach applies for this classification, are they applying for a specific classification?

**Michael Cavendish:** No. They may have an idea of what class they are going in with, but they are applying to be classified, be it at national or international level.

Q653 **Christian Matheson:** Are there any discussions or, for example, on the paperwork that you submit is there a section that says, "This is where I think I should be"?

**Michael Cavendish:** Yes.

Q654 **Christian Matheson:** They are allowed to make a suggestion?

**Michael Cavendish:** Yes. The reason for that primarily is that at national and international level you will often have different panels running alongside each other with different levels of expertise in a certain area in a certain panel. You might have one panel that has expertise in spinal cord injuries, so your 50s classes. You might have another panel that has expertise in the 30s classes, the co-ordination impairment. The prime reason why the IPC does that, and we follow IPC paperwork, is so that it can ensure that it organises athletes coming into classification into the classification panel that is most appropriate and most set up to handle their classification.

Q655 **Christian Matheson:** Is there a danger that the paperwork and the evidence that is put in is put in not to simply state the nature of the disability or the impairment that the athlete might be facing, but also perhaps to chase a particular classification?

**Michael Cavendish:** I guess there is always that risk, but that is the job of the classifiers, who are experts in co-ordination and functional impairment. It is not just about the medical diagnosis. It is about the impact of that diagnosis on an athlete's ability to move or function within their specific class. They can do that as much as they like, but it is down to the classifiers then to look at the impact of that medical diagnosis.

Q656 **Chair:** So I am clear on that, from what you said a medical diagnosis does not, in and of itself, trump a physical diagnosis. Both have to be



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considered together.

**Michael Cavendish:** Correct.

Q657 **Chair:** One does not have greater weight than the other, is that correct?

**Michael Cavendish:** Yes. The reason for that is that there are lots of very, very complicated things—like psychosocial conditions—that might manifest themselves in physical disability. There has to be a very clear medical physical diagnosis so that a classification that is eventually given can be evidenced and is not going to suddenly change for some particular reason.

Q658 **Jo Stevens:** Do you know how many applications for classification are made every year?

**Michael Cavendish:** At national level or international level?

Q659 **Jo Stevens:** National level, just a rough figure.

**Michael Cavendish:** I think it is in the region of about 50 to 60 that we put through our classification clinics on a national level. We currently have 1,084 athletes classified on our national database. Various of those will also be internationally classified as well.

Q660 **Jo Stevens:** Of the applications that come in, do you see the same medical experts, either GPs or consultants or whoever, appearing across a number of applications? Are there 'go to' doctors that you tend to see?

**Michael Cavendish:** I probably cannot answer that because I am not privy to the medical diagnostics information that comes in. That would be inappropriate for me to see that information. It is not something that I have ever been told that there is commonality with the experts who are being asked to provide this information. I probably cannot really answer that, to be honest.

Q661 **Jo Stevens:** Would it be possible to provide that information? Not to name the doctors, but I am interested to know whether or not there are people whose names are cropping up a lot among those applications.

**Michael Cavendish:** Yes. At a national level, we have a classification advisory group that do various reviews annually into various different parts of the classification process. I am sure they would be happy to look at that information, to give that level of clarity as to whether it is 100 different consultants every year or whether it might be the same two or three. I would be surprised because I would have thought, based on the reviews and the systems that we have in place, that that kind of thing would be spotted but I cannot sit here and say for sure because I do not see that information.

Q662 **Brendan O'Hara:** In March of this year, UK Athletics' review of the classification system revealed there was a wide consensus, among your witnesses and people that you spoke to, that the existing national classification system was open to abuse. Why do you think your





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witnesses believe the system was so vulnerable to abuse and manipulation? Did it come as a surprise to you?

**Michael Cavendish:** I think the independent review also said that, in terms of a national system, it was a world-leading system. It would be unfair not to take that into account at the same time.

My response to that would be that no system can be completely perfect. Where individuals—if they were to exist—want to try to cheat or manipulate the system, they will inevitably try to do so, much as the same way as exists in anti-doping, for example. It is not something that I can say I recognise. As I said, we follow the same rules and regulations at national level as exist at international level. Of course, it could be improved and the whole point of doing the independent review was to try to make sure that if there were improvements they could be found. We are putting in place a number of things to try to make sure we do that.

Q663 **Brendan O'Hara:** You were surprised that there was this wide consensus of opinion that the system was open to abuse?

**Michael Cavendish:** Yes. I am not sure how widespread the view was, but I cannot say that I would be surprised that anybody believes that any system is not perfect.

Q664 **Brendan O'Hara:** I absolutely agree. Systems are there and that is why things are put in place to stop it. It must have caused a degree of concern that it was regarded as so widespread and so open to possible abuse.

**Michael Cavendish:** Of course, it worries me if there is that widespread view out there that any system that we are involved in—be it at national or international level—could be open to such widespread abuse. I am not sure that it did say that it was very widespread concern that it was open to abuse but, as I said, I think the whole point of a review is to try to make sure that if there are any tiny holes in a process, or even large holes in a process, they can be closed by any new or extra level of governance or checks and balances that we could put in place. I believe that that is what we are doing now based on the outcome of that review.

Q665 **Brendan O'Hara:** On that point, what concrete steps has UK Athletics taken to ensure that the national classification system cannot be abused in the way that it was certainly perceived to be by so many of your witnesses?

**Michael Cavendish:** There were six key recommendations with various different steps out of our independent review into classification. The first one was primarily around communication and that was making sure that athletes were very clear about what the processes were, what their expectations were when coming into classification, what they needed to do around protests if they wanted to protest, various steps in terms of much better information on our website, new fact sheets when athletes



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are going into classification, better education at our talent level, talent camps—things like that. Those have been put into place immediately.

Probably the most important one, in terms of ensuring that there was a level of confidence in the system, was around medical: ensuring that there was sufficient medical expertise in reviewing the medical diagnostics information, for example, within our own national system. Our para lead doctor at UK Athletics sits on our classification advisory group. They are responsible for essentially viewing and checking particularly complicated cases or complex cases that come in. We have now worked with the BPA to set up. We are setting up a cross-sport panel of medical experts that we can call on where there might be contentious or complicated classification issues, along with an annual medical auditing process that again is spot checking, and coming into our classification process to check that what we are doing is consistent and that there are not any holes. We have reviewed our misrepresentation policy. Again, that primarily follows what the IPC is doing but just clarifies that we follow the same steps.

There were additional things around the classification process. One of the key recommendations that were made was that there was not enough of a link between the performances that athletes were putting in versus the classifications they were getting. I understand that there might have been some concerns that an athlete gets classified and then, all of a sudden, their performance suddenly shoots up. Again, we now have an annual auditing process to bring the two sides together—performance and classification—to make sure that we can properly cross-check where athletes are classified against how they are competing.

**Q666 Brendan O'Hara:** That is all very well and good but, for what you described as a world-leading system, that seems to be a huge amount of work and a huge amount of holes that have been filled that you say you were surprised in the first place was ever brought to your attention, don't you think?

**Michael Cavendish:** They are improvements in systems that already exist. We are not ripping up the classification system and starting again. They are improvements to things that already exist and just need clarifying, particularly with things like education. It is doing more and more of what we were doing previously. There is not a huge amount in there that is significantly new or significantly different to what we were doing previously.

**Q667 Brendan O'Hara:** The review also found that there was no formal process to protect whistleblowers and there was a belief that any complaints that were made would not be adequately followed up. Again, did this come as a surprise to you? What has UK Athletics done to address those concerns?

**Michael Cavendish:** The national protest process and national appeals process—because they are two separate things—have been clarified



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specifically relating to classification, and then the link to whistleblowing processes, which is organisation wide, has also been clarified as part of that. It was a surprise to me, back in 2016, that there was nowhere near enough clarity around our whistleblowing process and how it applied to this specific issue of classification. We have since rectified that to make sure there is absolute clarity about where any protests or appeals are handled, how they are handled, who is brought in externally to be part of that process, and then how that can relate to whistleblowing. I think an athlete protesting their or another athlete's classification is slightly different to a complaint that might come in via a whistleblowing process.

Q668 **Brendan O'Hara:** Are you confident that the changes that you have made and the system that is currently in place are adequate and do fulfil their purpose?

**Michael Cavendish:** Yes, I am.

Q669 **Brendan O'Hara:** You are absolutely confident in it?

**Michael Cavendish:** I am now, yes. Like everything, we will always continually review that and, where any recommendations are made out of a body like this or any independent review, we would always look to try to improve those things. Having redone our whistleblowing processes this year and had them signed off by our board and the board of the home countries, I am absolutely comfortable that they are fit for purpose.

Q670 **Brendan O'Hara:** Could I ask you about an article that appeared in *The Guardian* in September 2016? In an internal e-mail you are reported as saying, "Concerns that some athletes were intentionally seeking to be placed in classes perceived as having less challenging opposition". What did you mean by that and what was your motivation in sending that e-mail?

**Michael Cavendish:** It would probably be worth giving a little bit of context for that e-mail. I have the e-mail in front of me. It was a very long e-mail and only a small part of that was taken in *The Guardian* article.

The medical diagnostics form that I spoke about earlier on was an IPC-led system and, as I said earlier, at national level we essentially follow what the IPC does. Prior to 2013 there was no medical diagnostics form, so it was a very different system in the run-up to 2012 than what it is now. Even since 2013 I would suggest that it is significantly better now than it was then.

Q671 **Chair:** Sorry, just for the benefit of the Committee, would you mind explaining the system prior to the change in 2013?

**Michael Cavendish:** The main difference was that athletes had to bring medical information not in a specific formatted way like the medical form might suggest. They had to bring that with them to a classification. It was not required in advance of classification to be reviewed before an



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athlete came into the room. The medical diagnostics form and then the requests that accompanied that meant, therefore, that that information went on an online system with the IPC and then we essentially have our own version of doing that at a national level. That can be reviewed in advance and then is stored for eternity.

Q672 **Chair:** Do you remember when in 2013 the change came in?

**Michael Cavendish:** I don't know for sure. I think it was just prior to the world championships in Lyon, but I am not 100% sure without going and checking the details.

The medical diagnostics form was brought in by the IPC in 2013 and it was one of the things that, as a governing body, we had pushed the IPC to do. Therefore, because of the ability to not have clear oversight in advance of what the medical diagnosis was going into a classification, we were aware that that presented some potential holes within the system.

My e-mail in 2014, although it was after the introduction of the medical diagnostics form, at that point we were not sure how widely the medical diagnostics form had been used and what the impact was because it had only been relatively recently introduced. The e-mail was sent because we wanted to introduce our own additional layers of checks at a national level before we sent anybody for representation as British Athletics teams or as part of the World Class Programme.

The rest of the content of that e-mail said that we wanted to put an additional layer of eligibility in our selection policies for major championships and for the World Class Programme and that, regardless of a classification that the IPC had given out, we wanted to make sure that our CMO had to have signed off the medical diagnosis and the information that underpinned an athlete's classification before we allowed them to be selected for any major championships or the World Class Programme. That was to be really clear that, if there was any risk whatsoever that because the systems perhaps were not as robust back in 2012 as they are now, we could catch any potential issues where an athlete might have been in the wrong class, either accidentally or otherwise.

Q673 **Brendan O'Hara:** That e-mail was written in 2014.

**Michael Cavendish:** Yes.

**Brendan O'Hara:** In and around that date, was there a particular incident or an event that happened that was your motivation in sending that e-mail?

**Michael Cavendish:** Not in and around that date, no.

Q674 **Brendan O'Hara:** Prior to that date, was there an event that motivated you to send that e-mail?



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**Michael Cavendish:** It came after the World Championships in 2013. We would always do a thorough review prior to the World Championships, much as we did prior to the Paralympic Games, of athletes who were on the team and the validity of their classification, particularly in 2013 as they were going in for classification at the time. We wanted to be doubly and triply sure. It was not in response to any specific issue or any specific circumstance where we felt that we were any more exposed than any other nation.

Q675 **Brendan O'Hara:** Nothing happened at the championships in 2013 that gave you cause for concern to write that e-mail?

**Michael Cavendish:** Only insofar as we wanted to make sure that our own athletes on our team were 100% evidenced for the medical diagnosis that underpinned their classification. We were following IPC rules at that time and medical diagnosis forms had only just been brought into play, so we wanted to make sure that we were completely and utterly above board in that respect.

Q676 **Giles Watling:** Going back to the airing of grievances and the whistleblowing policies that you have, you have made clear that you feel that there are adequate facilities for athletes to come forward and you do not feel that athletes might be reticent about coming forward because of possible repercussions. Is that so?

**Michael Cavendish:** It is not something I can say I have experienced. I would be sad if that was the case but we always have to make sure that if there are any athletes, parents or coaches, out there who feel that way, we have sufficient processes in place—whatever they may be—to try to alleviate that. The relationships with the staff I see, on the Paralympic programme and the Olympic programme generally, are very positive and I don't feel a sense that there is any fear of repercussions of speaking out. We engage in feedback surveys relatively often. We have recently done the UK Sport culture health check and we did surveys after—

Q677 **Giles Watling:** Sorry, can I just jump in on that? What was the result of the feedback survey?

**Michael Cavendish:** That feedback survey and ones that we do post major championships—we did them post Paralympics and post World Championships—generally are positive. They are anonymised so we can't see who has given us any of the responses.

Q678 **Giles Watling:** Who is contributing to that survey?

**Michael Cavendish:** That goes to all athletes. The culture health check is all athletes on the World Class Programme, as well as staff and coaches who contribute to the World Class Programme, and it goes out to stakeholders as well. It is a UK Sport-wide approach and prior to that there was something called the insight survey that did something similar. For our major championships feedback it is any athlete or any staff member who was present at those championships.



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Q679 **Giles Watling:** Do you feel that your net was cast wide enough on those feedback surveys?

**Michael Cavendish:** I think so. The remit for my role in the World Class Programme is specifically to make sure that what we are doing on the World Class Programme and the championships that we operate within that programme are catered for. The net would be wider for the wider classification system, so they were not included in that, but my remit and my job is to ensure that feedback and, yes, I am comfortable—

Q680 **Giles Watling:** I am sure you are aware that there have been calls for greater independence as far as whistleblowing is concerned. What is your reaction to that?

**Michael Cavendish:** My reaction is that I would be supportive of anything that strengthens athletes' ability to speak out in a comfortable, confident and, if necessary, private way to resolve any complaints.

**Giles Watling:** Anything that would make the athletes feel more comfortable—

**Michael Cavendish:** Of course we would be supportive of making the system better and athletes more comfortable. Our role in running a World Class Programme is to try to win medals, but we are not going to win medals if we do not have athletes who are comfortable and confident in what they are doing.

Q681 **Giles Watling:** That brings me to think that perhaps you don't think the current system is fit for purpose?

**Michael Cavendish:** I don't think it is not fit for purpose but, if there is a range of different mechanisms, the more mechanisms there are for athletes to feel they can speak out the better. I don't think that any particular system is not fit for purpose at all.

Q682 **Jo Stevens:** Can I ask you a bit more about the culture health check feedback survey? You do it after major games and the World Championships.

**Michael Cavendish:** The culture health check is an annual thing for the World Class Programme. We do separate surveys after major championships.

Q683 **Jo Stevens:** When people fill it in, is it a tick-box thing where you say "good", "bad", "indifferent", multiple choice answers, or is it a free text feedback survey?

**Michael Cavendish:** Both.

Q684 **Jo Stevens:** Do you publish any analysis of the feedback?

**Michael Cavendish:** We feed it back to those individuals who were invited to contribute.

Q685 **Jo Stevens:** But not publicly?





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**Michael Cavendish:** Not publicly, no.

Q686 **Jo Stevens:** I am particularly interested in the response rate from the athletes. Do you know what that is?

**Michael Cavendish:** For our culture health check this year, for both the Olympic and Paralympic programmes, it was between 80% and 85%.

Q687 **Chair:** I would like to ask you a few questions about Mr Breen's allegations, which I know you are well aware of. Last year you were part of an internal review that UK Athletics commissioned in response to Mr Breen's allegations. I am right in saying that you led that internal review with the support of outside legal counsel; would that be correct?

**Michael Cavendish:** Yes.

Q688 **Chair:** Why did UK Athletics decide that was the best way to deal with Mr Breen's allegations? It is clearly something that has been created in response to those allegations. It is not a permanent system for dealing with allegations that have been brought.

**Michael Cavendish:** We were aware for some time of Mr Breen's concerns about a very specific athlete, perhaps back to 2013. There had been various conversations throughout the years about a particular athlete they were concerned about. In our view, the timing of it was very critical. Despite knowing of potential signs of concern back to 2013, we received that complaint virtually immediately before the Paralympic European Championships prior to the Paralympic Games in 2015. We wanted to make sure that we handled the process as quickly as possible. It was a complaint that was very specifically targeting at one particular athlete, at both a national and international level, and we were aware that Mr Breen had already spoken directly to the IPC.

The correspondence that we had from Mr Breen was understandably very direct and was at times felt by the Paralympic head coach and the performance director, who had had the correspondence before I became involved, that it was very difficult to deal with. They did not feel that they could handle Mr Breen's complaints appropriately and effectively and they felt a little bit threatened with some of the complaints that came in. It was not really a whistleblowing complaint; it was an allegation against a specific athlete more than anything else. I simply asked for some advice from our legal counsel about what was the best way to approach it. Their suggestion was that the best thing to do was to get an investigation underway as soon as possible with them and then with an independent QC.

Q689 **Chair:** Who was part of making that decision internally? To bring in outside counsel and legal assistance for something like this I can imagine is not something that is usually done. Was this a board decision? Who else was involved in making that decision?



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**Michael Cavendish:** I took guidance from our chief executive and I am sure he would have raised it with our board and our performance director, who is my boss.

Q690 **Chair:** Who was the performance director?

**Michael Cavendish:** The performance director is my boss.

**Chair:** Yes, and that person was—

**Michael Cavendish:** Neil Black.

Q691 **Chair:** What is your working relationship with Paula Dunn?

**Michael Cavendish:** She is the head coach of the Paralympic programme. She is a colleague. I have been on teams at the same time as her but that is essentially our working relationship. I work across the Olympic and Paralympic programme. About 70% of my time is dedicated to the Olympic programme and about 30% to the Paralympic programme, so I do not have as much day-to-day involvement in a lot of the things that take place on the Paralympic programme as I do on the Olympic programme.

Q692 **Chair:** You are leading this particular review with outside counsel support. Did people question whether if this was a serious review to be conducted—and clearly UK Athletics decided that it was—it would have been better for it to have been done by someone who was not part of the management structure at UK Athletics, someone who was totally independent from the organisation and has no particular relationships with people they may be investigating?

**Michael Cavendish:** I can understand that that would be a concern that would be raised, but I come back to the timing more than anything else, the complexity of the issue that was raised and the need to protect the duty of care of the athlete against whom the allegations were made. It was very clear to us that I had to have a conversation with that individual as they were competing at the European Championships, for example, and it put them in an extremely difficult and awkward position. We wanted to make sure that we struck the right balance between trying to protect their duty of care and the duty of care of Mr Breen, who was complaining at the same time. We felt that, if we did a completely separate external investigation, it would significantly impact on the duty of care and the welfare of the vulnerable adult who had been accused in their preparation for the European Championships and for the Paralympic Games a few months later.

Q693 **Chair:** A lot of the work done by an independent inquiry is checking records, checking people involved in the process at the time. You are looking into an allegation relating to a process that had taken place several years before. In considering the way this investigation was conducted, did you meet with Mr Breen to discuss the concerns that he had raised?



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**Michael Cavendish:** I didn't, no.

Q694 **Chair:** Why is that?

**Michael Cavendish:** From the nature of the correspondence that had been received by the Paralympic head coach and the performance director, it was clear that meeting with Mr Breen might have made matters worse and might have been counterproductive. In an ideal world, we would have always met the individual involved but a lot of the allegations and information that was being presented—and it had been exhaustively in writing—was primarily second and third-hand accounts of the national classification of the athlete concerned. Our view was that we were better placed to speak to those individuals, who were present at the classification itself, to get the facts of what did and did not occur at that classification.

Q695 **Chair:** With an independent review, what would be normal is you speak to the person who is making the allegations about the nature of the allegations. Subsequent to the review being concluded, did you discuss the review and the outcome of the review with Mr Breen at all?

**Michael Cavendish:** He was part of our independent review later in 2016 and he was sent a detailed overview of the outcome of the investigation itself.

Q696 **Chair:** Was there an opportunity for him to discuss the outcome of the investigation with you or anyone else at UK Athletics?

**Michael Cavendish:** No.

Q697 **Chair:** You commissioned a review based on his complaints but you have not discussed his complaints with him during the review and, effectively, he has then been sent the outcome with no opportunity to question or discuss it at all?

**Michael Cavendish:** He did feed back to us numerous times after that in writing. We took those issues of concern, but generally they were a repeat of the previous issues that had been raised and had been investigated already by the independent review process.

Q698 **Chair:** You did not respond to any of the questions he raised about the review. They were not answered.

**Michael Cavendish:** Yes, we did respond to some of those.

Q699 **Chair:** He has shown the Committee and he responded with a number of questions about the way in which the review had been conducted and those questions have not been answered.

**Michael Cavendish:** Not to the best of my knowledge, no.

Q700 **Chair:** With this particular athlete, the initial classification was conducted by a medic and a technical adviser. That is correct, isn't it?



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**Michael Cavendish:** Yes. I think it may have been a physio but I would need to check.

Q701 **Chair:** In this case the physio was part of the review but not the doctor who conducted the medical assessment. That is correct, isn't it?

**Michael Cavendish:** Say that again.

**Chair:** The physiotherapist who did the technical assessment, based on the performance of the athlete, was consulted as part of the review. The doctor who was part of the same classification panel was not consulted as part of the review. That is the case, isn't it?

**Michael Cavendish:** A trainee classifier who was in the room was consulted. We did not get a chance to speak to the doctor as part of the review process but the chief classifier, who was the third decision-maker as part of the panel, was spoken to and was also medically based.

Q702 **Chair:** The person who was observing was not considered to be part of the process and was part of the review. They were not there to give an opinion; they just happened to be in the room. You said that the doctor was not available. Did you see—

**Michael Cavendish:** In terms of who was observing, sorry?

**Chair:** You said there was an assessor in the room who was there in an observational capacity.

**Michael Cavendish:** Yes, that is correct.

**Chair:** There is a physiotherapist who is there to give technical assessment of the athlete. There is a doctor there to give a medical assessment. Then there is a chief classifier as well. The initial classification decision is taken by the doctor and the physiotherapist. As part of your review, from what you just said, you spoke to the physiotherapist about his view but you did not speak to the doctor. Did you attempt to seek the view of the doctor?

**Michael Cavendish:** Yes.

Q703 **Chair:** Why was that not forthcoming?

**Michael Cavendish:** We just could not get hold of him. We did not have the contact details at the time. We were trying to expedite the process to try to make sure that we answered all the questions, effectively. The detail that we had on the classification form that had been signed by the medical classifier in the room was the information that we used.

Q704 **Chair:** You didn't have the contact details of the doctor?

**Michael Cavendish:** I struggled to get hold of the doctor, yes.

Q705 **Chair:** But isn't that pretty fundamental as part of a review? Ultimately, you are talking about three people who make the decision—two people who make the initial decision, one of whom you speak to and one of



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whom you don't. That has to be pretty fundamental for a review like this, hasn't it?

**Michael Cavendish:** We reviewed all the paperwork as well as part of that. We reviewed the paperwork that they signed and they had signed off, but I understand your concerns, yes.

Q706 **Chair:** Particularly because I think it is important, if you are conducting a review like this, to understand why people made the decisions they made, particularly as there was a split decision between the physiotherapist and the doctor. The physiotherapist did not agree with the classification and said he did not think it was right.

**Michael Cavendish:** But he did sign the—

**Chair:** He was part of a process where three people make a decision. I do not know whether that was a two-to-one vote or they all agreed together collectively to put their names to it, but that physiotherapist has subsequently said that he raised concerns about the medical classification aspect of it at the time. He is not a medic so maybe his concerns were not considered. You are conducting an important review of a classification of an athlete but you do not speak to the medic whose view was sought at the time and who played a crucial role in the decision that was made.

The reason I think this is so important is it does cast a shadow on the review itself, and that affects people both ways. It affects the athlete who is under investigation because doubt remains and, therefore, they are unable to properly clear their name, and it perpetuates the concerns made by the people who brought the complaint in the first place because they feel their complaint has not been properly investigated. When they challenge you about the failure to interview some of these key people, they do not receive any response.

Would you accept that that was a failure of process, not just you personally but on behalf of UK Athletics? You are an employee of UK Athletics; it is their responsibility. Would you accept that this was a failure of the process that in part has contributed to the discussions we have been having in the last few weeks?

**Michael Cavendish:** Yes. If our failure to do any of those things suggests that the integrity of that review process was not as good as it could have been, I would happily admit that and agree with it.

Q707 **Chair:** Looking back on it now, would you accept that the process was not adequate? You should have interviewed the doctor. You should have interviewed all the key people, and probably should have spoken to the Breens as well. Do you accept that?

**Michael Cavendish:** Yes.

Q708 **Jo Stevens:** To clarify something, you said that you had struggled to contact the doctor and then you said that you did not have the contact details for the doctor. Can you tell us exactly what you did do in your



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attempts to contact or speak to the doctor?

**Michael Cavendish:** My recollection was simply that I tried to get an e-mail address. I got an e-mail address and did not know if that was going through because I did not get a response and the same with a phone call. I tried a couple of numbers to try to get a response and did not get a response.

**Jo Stevens:** That was the extent of the inquiry, okay. Thank you.

Q709 **Chair:** Hadn't the doctor in question been in partnership with other doctors that work at UK Athletics?

**Michael Cavendish:** I don't know. I couldn't tell you for sure.

Q710 **Chair:** We were told that she was previously in partnership with Rob Chakraverty, who was UK Athletics chief medical officer. She was a former partner in a practice they worked in together. He was involved in the review. Are you saying that he could not have got hold of the doctor concerned?

**Michael Cavendish:** I don't know whether that is the case or not.

Q711 **Chair:** That is what I have been told. I would be happy if people want to come forward and say that is either correct or incorrect, but it seems pretty extraordinary that that person could not be reached. You are conducting a review of an assessment that only took place a few years before, so it is not as if a long, long time has passed.

Looking at this, and I think this has partly contributed to Mr Breen's anger about it and the anger of other people, when someone raises serious allegations—and let's not forget that the person who started this ball rolling was Paula Dunn and the concerns that she shared with other people at the time that led to suspicions being developed, concerns raised by someone from someone within UK Athletics—it is allowed to fester for years. When the review is finally conducted, key people who were part of the decision-making process are not consulted and a review is published in secret, effectively. It was a secret document sent back to Mr Breen, which he has no right to question and there is no wider circulation of it.

This is not an adequate process at all and you have admitted that; you have acknowledged that. It should have been a properly independent process that involved all the parties involved. If it had have been, whatever the outcome, at least the matter might have been laid to rest. At the moment, that element of doubt remains, which I think has damaged the athlete and the other people who brought the complaints about it.

If there are no further questions from the panel, I think we have concluded what we had to ask about today. Mr Cavendish, I appreciate that you were probably asked to play a role in this process and did not design the process yourself, but I certainly think it is a process that does not stand up to scrutiny. In the work we are doing as the Committee,





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looking at other grievance procedures run by governing bodies, I think this is another example of a procedure that has failed both the athlete under investigation and those who brought grievances against the process itself. Thank you.