

Open letter to Maurice Watkins, Chairman of British Swimming, and the other Board members of British Swimming

Dear Mr Watkins and other members of the British Swimming Board,

We are a group of Masters swimmers who have significant involvement in the administration of our sport and/or who have had major international success in Masters swimming. Several of us formerly competed internationally at elite level.

We are writing this open letter to express our serious concerns over governance in British Swimming and over the contemptuous and sometimes bullying manner with which the Board has treated our community. Most recently we have seen this in your decision to nominate a former Board member to FINA in total disregard of the wishes of stakeholders.

The immediate background, as you know, is the contribution of poor governance in British Swimming to the failure of the Masters event at the London European Aquatics Championships 2016 (although many of us had significant concerns over governance of swimming long before then). This event, as evidenced by a YouGov survey, was a disaster for competitors, described as a fiasco, shambles and the worst-organized Masters event ever.

Moreover, the Championships overall were a commercial failure, resulting in significant financial losses for British Swimming and UK Sport. Several hundred thousand pounds of these losses resulted from issues connected with the Masters event which might have been avoided by stakeholder engagement.

As you also know, the event resulted in a legal settlement in Autumn 2016 over competitors' claims of breach of contract and gender discrimination. In this settlement competitors sought, and obtained, not individual compensation but an apology to the community and governance reforms, including reinstatement of our representation and a Masters budget.

Related to that settlement, British Swimming also made certain assurances over future governance. You asked the community to overlook past failures and to "look forward", based on these assurances. However, in the subsequent nine months we have been gravely disappointed.

We draw your attention to, and call for action on, the following:

1. Nominations to international Masters committees

You were made aware during the legal negotiations that a major issue for the community was that Board member (now former Board member), Simon Rothwell, should not represent Masters internationally. Mr Rothwell was originally nominated without stakeholder consultation, has not engaged appropriately with the community while on the LEN Masters Committee, and was Chair of that Committee for the disastrous 2016 event. We consider him an unacceptable nominee.

You gave assurances during the legal negotiations that future nominees for international committees would be selected by the new Masters stakeholders Group, following open advertisement. Further, the Group's initial constitution provided expressly for the Group to identify nominees, and a later version clarified that the Group must approve nominations.

In April 2017 members of the community discovered from a third party that you were nominating Mr Rothwell to the FINA Masters Committee without even informing the Group.

You replied to the swimmer who first raised concerns that you did not have to defend the constitutionality of your behaviour. The Chair of the stakeholders Group then wrote to you asking to

discuss the matter urgently. However, you did not finally take the issue to the Group until the deadline for nominations was past. When you finally asked the Group to endorse it as a *fait accompli*, in an email that explicitly accepted that endorsement was required, the Group refused to do so. You then simply decided to go ahead in any case.

The Board's decision to continue with this nomination, as well as the response when the issue was raised, shows the organisation's complete contempt for stakeholder interests and good governance.

This issue is not only important for Masters swimming. More broadly, open and proper appointment processes ensure that nominees represent stakeholder interests and promote equality of representation, which is currently sadly lacking in swimming. This is vital for the effective functioning and integrity of our international federations and thus for supporting our Government's policy of promoting good governance in international sport.

We thus request you to:

- ***Immediately withdraw the nomination of Simon Rothwell;***
- ***Explain why you failed to follow the proper and promised process, and why you did not address this matter properly BEFORE the nomination deadline after our concerns were notified to your Chairman***
- ***Make future nominations only in accordance with the proper constitutional processes and in compliance with the assurances given to the Masters community; and***
- ***More generally, observe principles of good governance in all your areas of operation, not only in areas that are funded by UK Sport and therefore subject to scrutiny and potential sanction by that body***

We accept that withdrawing this nomination will mean that there is no GB nomination, but believe that this is still preferable to maintaining it.

We also note that you believe you have specific reasons for nominating Mr Rothwell. However, this cannot justify dispensing with the proper process: these reasons should be explained as part of that process, allowing the stakeholders' Group to judge their merits.

2. Your failure to deal with important equality issues

A second major concern is your failure to act following discrimination in the allocation of races at London 2016. As you are aware, while around 43% of individual swim entries were made by female competitors, only about 28% of the individual swims in the Olympic pool were allocated to female competitors, the remaining swims taking place in the much-inferior second pool.

In your apology published after the event you acknowledged complaints over this and stated:

"British Swimming is committed to ensure that Equality and Diversity is at the heart of British Swimming's operations and considers equal treatment as one of the cornerstones of its Equality and Diversity policy. The data available from the Championships will be analysed, and we will use it to continue to strive to achieve our objective of equal treatment."

Equality is a major issue in the context of the current composition of the Boards, Bureaux and committees involved in the governance of swimming and, as we noted above, one important reason for our concern over your failure to follow an open process for the FINA appointment.

However, despite being pressed on this, more than a year after the complaints of discrimination and nine months after the above statement you have still told us no more than that you will look at this.

We thus request you to:

- ***Look at these data forthwith, explain your conclusions, and report publicly on what specific action you will take to ensure that both you and your partners, including the international federations, will ensure respect for equality issues***

3. Your response to concerns raised by stakeholders

We are also gravely concerned over your dismissive and, in some cases, bullying responses to our attempts to raise our concerns. These show a persistent pattern of contempt for stakeholders and we note with extreme disappointment that this continues despite your assurances last year that there would be changes, and calls to “look forward”. We refer to:

a) Your recent response to the concerns over Simon Rothwell’s nomination (point 1 above)

b) The fact that at the time of the controversy over the London event you dissolved the GB Masters committee, leaving Masters without representation at a critical time

We note that this was done in a manner that committee members considered unconstitutional, and which one member described to the press as “bully-boy” tactics. As you know, the continued role of the committee members was subsequently accepted in the legal settlement, in acknowledgement that the committee’s dissolution was premature and left a vacuum in Masters’ representation pending the creation of a new stakeholders Group.

We note, however, that despite repeated requests for an investigation and explanation to provide accountability over the dissolution you have declined to engage with this important issue.

c) Your attitude to stakeholder representatives in the run up to the London 2016 event

We refer here to the fact that you/your subsidiary took no heed of repeated advice from the GB Masters committee and other representatives over the likely number of competitors at London 2016; rejected an offer from the Masters committee to assist with the preparations (even though you lacked relevant expertise); and did not even acknowledge a detailed communication from that committee offering assistance after the problems became apparent.

d) Your response to complaints over the London 2016 event

We refer here to the fact that swimmers who tried to raise concerns over the London event (including a number of us signing this letter) received totally dismissive responses. Among other things, specific and persistent requests for the information that is legally required for on-line contracts were simply ignored, creating a significant obstacle to pursuit of complaints.

We also refer to the fact that your subsidiary company initially responded to one swimmer, via her lawyer, with a generic threat of possible “action” against her and any other clients who might continue “in the same vein”. This threat came in a letter sent by Brabners, whose senior partner we note is Maurice Watkins, Chairman of both British Swimming and the subsidiary company. This general threat of retaliatory action, which does not even refer to specific conduct or individuals, has shown clearly the obstacles faced by stakeholders who seek to hold you to account.

e) The fact that you declined requests from the community to commission a feedback survey of London 2016 Masters competitors

Your contempt for the community is also clearly revealed by the fact that despite the controversy you refused a request to undertake or cooperate in a feedback survey; pronounced London 2016 a success without this; and so far as we are aware have not revisited the issue even after being sent

the highly negative results (and 142 pages of angry comments) from the YouGov survey which was eventually commissioned by Masters themselves.

We thus request you to:

- ***Respond as requested on the issue of dissolution of the GB Masters committee; and***
- ***Engage properly and fully in future with our concerns, and implement a culture that ensures that this happens***

We look forward to a public response that addresses fully the points listed above, rather than another generic statement that simply reiterates your alleged commitment to good governance and equality.

Yours sincerely,

John Stewart Anderson (ex-GB senior international; ex-English Junior record holder; ex-Team Manager World University Games GB)

Professor Sue Arrowsmith (ex-Welsh senior international triathlete; Nottinghamshire County Masters Representative)

Jane Asher (World and European Masters record holder, European Masters champion and ex-World Masters champion)

Dr Neville Barton (GB Masters record holder, ex-World and European Masters record holder and World Masters relay record holder)

Bob Bolton (Cheshire County Masters Representative and Manchester & District Water Polo and Swimming Association President)

Fred Bolton (ex-Northern Counties ASA and ex-Cheshire County Masters Secretary; ex-GB Masters record holder and ex-GB Masters champion)

Jim Boucher (Northern Ireland Masters record holder; Board Member Swim England South East Region and Surrey County Treasurer and Masters Secretary)

Kirsten Cameron (ex-New Zealand senior international; World and European Masters record holder)

Dr Ruth Cartwright (ex-Masters World Champion; ex- Leicestershire County Masters Representative)

Anthony Gimson (Past President Sussex County ASA, ex-ASA Masters Committee and ASA South East Masters Committee; GB Masters record holder)

Christine Goodair (ex-Board Member London Swimming)

Alison Gwynn (European Masters medallist and World and European Masters relay record holder)

Mike Hodgson (ex-GB senior international, European Masters record holder and World and European Masters medallist)

Helen Jenkins (Swim England North West Region Masters Committee; European Masters medallist)

Alec Johnson (GB Masters record holder and GB Masters champion)

Duncan McCreddie (World Masters record holder)

Jeroen Peters (Swim England North West Region Masters Representative)

Graham Short (ex-World and European Masters record holder and European champion)

Dr Alex Thurston (European Masters champion and World Masters relay record holder)

Kathleen Tunnicliffe (World and European Masters medallist and GB record holder)

Kate Vines (ex-Welsh international and ex-Welsh record holder)

Dr Alexander Wilson-Mills (ex-GB and Scottish senior international and Scotland team captain for 1974 Commonwealth Games; ex-GB team doctor; ex-World and European Masters Champion and World Masters record holder)