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# **BLACK FERNS CULTURAL & ENVIRONMENTAL REVIEW**

## **For: New Zealand Rugby**

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# WHAKATAUKI

*He ope wāwāhi ka heke*

*He ope tūtira ka eke*

*A split entourage will be defeated*

*A united entourage will be victorious*

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# Contents

Sections	Page
<b>1. Executive Summary</b> .....	<b>1</b>
Opening Comments .....	1
Key Themes.....	1
Recommendations .....	2
<b>2. Background &amp; Context</b> .....	<b>6</b>
Review Process & Context .....	6
NZR's Respect & Responsibility Review 2017 .....	7
Women's Rugby in New Zealand .....	8
Black Ferns' Recent Seasons .....	10
Te Kura Ngata-Aerengamate's Post .....	11
<b>3. Key Themes &amp; Recommendations</b> .....	<b>14</b>
Black Ferns' 'High Performance' Environment .....	14
Black Ferns' Culture .....	16
Management Structures .....	18
Player Leadership Structures .....	20
Communications Structures .....	21
Health and Wellbeing Systems (for Players and Management).....	23
NZR Structures .....	25
<b>4. Appendices</b> .....	<b>27</b>
Terms of Reference.....	27
Te Kura Ngata-Aerengamate's Instagram Post (6 December 2021) .....	29
Glossary.....	31

# EXECUTIVE SUMMARY

## Opening Comments

1. At the outset, the Review Team wishes to acknowledge and thank the large number of people who participated in this Review (including current and past Black Ferns players, coaches, management, administrators, players' association personnel and other stakeholders). Their individual experiences and views gave the Review Panel invaluable insights into the Black Ferns' culture and environment.
2. The Black Ferns team has created a significant whakapapa and legacy in a relatively short period of time. Since the Women's Rugby World Cup was officially sanctioned by NZRFU in 1991, the Black Ferns have won five of the seven Rugby World Cups. The wāhine who wear (and pass on) the Black Ferns jersey, together with those who contribute to the team's performance and success off the field, have bestowed mana on women's rugby in Aotearoa and have much to be proud of and to uphold. Whakapapa translates to layering one layer upon another. The responsibility to maintain and positively contribute to the Black Ferns whakapapa is clearly evident within all members of the current team.
3. The Terms of Reference for this Review (**Appendix A**) state that the Purpose of the Review is to consider:
  - What is working in the Black Ferns culture and environment;
  - Whether there is anything that is not working;
  - What can be improved; and
  - Whether there are any behavioural and/or wellbeing concerns in the Black Ferns culture or environment.
4. The key themes and recommendations below encapsulate the Review's findings in relation to the four points above. The recommendations are designed to help optimise the culture and environment (the '**performance culture**') of the Black Ferns going forward.

## Key Themes

5. The key themes that have been identified in this Review are:
  - a) There are challenges in the Black Ferns 'high performance' environment, as players, Management and systems have transitioned to a semi-professional model;
  - b) The culture amongst the Black Ferns players is strong, but is not fully aligned with management;
  - c) Management structures do not always appropriately support the Black Ferns' culture and environment;
  - d) The player leadership structure is positive but needs refinement;
  - e) Significant communication issues exist between players, coaches & managers (**Management**), union (**NZRPA**) and other stakeholders;
  - f) There are health and wellbeing gaps in the environment for players and Management; and
  - g) New Zealand Rugby (**NZR**) structures have not sufficiently supported women's high performance rugby in New Zealand.

## Recommendations

The Review Team's recommendations are as follows:

### **BLACK FERNS HIGH PERFORMANCE ENVIRONMENT**

- (i) NZR has done a great deal of positive work (with players, Management and the NZRPA) to move the Black Ferns into the professional era – however, there is no clear or consistent high performance vision, practices or mind-set; this needs to be addressed.
- (ii) There are some capability gaps in Management (due in large part to a historic lack of robust recruitment, training and/or support processes by NZR). Accordingly, NZR should review the Black Ferns' current team management/coaching structure, to reassess current capabilities to:
  - Lead the Black Ferns until the 2022 Women's Rugby World Cup and beyond;
  - Create an environment that is safe and inclusive with regard to culture, gender and sexuality (and address any gaps in these capabilities). This capability should be assessed by credible experts;
  - Provide immediate support and mentoring for any current capability gaps; and
  - Take a more proactive role in monitoring the Black Ferns environment while any change occurs.
- (iii) Standards of behaviour that foster a high performance culture need to be established by NZR (in consultation with players, Management and NZRPA) and then regularly monitored within NZR's operations. This should coincide with education for players regarding the responsibilities and expectations required of them in a high performance environment, to enable them to make fully informed decisions regarding whether such an environment is 'right' for them (noting that the high performance environment may not be suitable for everyone – players and Management).
- (iv) A long term, sustainable, high performing and inclusive culture needs to be developed in the Black Ferns. There also needs to be alignment across Management and players regarding what a high performance environment/mind-set looks like, to win at pinnacle events.

### **BLACK FERNS CULTURE**

- (v) NZR needs to place greater focus on rights and welfare needs of players and Management.
- (vi) While the use of tikanga and other cultural practices are already embedded within the team to some extent, the knowledge and capability of those leading in this area needs to be harnessed appropriately, to ensure that the responsibility is appropriately delegated and afforded the mana that comes with this role. NZR should give consideration to establishing a central role for someone to hold this responsibility, similar to the turanga kaumātua in the Māori All Blacks team (given the sense of identity and pride that culture has within the team, for both players and management)
- (vii) Education for players on the terms of the player contract (Memorandum of Understanding (MOU)) between NZR and NZRPA, relevant policies and how to access complaints processes should occur regularly. For example, given the speed with which changes have been made, the impact COVID-19 has had on in-person contact and the lack of opportunities for players

to connect meaningfully with both NZR and NZRPA, more thorough education may need to be provided initially when players receive contracts to ensure players' understanding, and subsequent education could be provided on an annual basis. The team structures should acknowledge the importance of the NZRPA and Player Development Manager (**PDM**) in this space, and support the relationship between the NZRPA/PDM and the Black Ferns (e.g. the PDM having a presence during some assembly periods).

- (viii) The Black Ferns environment needs to endorse practices and structures to allow for psychological safety and psychological freedom. NZR needs to ensure that there is sufficient awareness of, and confidence in, the channels available for people to disclose or report harm. The effectiveness of these measures should be adequately monitored and evaluated in-season and post-season. See Health & Wellbeing (for Players & Management) section for recommendations.

### **MANAGEMENT STRUCTURES**

- (ix) Management structures should be re-evaluated to ensure they support the mechanics of high performance (such as accurate and up to date job descriptions, contestable recruitment processes – including key competencies such as communication capabilities, proper inductions and performance review processes, as well as ongoing professional development). It is understood that NZR has recently created two specific high performance roles for women's rugby, and this is a step in the right direction.
- (x) NZR should implement measures to ensure that cultural and gender diversity is fairly represented within Management roles and pathways (for coaches and other staff), whilst still ensuring appointments are merit-based. Measures need to have clear timeframes and accountabilities attached to them, and should be monitored by NZR's Board.
- (xi) The recommendations from the Respect and Responsibility Review in relation to setting up a coaching development framework (which addresses cultural responsiveness, strengthening against harm, youth development, gender and sexuality education) should be established. It is understood that NZR currently has work underway on a high performance coach development review.
- (xii) NZR should set and/or review coaching staff and team Management KPIs to ensure they adequately reflect off field priorities around wellbeing and culture, as well as on field success.
- (xiii) NZR needs to continue to appropriately prioritise and resource the Black Ferns to ensure that the team attracts the best talent for coaching and management roles, and for the Black Ferns management roles to be seen as attractive, but highly contested, opportunities for those individuals.
- (xiv) There needs to be a review of the structures in place regarding the information provided to the NZR Board, to ensure greater transparency and accuracy and in order for appropriate monitoring to occur (particularly in relation to health and safety, and player/staff welfare).
- (xv) Greater control by NZR of conflicts of interest (between NZR management working in the women's game), needs to occur to avoid perceptions of bias and/or a lack of independence. This requires NZR to have an awareness of these conflicts of interests, and to provide credible and legitimate options regarding how those conflicts are addressed operationally.

### **PLAYER LEADERSHIP STRUCTURES**

- (xvi) Management should, in consultation with players, assess what the most appropriate player leadership structure will be (in terms of its structure, personnel, and how it functions).
- (xvii) There needs to be greater investment by NZR in professional development and support structures for player leaders (and to develop future leaders) to help them to lead a high performance team.

### **COMMUNICATIONS STRUCTURES**

- (xviii) NZR needs to review the effectiveness of its communication processes and structures between NZR, Black Ferns management, players, PUs, Hubs, Super Rugby Aupiki franchises, and the NZRPA - with a view to ensuring more timely, transparent, and effective communication.
- (xix) Training in how to give and receive specific and timely feedback needs to occur. Similarly, building player resilience and the ability to accept such feedback and improve from it, also needs to form part of the current player development framework.
- (xx) Systems and structures of communication (particularly regarding selection/contracting/reviewing performance) should be culturally inclusive and be adaptable to different players' communication styles and cultural/gender sensitivities.

### **HEALTH & WELLBEING (FOR PLAYERS & MANAGEMENT)**

- (xxi) The Black Ferns culture needs to be strengthened to support the Hauora of players and management alike, and to prevent harm occurring. It is recommended this is done in the first instance by:
  - NZR working alongside credible cultural expertise to move beyond cultural competence towards cultural safety in high performance. This involves dismantling systems and practices that only reflect a Pākehā world view. This could include developing more culturally appropriate forms of support and dispute resolution for the Black Ferns environment. Examples would include considering supports such as Kuia/Kaumatua roles alongside the team and tikanga led resolution in addition to the current EAP, psychological support and complaints mechanisms.
  - Continuing the work begun by NZR and NZRPA on the women's 'Personal Development Programme' (which delivers the career planning and off-field education for players), and delivering a version of this programme specifically for Black Ferns.
- (xxii) Develop the right policies and processes and monitor these: NZR (in consultation with the NZRPA) needs to develop and/or operationalise policies and practices to support players in relation to:
  - Retirement from the Black Ferns.
  - Return to play following maternity leave or injury.
  - Continue to develop and implement science led, Hauora centred approaches and resources by appropriately qualified people to discuss nutrition, body composition (as opposed to just weight/skinfold measurements), and menstruation in ways that are performance based and mana enhancing.

- Extend and implement NZR’s Harm Free Workplace policy (or other safeguarding policy) within the Black Ferns environment, complete associated awareness and bystander training. This will help to ensure culture is strengthened against harassment, discrimination, bullying and sexual harm so that all have access to remedies should harm occur.
- Ensure mechanisms to raise and escalate issues and complaints, and access resolutions are aligned in both NZR policies such as the Harm Free Workplace policy and the MoU. These should be updated to embrace culturally responsive avenues and current understandings of good practice (e.g. survivor engagement framework).
- Establishing the capability, roles, processes and systems to recognise wellbeing issues and address them early and consistently while on tours so greater care is taken of players and management on future campaigns.

(xxiii) In terms of monitoring, NZR needs to be active in its duty of care to all employees and contractors:

- Extend a version of NZR’s ‘Diversity, inclusion and belonging’ survey yearly to professional players and Management to monitor experiences, sharing results with team, team management and Executive.
- NZR’s People & Capability team (or another suitable, and neutral, team or person within NZR) should administer exit interviews with players and team management, (this could be an online survey), results of which should be collated and escalated appropriately within NZR.
- Ensure ongoing education and awareness for all players and team management on ways to raise concerns, including independent complaints management services.
- Extend their safeguarding responsibilities to their online environments and develop clear policies and procedures for abuse of players and team management on NZR controlled social media channels.

### **NZR STRUCTURES**

(xxiv) Talent identification processes need to ensure that the right players are being identified, and that there are clear development structures/pathways to develop people within the environment and provide the team with adequate depth.

(xxv) More transparent investment by NZR in the women’s game (at all levels) needs to occur, to ensure that they are funded and resourced adequately to win pinnacle events in this professional environment.

(xxvi) Too many annual reviews of Black Ferns’ tours have resulted in little, if any, change. The players and Management say they have no confidence in tour reviews – this needs to change. There was also insufficient adaption for the reality of COVID-19 and its impacts. A more robust and transparent process needs to be introduced by NZR that allows for more regular check-ins and feedback during the year and a transparent end of year review process.

# BACKGROUND & CONTEXT

## Review Context & Process

6. There were a number of factors leading up to this Review, including a post made by Te Kura Ngata-Aerengamate (Black Fern #178) (**Te Kura**) on Instagram on 6 December 2021 (**Appendix A**), after the Black Ferns returned to New Zealand from their end of year tour to England and France (**Northern Tour**). A campaign review, focussing on team performance leading up to, and during the Northern Tour, was completed by NZR at the end of 2021. Following this campaign review, and in light of Te Kura's Instagram post, NZR decided to undertake this Review.
7. The terms of reference agreed between New Zealand Rugby (**NZR**) and the New Zealand Players Rugby Players Association (**NZRPA**) for this Review state that the purpose of the Review is to assess the culture and high performance environment in the Black Ferns, with a view to optimising culture and performance moving forward.
8. 'High Performance Sport' is sport played at the highest level of competition, where the emphasis is on winning pinnacle events or prestigious competitions with a culture of wellbeing. How athletes and players are engaged and treated will depend on the culture of the high performance environment in which they operate. The focus of this Review is the Black Ferns culture and high performance environment: including NZR, Black Ferns players and management and the wider community.
9. While this Review is tasked with identifying any areas of the Black Ferns culture and environment that can be optimised moving forward, it is important to recognise how much has recently been achieved in women's rugby in Aotearoa: NZR introduced full-time contracts (with some flexibility) for some Black Fern players in 2021 (which provide all players with a scheduled day off and two half days for personal development, each week), the launch of a semi-professional franchise competition (Super Rugby Aupiki) in March 2022, two pinnacle events for the Black Ferns Sevens in mid-2022 and a home World Cup in October 2022 for the Black Ferns.
10. However, this Review must also recognise and balance the differing experiences of many within the Black Ferns environment, and some of those interviewed (both players and management) described negative experiences and the impacts that this has had on them (and often on their whānau/support networks), including:
  - Culturally insensitive comments;
  - Poor communication and inconsistent feedback;
  - Allegations of 'favouritism' and 'ghosting';
  - 'Body shaming' issues for some players; and
  - Lack of good recruitment, induction and ongoing support for both management and players.
11. This Review took place from mid-December 2021 to mid-March 2022, by a panel appointed by NZR, following consultation with the NZRPA (**Review Team**). The Review Team consisted of:
  - Lead - Phillipa Muir, Partner, Simpson Grierson;
  - Tammi Wilson Uluinayau, Kaiarataki Māori Equity Academic, Faculty of Health & Environmental Sciences, AUT University, Independent Director of the NZRPA, former Black Ferns player (Black Fern #85) and winner of two Women's Rugby World Cups;
  - Eleanor Butterworth, NZR National Harm Prevention Manager (at the time of appointment), and currently Sector Partnership Lead, Accident Compensation Corporation NZ; and
  - Gilbert Enoka ONZM, All Blacks Manager – Leadership.

12. The Review Team also worked in partnership with a cultural advisory group to assist with the Review process, and to ensure the Review operated in a culturally sensitive manner, in accordance with the principles of Tikanga Māori and fa'a-Pasifika (principles of Pasifika values and customs). This cultural advisory group consisted of Saveatama Eroni Clarke (Pasifika Engagement Manager at NZR) and Luke Crawford (Māori All Blacks Kaumatua and Kaihautu Māori Cultural Advisor at NZR).
13. Matt Austin, Solicitor, Simpson Grierson, also joined the Review Panel to provide administrative, logistical and legal assistance.
14. All current (and some former) Black Ferns players, Management (including coaches) and NZRPA personnel were provided with an opportunity to meet with the Reviewers in person, or via video link. 52 people were interviewed.
15. The Terms of Reference envisaged the Review Team's appointment being extended to have an ongoing role in reviewing the progress of the Black Ferns' environment, against any recommendations made in this report. The Review Team wishes to have this ongoing monitoring role, but notes that any decisions about outcomes following the Review are for NZR to make.

### NZR's Respect & Responsibility Review 2017

16. Relevant context to the current Review is NZR's 2017 Respect and Responsibility Review (**R&R Review**). The purpose of the R&R Review was to *'assess the current situation within rugby and how it reflects the aspirations of the wider rugby community to be a world leading organisation with a conscience and culture that values respect and responsibility'*.
17. The R&R Review involved over 300 participants and identified 6 key goals for NZR:
  - Inclusive leadership;
  - Developing people;
  - Nurturing wellbeing;
  - Gender equity;
  - Proactive engagement; and
  - Accountable and independent.
18. The 166 page report from the R&R Review produced over 90 recommendations to address the issues and support the six key goals. The NZR Board at the time committed to implementing these recommendations and set up an external monitoring panel.
19. The current Review has identified that many of the recommendations from the R&R Review were similar to the current Review's findings. However, the R&R Review appears to have lost NZR focus since the COVID-19 pandemic. The external monitoring panel and the internal team tasked with the tracking and reporting on the 90+ recommendations were disestablished in 2020 before this work was completed.
20. While some of the R&R recommendations may still be in train and much good work has been done to improve culture in rugby, it does highlight the need for the NZR Board and Executive to continue to focus and monitor the outcomes of reviews going forward, so they do not become 'public relations' exercises rather than vehicles for sustainable change.

## Women's Rugby in New Zealand

### Whakapapa/History/Legacy

21. The Black Ferns' origins can be traced back to 1989, when Laurie O'Reilly selected the first women's rugby team to represent New Zealand. That team beat the visiting Pacific Coast Grizzlies team from the USA at Christchurch. Mr O'Reilly's legacy with the inaugural team of 1989 is recognised in the O'Reilly Cup, which is contested by the Black Ferns and Australia's Wallaroos.
22. Within the space of two years, the national women's rugby team played their first recognised test matches at an unofficial Women's Rugby World Cup in Wales, losing in the semi-final against the USA. The players at that World Cup had no financial support from the New Zealand Rugby Football Union (**NZRFU**). Instead, players were asked to contribute \$5,000 out of their own pocket in order to play (and a number of players in the 1991 squad had to fundraise within their own community, in order to come up with these funds).<sup>1</sup>
23. In 1991, a New Zealand women's rugby team was officially sanctioned by, and brought under the umbrella of, the NZRFU. At the first officially sanctioned Women's Rugby World Cup in Amsterdam in 1998, the New Zealand national women's rugby team collectively decided on a new team name, the Black Ferns. The Black Ferns won that World Cup, by beating the USA 44 – 12 in the final. Following their maiden World Cup victory, the Black Ferns won four out of the next five Women's Rugby World Cups in 2002, 2006, 2010, and 2017, and became the most successful team in the history of international rugby.
24. Following the Black Ferns' outstanding successes on the field internationally, and in an historic first for the women's rugby 15's game, NZR announced the Professional Performance Programme for women's rugby in New Zealand in 2018. The terms for this Programme were set out in a Memorandum of Understanding (**MOU**) negotiated between NZR and NZRPA, which provided for a minimum of 30 players employed on a part-time basis by NZR, on a Black Ferns contract with a guaranteed retainer, assembly fees, and a range of other benefits. The remuneration provided to players under the MOU would be provided out of the Player Payment Pool (for all of NZR's contracted players – men and women) agreed between NZR and NZRPA under the terms of the relevant collective agreement between those two parties. This was a significant milestone for the Black Ferns and signalled the creation of a professional career path for women's rugby players, albeit initially on limited terms.
25. A number of significant developments have occurred since 2018, which are representative of the evolution of the professionalisation of female rugby players in New Zealand, particularly Black Ferns players. NZR recently announced a new contracting model in which players could prioritise rugby as their career, still have time provisions for personal development outside of the game and receive remuneration ranging from \$55k through to \$135k depending on a player's base retainer and selection success, along with other benefits consistent with All Blacks, Super and Sevens players. Previously player remuneration ranged from \$35k through to \$90k (plus benefits) but with the ability to maintain other jobs alongside their rugby commitments. This is a similar evolution to that followed within the Black Ferns Sevens programme.
26. Accordingly, while New Zealand has only had a national women's rugby team since 1989, the Black Ferns team has an impressive record. It is clear from the Review's interviews with players and Management, that NZR and the Black Ferns have created a legacy that each incoming Black Ferns player has the opportunity to connect with and contribute to going forward.

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<sup>1</sup> <https://www.stuff.co.nz/sport/women-in-sport/126810949/the-trailblazing-black-ferns-who-were-asked-to-pay-to-play-at-the-first-rugby-world-cup>

## **Provincial Unions**

- 27.** NZR works with, for, and on behalf of the NPC provincial unions (**PU**s) within women's rugby in New Zealand. The PUs manage their respective representative teams and provide rugby administration and services to the clubs and schools within their own regions. NZR is party to service level agreements (**SLA**s) with each of the PUs, pursuant to which funding is provided to the PUs for the purposes of providing a high performance environment for women's rugby players. While this funding is often bundled with funding for men's rugby/academy rugby, the funding is tagged, in the sense that the PUs are required to ensure that such funding is used for the purposes for which it is provided.
- 28.** Funding is provided to PUs on the basis that the PUs commit to entering a team in the Farah Palmer Cup (which, up until the introduction of Super Rugby Aupiki, was the highest domestic women's rugby competition in New Zealand). NZR's expectation is that, in addition to the funding provided under the SLAs, the PUs also invest their own resources in the then women's rugby programmes (particularly in relation to being able to provide a high performance environment).
- 29.** Up until the introduction of the regional hub structure at the beginning of 2022, the PUs have been the environment within which the Black Ferns' players spent most of their time, and developed their 'on-the-ground' relationships. As part of their role and responsibilities, the Black Ferns management leads are responsible for coordinating with the relevant specialists within the PU environment in relation to the Black Ferns' players (for example, the Black Ferns lead for strength and conditioning is required to coordinate with each of the PU's own strength and conditioning providers). That being said, there do not appear to be any formal relationships between the PUs' specialists and the relevant Black Ferns' management leads, nor are there any formal accountability mechanisms between those two groups.

## **Hubs**

- 30.** As an expansion to the existing PU structures, NZR has resourced five regional hubs to provide additional resources and support for contracted Black Ferns players. This was a positive move by NZR to resource the semi-professional environment, in circumstances where the Black Ferns players are de-centralised, and will typically only assemble for the purposes of training camps or games/tours.
- 31.** The five regional hubs are Auckland, Waikato, Bay of Plenty, Wellington and Christchurch, and the locations of these hubs were identified on the basis of where the contracted players were located at the time the regional hub model was being developed. As with the PUs, NZR provides funding to each of the regional hubs. The regional hubs are responsible for engaging appropriate specialists to assist in their respective high performance programmes (and providing technical, tactical and strength and conditioning programmes). Similar to the approach with the PUs, the Black Ferns management leads are responsible for coordinating with the relevant specialists within the regional hub programmes.
- 32.** At each of the regional hubs, one day per week is allocated to personal development for the players, to allow them to focus on different areas, including career/education, finance and asset protection, character development, and mental wellness. Aside from ensuring that personal development is provided to the players, each regional hub can choose how to run its programme at its own discretion (and the hub programmes may therefore vary between each regional hub).

## Black Ferns' Recent Seasons

### 2020 Season

- 33.** The level of professionalisation of women's rugby in New Zealand has evolved exponentially in the last few years. In preparation for the 2021 Women's Rugby World Cup, NZR announced an unprecedented calendar of eight test matches for the 2020 season, with seven of those test matches scheduled in New Zealand. Unfortunately, the global COVID-19 pandemic, resulting lockdowns and travel restrictions (both internationally and domestically), meant that all eight test matches scheduled for the 2020 season had to be cancelled.
- 34.** In the place of those eight test matches, two Black Ferns camps were held in July and August 2020, and NZR organised a revised three match series in November 2020. This three match series consisted of a Possibles v Probables selection trial, and two games against a New Zealand Barbarians selection team. While the cancellation of the eight test matches was a disappointing outcome for the Black Ferns and topped off a difficult set of circumstances resulting from the COVID-19 pandemic, the two Barbarians matches were tightly contested, in light of the looming 2021 Women's Rugby World Cup.
- 35.** Given the revised 2020 calendar, no formal campaign review was organised by NZR following the November series. Instead, and in response to some feedback provided by several players which NZRPA considered to be of concern, NZRPA at the request of NZR, arranged for a formal feedback process to be undertaken, which raised a number of concerns about Management and the Black Ferns environment.

### 2021 Season

- 36.** As a result of the feedback collated by NZRPA, the Leadership Group convened in early January 2021 in Wellington and developed a one-page document that they shared with Management (this is now commonly referred to as the "reset meeting"). One of the primary purposes of this reset meeting was to address the concerning feedback and look at ways that they could work positively going forward.
- 37.** The key themes, which the Leadership Group and Management all supported, were:
- Environment – how do we create an environment where people thrive;
  - Trust and Empowerment;
  - Connection – feeling of connection is critical at all times. How do we ensure this happens;
  - Communication – needs to be timely, accurate and honest;
  - Culture – the way we are and do things – needs to be understood, owned and demonstrated by all; and
  - Technical/tactical – there is a real concern that Black Ferns have not moved on since the last Rugby World Cup.
- 38.** It is common ground that this reset meeting was received positively and was helpful for connecting and aligning the Leadership Group with Management. Generally, both the player Leadership Group and Management felt that the reset meeting set the Black Ferns up for a positive year in 2021. Unfortunately, the outcomes of this reset meeting were not shared more widely with the Black Ferns player group.
- 39.** The first Black Ferns camp then took place at the end of January 2021, and there were a number of further training camps throughout the year. However, the Black Ferns season calendar continued to be heavily disrupted by the ongoing COVID-19 pandemic and the global effects of the Delta variant.

40. This resulted in the postponement of the 2021 Women’s Rugby World Cup, and a number of reshuffles to the Black Ferns schedule. This was dealt with in the Black Ferns environment in a supportive and dignified manner, with the Deputy Prime Minister being invited to deliver this news and provide support in person. In the end, NZR was able to secure the four test Northern Tour. The Black Ferns assembled for a final camp in Tauranga at the start of October 2021, and left for the Northern Tour approximately a week later. The travelling group consisted of 34 players, and 15 Management, which the Review Team understands to be the largest ever Black Ferns travelling group (in respect of both players and management). Given the disruption to the 2021 season, Management saw the Northern tour as an opportunity to explore different combinations.
41. The Black Ferns played two test matches against England and then two against France, and lost all four test matches. The general consensus across those interviewed by the Review Team, was that the results reflected a lack of game time played by the Black Ferns in domestic competitions in 2021, and a lack of physical conditioning/fitness standards. Many players were unable to have any competitive preparation and were in lockdown conditions for sustained periods and could not even leave their homes to train with teammates. A number of Black Ferns Management and players referred to the team as being “underdone” going into the Northern Tour.
42. It was commonly agreed that the standard of play and level of intensity exhibited by the English and French teams, could be attributed to the fact that most (if not all) of those players had a much greater level of match experience in 2021 in comparison to the Black Ferns. That being said, many of the players and Management interviewed in the Review said that the Black Ferns’ performances improved with time together as the Northern Tour progressed.
43. While on the Northern Tour, the travelling Black Ferns group encountered unique circumstances because of the COVID-19 pandemic. Many players and Management referred to the last minute nature of pandemic planning for the tour. These circumstances posed a number of additional challenges (including the team being in a ‘bubble’, travelling to the United Kingdom in two separate groups, having to undertake mandatory COVID-19 tests, being restricted in their movement during their free time, and some significant traumas (including the tragic passing of Sean Wainui, whom some of the players had known well)). Additionally, the team was required to go through managed isolation (**MIQ**) upon their return to New Zealand in late November. The Black Ferns players and Management were then asked to complete the 2021 campaign review while in MIQ.

#### Te Kura Ngata-Aerengamate’s Post

44. On 6 December 2021, following the Northern Tour, Te Kura released an Instagram post which included reference to a “*mental breakdown*” she said she experienced on the Northern Tour, and she referred to a number of comments that had allegedly been “*made by [the] head coach*” (Glenn Moore) throughout Te Kura’s eight years within the Black Ferns’ environment. Some of her comments were:
- She had been selected but “didn’t deserve to be in the team”;
  - The Head Coach was “embarrassed” for her;
  - “What would her students think of her”;
  - She was “picked only to play the guitar”.
45. The Terms of Reference confirm that the purpose of the Review and meetings held as part of that “*is not to ascertain whether Te Kura’s allegations are true. The purpose is to provide an opportunity to make any comments about the culture and high performance environment*”.

46. What became clear during the Review, was that Te Kura’s concerns were not isolated and some other players (particularly Māori and Pasifika players) had either experienced similar behaviour by a number of members of Management (of ‘favouritism’, ‘ghosting’, cultural insensitivities), or had witnessed it, or had been told about it contemporaneously.
47. They variously said (when asked why they didn’t complain), that:
- They were worried it would adversely affect selection chances;
  - They did not know how to raise a complaint; or
  - They had mentioned it to other members of management (or it had been witnessed by others) and nothing was ever done.
48. Relevant factors from the Northern Tour that led to Te Kura making her post on 6 December 2021 were:
- On the eve of the Third Test in Toulouse, France in October 2021, the Head Coach advised Te Kura (in a one-on-one discussion) that she would not be in the starting line-up for the test and she would not be in the match-day 23 (of the four tests during the Northern Tour, Te Kura was in the starting team for two tests and in the match-day 23 (on the bench) for another test). It was usual for players not in the match-day 23 to be told about their non-selection ahead of the team being publicly announced. The messaging of this was appropriate. While this is difficult for any player to hear, Te Kura says it was not the non-selection, but the culmination of eight years of being negatively impacted and not feeling valued (other than for the cultural aspects she brought to the team - including leading the waiata and haka). Te Kura said this was the ‘final straw’ and led to her breaking down in the team naming meeting.
  - Almost everyone interviewed said that Te Kura’s reaction seemed out of all proportion to not being named (and that they felt there was ‘more to it’) and a number said Te Kura was so distressed, it sounded like someone had ‘died’. One of Management described it as a ‘grief response’. Many players and Management supported Te Kura for some hours that evening and she had the following morning off training, but she then was told to resume training (after the Mental Skills Coach approved this).
  - In the days that followed (whether due to the challenges of COVID, or a lack of clarity from NZR on roles, structures or accountabilities), Te Kura was not properly supported or monitored by Management:
    - she was selected to play in the fourth test (which was eight days later) without a ‘clearance to play’ plan;
    - she travelled back to Toulouse for a COVID-19 test after the fourth test and remained alone for hours and suffered a significant and traumatic set-back; and
    - there were no mental health check-ins on her for the duration of her stay in MIQ following the Tour.
  - The Review team is of the view that what occurred to Te Kura that night (and in the following days) was not well managed, or monitored, and should have been escalated.
  - After being released from MIQ in New Zealand, Te Kura received a call from the NZR Contracts Manager advising her that she was not being contracted for the 2022 World Cup season. The person who called was not able to give any reasons for Te Kura’s non-selection.
  - As a result of Te Kura’s wairua being detrimentally affected and in the absence of any tangible reasons for her being ‘dropped’ (as she put it), Te Kura’s feelings of isolation, ‘ghosting’, not being a ‘favourite’, only deepened and she felt she had nothing to lose (and nowhere else to turn) but to go public with her concerns.

- Since making her post, Te Kura has apparently had significant additional wellbeing and representation support, and she is working through a culturally appropriate dispute resolution process with NZR.

49. As stated above, the Terms of Reference for this Review make it clear that the Review is not to ascertain whether Te Kura’s allegations were true. However, the Review team is aware (and mindful) of the fact that a number of people could be impacted by this Review. Accordingly, the recommendations in this Review are designed to optimise the culture and environment of the Black Ferns going forward.

50. In one chapter of Owen Eastwood’s book “*Belonging*”, he discusses the English women’s football team (the Lionesses) and refers to 1921 resolution that the English Football Association passed, banning its member clubs from allowing women to play on their grounds. The ‘ban’ remained in place for fifty years. Eastwood says that many in the women’s game feared that with the professionalism and increased equality of modern elite women’s football in England, players would become disconnected with this part of their history. However, England FA did not “airbrush history” and realised that there is a need to learn from past experiences, both good and bad. They understood that:

*“... progress is an iterative process, with experiences and lessons layered upon each other. That changing leaders is the last, not the first measure to consider.*

*That an even worse outcome than coming back to the village without food is not to understand why.”<sup>2</sup>*

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<sup>2</sup> Owen Eastwood “*Belonging: The Ancient Code of Togetherness*”; published 2021

# KEY THEMES/RECOMMENDATIONS

The key themes that emerged during the review were:

## A. BLACK FERNS 'HIGH PERFORMANCE' ENVIRONMENT AND MIND-SET

51. NZR is to be congratulated on the significant work that has been done to move the Black Ferns into a professional environment. However, more work needs to be done:
- The Black Ferns' brand remains strong and players and management alike are extremely proud to be part of the environment. However, there is no clear or consistent high performance vision, practices or mind-set in the Black Ferns environment at present: as a number of those interviewed said: *"Not everyone in the waka is paddling in the same direction"*.
  - This may be partly a result of the very recent move from amateur to professional arrangements for women's rugby in NZ (and the fact that until 2021, the Black Ferns came under Community Sport at NZR, not High Performance), but there needs to be greater ownership and accountability (by players and Management) for meeting high performance standards in all areas on and off the field.
  - The values, strategy, policies and people operating inside the Black Ferns environment are not always clearly aligned with high performance practices.
  - Examples were given of inconsistent standards of behaviour by some Management and players, including on the recent Northern Tour.
52. One of the relevant factors regarding the transition to high performance for female rugby players, is that a number of female athletes are coming straight into the Black Ferns from high school (or Farah Palmer Cup), and this progress is more truncated than those in the male game, where the journey may be more likely to have included a number of other teams between high school and international level rugby (each with a varying degree and standard of professionalism). By the time they make the All Blacks, most of those players have had greater exposure to the pressures of the high performance environment, having tough conversations, and learnings around selection.
53. In order to help ensure that high performance is occurring in various levels of the women's game, there needs to be greater NZR oversight and structures in place to allow this to occur. Some PUs have committed to adopting high performance standards more than others.
54. NZR's structure may also need to be looked at, in order to give proper focus to building this high performance environment. There is a lack of gender, cultural or ethnic diversity in the senior Executive and Board roles at NZR.
55. While there may be induction policies in place (some of which are published on the NZRPA website) and NZR run an employment induction day, the lack of a formalised ongoing induction process (to support the building of connections within the team) in practice, may be a factor contributing to the circumstances where there are a lack of opportunities for the coaching and management to form connections with, and have a deeper knowledge of, players as

***"The performance culture needs to set standards for the players and this needs to be reinforced"***

***"It is clear that management care about the team, but more than that is needed at a high performance level"***

individuals. This may result in players not having an appreciation or awareness of the roles of the various management within the team, what those roles involve, and what each role is responsible for. A number of players referred to the fact that they lacked clarity regarding the role of the NZRPA within the Black Ferns environment, as well as, for example, the appropriate channels to raise issues (for example, regarding conduct complaints).

### Recommendations

- (i) NZR has done a great deal of positive work (with players, Management and the NZRPA) to move the Black Ferns into the professional era – however, there is no clear or consistent high performance vision, practices or mind-set; this needs to be addressed.
- (ii) There are some capability gaps in Management (due in large part to a historic lack of robust recruitment, training and/or support processes by NZR). Accordingly, NZR should review the Black Ferns' current team management/coaching structure, to reassess current capabilities to:
  - Lead the Black Ferns until the 2022 Women's Rugby World Cup and beyond;
  - Create an environment that is safe and inclusive with regard to culture, gender and sexuality (and address any gaps in these capabilities). This capability should be assessed by credible experts;
  - Provide immediate support and mentoring for any current capability gaps; and
  - Take a more proactive role in monitoring the Black Ferns environment while any change occurs.
- (iii) Standards of behaviour that foster a high performance culture need to be established by NZR (in consultation with players, Management and NZRPA) and then regularly monitored within NZR's operations. This should coincide with education for players regarding the responsibilities and expectations required of them in a high performance environment, to enable them to make fully informed decisions regarding whether such an environment is 'right' for them (noting that the high performance environment may not be suitable for everyone).
- (iv) A long term, sustainable, high performing and inclusive culture needs to be developed in the Black Ferns. There also needs to be alignment across Management and players regarding what a high performance environment/mind-set looks like, to win at pinnacle events.

## B. BLACK FERNS 'CULTURE'

56. The players spoke about the great 'culture' that had been developed through the player group, including the legacy left by those players who had come before them. In this respect, culture is often described as a sense of 'belonging'.

***"The Black Ferns have always had an amazing connection amongst the player group"***

***"There is an amazing internal culture within the team...and the players are very proud of the jersey"***

57. As part of this, in a high-performance setting, many coaches say that female players need to "feel well to play well". However, another narrative is that what is needed is a sustainable **performance culture** - where players and management are fully committed to common high-performance goals and values, including robust processes for accountability and feedback. Many of the current (and recent past) Black Ferns players raised concerns about:

- Poor communication leading to misunderstandings and concerns about 'favouritism' and/or 'ghosting';
- A lack of timely or specific feedback (in contracting, selection and reviewing) to enhance performance;
- Insufficient holistic support for player welfare (mental and physical);
- Culture and gender not always being respected understood, valued, or harnessed, in order to build inclusiveness and contribute to the overall environment; and
- Insufficient investment in understanding how to coach women and the structures to support this.

58. Significant work still needs to be done to ensure there is a speak up culture in the Black Ferns (for both management and players) where specific and timely feedback is valued, and players feel comfortable enforcing their own standards of each other. Players should feel comfortable in being able to voice their opinions on things, without fearing that they may be jeopardising their selection (which appeared to be a common sentiment for some players). This goes hand in hand with ensuring the same standards are held for everyone and that any favouritism/loyalty is addressed appropriately. While this may be subconscious favouritism in some circumstances, coaches need to be aware of how this may be perceived, and how it may impact other players.

59. Consideration needs to be given to ensuring that there is sufficient mental health support available, and there are safe spaces during assembly periods to have conversations and discussions regarding difficult subjects (e.g. selection and contracting conversations/meetings with management or discussions regarding medical/physical health issues/raising concerns). These need to be suitable private spaces where players feel comfortable, rather than having these conversations over the breakfast bar, or in the team room.

## Recommendations

- (i) NZR needs to place greater focus on rights and welfare of their players and Management.
- (ii) While the use of tikanga and other cultural practices are already embedded within the team to some extent, the knowledge and capability of those leading in this area needs to be harnessed appropriately, to ensure that the responsibility is appropriately delegated and afforded the mana that comes with this role. NZR should give consideration to establishing a central role for someone to hold this responsibility, similar to the turanga kaumātua in the Māori All Blacks team (given the sense of identity and pride that culture has within the team, for both players and management). As stated in the Review's opening Whakatauki, this does not detract from the collective responsibility of the team and Management to continue to build this cultural competency.
- (iii) Education for players on the terms of the player contract (Memorandum of Understanding (**MOU**)) between NZR and NZRPA, relevant policies and how to access complaints processes should occur regularly. For example, given the speed with which changes have been made, the impact COVID-19 has had on in-person contact and the lack of opportunities for players to connect meaningfully with both NZR and NZRPA, more thorough education may need to be provided initially when players receive contracts to ensure players' understanding, and subsequent education could be provided on an annual basis. The team structures should acknowledge the importance of the NZRPA and Player Development Manager (**PDM**) in this space, and support the relationship between the NZRPA/PDM and the Black Ferns (e.g. the PDM having a presence during some assembly periods).
- (iv) The Black Ferns environment needs to endorse practices and structures to allow for psychological safety and psychological freedom. NZR needs to ensure that there is sufficient awareness of, and confidence in, the channels available for people to disclose or report harm. The effectiveness of these measures should be adequately monitored and evaluated in-season and post-season. See Health & Wellbeing (for Players & Management) section for recommendations.

## C. MANAGEMENT STRUCTURES

60. There is a lack of cultural diversity and women within the Black Ferns' management structure (given the fact that it is an elite female team of which 50% are Māori, and 25% are Pasifika).
61. The Black Ferns' coaching and management structures need to support a high-performance culture.
62. Poor recruitment processes by NZR have meant that many of the coaches and management were appointed without a fair or contestable process (often being 'shoulder tapped') and this leads to questions about 'how they got the job':
- Many of the Black Ferns management said they did not have up to date job descriptions or regular 'check-ins' or performance reviews;
  - They also claimed professional development was lacking;
  - A number of actual or potential conflicts of interest exist between NZR management working in the women's game, raising perceptions of bias and/or a lack of independence (and which have the potential to undermine systems for review); and
  - Many members of Management have been appointed into the Black Ferns environment on part-time arrangements, without proper inductions or introductions to the players (leaving players unsure of their roles, availability and responsibilities etc).
63. Other concerns with Management structures include:
- Lack of clarity around the roles and hours of availability of team Management until recently, with many having other roles outside the Black Ferns;
  - Lack of communication to players over the hours of availability of team Management;
  - Absence of formal team induction process for team Management;
  - Lack of clarity of reporting lines for team Management – internally and externally;
  - Very little induction of Management in relation to cultural considerations and engagement, or on working with female athletes.

***"I didn't receive an induction into the team"***

***"Management are not equipped to deal with off-field player issues"***

***"As a coach, you have the hard conversations because you care"***

### Recommendations

- (i) Management structures should be re-evaluated to ensure they support the mechanics of high performance (such as accurate and up to date job descriptions, contestable recruitment processes – including key competencies such as communication capabilities, proper inductions and performance review processes, as well as ongoing professional development). It is understood that NZR has recently created two specific high performance roles for women's rugby, and this is a step in the right direction.
- (ii) NZR should implement measures to ensure that cultural and gender diversity is fairly represented within Management roles and pathways (for coaches and other staff), whilst still ensuring appointments are merit-based. Measures need to have clear

timeframes and accountabilities attached to them, and should be monitored by NZR's Board.

- (iii) The recommendations from the Respect and Responsibility Review in relation to setting up a coaching development framework (which addresses cultural responsiveness, strengthening against harm, youth development, gender and sexuality education) should be established. It is understood that NZR currently has work underway on a high performance coach development review.
- (iv) NZR should set and/or review coaching staff and team management KPIs to ensure they adequately reflect off field priorities around wellbeing and culture, as well as on field success.
- (v) NZR needs to continue to appropriately prioritise and resource the Black Ferns to ensure that the team attracts the best talent for coaching and management roles, and for the Black Ferns management roles to be seen as attractive, but highly contested, opportunities for those individuals.
- (vi) There needs to be a review of the structures in place regarding the information provided to the NZR Board, to ensure greater transparency and accuracy and in order for appropriate monitoring to occur (particularly in relation to health and safety, and player/staff welfare).
- (vii) Greater control by NZR of conflicts of interest (between NZR management working in the women's game), needs to occur to avoid perceptions of bias and/or a lack on independence. This requires NZR to have an awareness of these conflicts of interests, and to provide credible and legitimate options regarding how those conflicts are addressed operationally.

## D. PLAYER LEADERSHIP STRUCTURES

64. There is no clarity on how the current Leadership group for the Black Ferns players is selected (or by whom). The Captain is not consulted about the makeup of the rest of the Leadership group (whereas this apparently used to happen in the past). Some surmised that the current group was picked based on 'seniority' and that this did not accurately reflect all of the actual leaders in the team – or a high performance culture, when some of those leaders were not then selected to play on Tour (or occasionally acted in a way that was inconsistent with high performance).
65. Until recent times, there had been limited professional development by NZR of the Leadership group, to help them to lead a high performing team.
66. Following the reset meeting in January 2021, three different leadership groups were formed and selected going forward (Head Group – leadership; Pulse Group – on field performance/strength and conditioning; and the Soul Group – team culture and off-field connection). These leadership groups also include various members of Management who are aligned with each group. Generally, players and management have viewed the introduction of these distinct leadership groups as a positive initiative within the Black Ferns culture and environment, but again, there is a lack of clarity provided to players regarding these leadership groups (both in terms of how they are selected, and what the extent of the leaders' roles are).

***“The leadership team is brilliant, but they need to be better supported, resourced and have the appropriate capability”***

***“There needs to be greater role clarity across leadership”***

### Recommendations

- (i) Management should, in consultation with players, assess what the most appropriate player leadership structure will be (in terms of its structure, personnel, and how it functions).
- (ii) There needs to be greater investment by NZR in professional development and support structures for player leaders (and to develop future leaders) to help them to lead a high performance team.

## E. COMMUNICATION STRUCTURES

67. Unlike the Women's Sevens team (who are centralised in the Bay of Plenty), the Black Ferns environment is decentralised – with players residing from the far north of New Zealand to the deep south. This necessitates consistent, transparent communication, so that all players feel they are being treated equally and fairly. That is simply not happening at present: some players initiate contact and check-ins, some receive regular texts or calls from Black Ferns coaches, others rely on feedback through their PU or Hub; and others contact the NZRPA.
68. The Black Ferns is a culturally diverse team, representative of a range of racial and ethnic backgrounds, of which a significant proportion of players are Māori (approximately 50% of the team) and Pasifika (approximately 25%). Those Māori and Pasifika players bring a rich sense of cultural identity into the Black Ferns' environment, which all of the players and management said plays a significant part in the Black Ferns culture and the legacy that the team has created. However, the number of Māori and Pasifika players in the environment (as well as players of other backgrounds) demands a greater understanding from Management on how to communicate with these players in a culturally sensitive and safe manner. This needs to be led (and resourced) by NZR. On the basis of conversations with players and Management alike, there are improvements that can, and need, to be made in this respect.
69. Almost all players reported examples of inconsistent (or at times non-existent) communications from Management, and perceived a sense of discomfort from Management when dealing with the need to have "hard" conversations with players.
70. The communications around player selections/contracting/performance were particularly poor and inconsistent. In the most recent round, this was complicated by the delays in finalising the MoU, and this led to increased stress for players at times (and also increased stress for some of the Management being delegated the task of contacting the players – particularly when they could not then explain the reasons for the non-appointment). For many, communications come far too late to enable players to adequately manage their non-rugby responsibilities and commitments (including, for some, being primary care-givers). Communication timeframes appear to be set around internal NZR timeframes, without sufficient recognition of the significant other responsibilities many of the players have.
71. There is also a need for better education of players around the terms of their contracts with NZR – while everyone is genuinely pleased to see the move towards professionalism, many of the players did not understand the MoU between NZR and NZRPA or what their rights are. Additionally, many were not aware of what was expected of them as contracted players,

***"There needs to be an understanding of how players should be spoken to and motivated"***

***"One minute I was being chased to come back, and the next minute I felt like I didn't exist"***

***"The challenge is selecting players and communicating those selections earlier"***

***"The players' mental resilience is not being prioritised"***

***"I felt like a ghost all my years"***

***"There needs to be selection of the best players, rather than being based on favouritism"***

particularly in the context of a high performance environment. Almost all raised concerns about why the MoU has so many tiers of player payments and whether it was fair for younger players (particularly if they were starting in games) to be ineligible for any of the higher rates of pay.

- 72.** It is acknowledged that a coach's role in the modern era can be a difficult one. This is particularly so in a team environment like the Black Ferns, given the breadth of talented high performance athletes and how that weighs against the reality that there are only so many selection spots to go around. This competitive environment necessitates that the feedback provided to players is constructive and honest, and helps them to address the areas in their game that require improvement.
- 73.** Other communication issues identified include:
- Lack of timely or specific feedback by team Management to players;
  - Inconsistency (or absence) of timely contracting/selection communications;
  - Lack of formalised wrap-around support provided to players when contracts are not renewed;
  - Timing of contracting process and uncertainty/pressures that can arise for players from this;
  - Insufficient education on the MoU contracting model;
  - Insufficient training and support (for players and Management) regarding social media impacts; and
  - Lack of education/training for Management around:
    - Communicating with female players;
    - Awareness/understanding of women's health, eg menstrual cycles, female physiology.

### Recommendations

- (i) NZR needs to review the effectiveness of its communication processes and structures between NZR, Black Ferns management, players, PUs, Hubs, Super Rugby Aupiki franchises, and the NZRPA - with a view to ensuring more timely, transparent, and effective communication.
- (ii) Training from NZR in how to give and receive specific and timely feedback needs to occur. Similarly, building player resilience and the ability to accept such feedback and improve from it also needs to form part of the current player development framework.
- (iii) Systems and structures of communication (particularly regarding selection/contracting/reviewing performance) should be culturally inclusive, and be adaptable to different players' communication styles and cultural/gender sensitivities.

## F. HEALTH AND WELLBEING SYSTEMS (FOR PLAYERS AND MANAGEMENT)

74. The response to player welfare on the Northern Tour was not at a high enough standard. It is acknowledged that COVID-19 issues and lockdowns on Tour created additional stressors, but there were at least three significant player issues (and some management issues) that were not adequately addressed.
75. Due to challenges of COVID and a lack of clarity from NZR on roles, structures and accountabilities, there were a lack of effective structures and support for the exposure and management of staff and player welfare issues on the Northern Tour (including the presence, and awareness, of clear escalation processes).
76. There is insufficient clarity on the policies and practices that apply to the players in relation to:
- Retirement from the Black Ferns; and
  - Return to play following maternity leave or injury.
77. Nutrition practices have been improving (with a move away from a focus on weight/skinfold measurements – which can lead to some experiencing body shaming) and NZR needs to continue to invest in this and on areas such as the impact menstrual cycles can have on player performance. Up until recently, there has been a focus on weight ('skin folds') in strength and conditioning rather than performance. Good steps are being made to look more holistically at body composition, and address nutrition in a different manner.
78. There is a lack of education and understanding regarding appropriate channels to raise issues or complaints and/or how to seek resolutions of those issues. While these avenues already exist to an extent, many players and staff did not know about them or do not feel comfortable using them.
79. Another concerning (but potentially historical) issue that was raised, was the way NZR has dealt with Black Ferns who have had career ending injuries. Unlike other codes like the All Blacks, where a fitting announcement or retirement event is held, for some Black Ferns players in the past this has been absent, and has (understandably) had an adverse impact.
80. Another environmental factor, is that there are, and have been, several Black Ferns players with partners within the team. There are relationships in women's teams and the limited comfort and education around supporting rainbow players from Management has resulted in some decisions around couples being poorly handled.

***“I have no idea who is responsible for communicating with players while they are injured”***

***“The support for those returning to play following pregnancy is a very grey area”***

## Recommendations

- (i) The Black Ferns culture needs to be strengthened to support the Hauora of players and management alike, and to prevent harm occurring. It is recommended this is done in the first instance by:
- NZR working alongside credible cultural expertise to move beyond cultural competence towards cultural safety in high performance. This involves dismantling systems and practices that only reflect a Pākehā world view. This could include developing more culturally appropriate forms of support and dispute resolution for the Black Ferns environment. Examples would include considering supports such as Kuia/Kaumatua roles alongside the team and tikanga led resolution in addition to the current EAP, psychological support and complaints mechanisms.
  - Continuing the work begun by NZR and NZRPA on the women's 'Personal Development Programme' (which delivers the career planning and off-field education for players), and delivering a version of this programme specifically for Black Ferns.
- (ii) Develop the right policies and processes and monitor these: NZR (in consultation with the NZRPA) needs to develop and/or operationalise policies and practices to support players in relation to:
- Retirement from the Black Ferns.
  - Return to play following maternity leave or injury.
  - Continue to develop and implement science led, Hauora centred approaches and resources by appropriately qualified people, to discuss nutrition, body composition (as opposed to just weight/skinfold measurements), and menstruation that are performance based and mana enhancing.
  - Extend and implement NZR's Harm Free Workplace policy (or other safeguarding policy) within the Black Ferns environment, complete associated awareness and bystander training. This will help to ensure culture is strengthened against harassment, discrimination, bullying and sexual harm so that all have access to remedies should harm occur.
  - Ensure mechanisms to raise and escalate issues and complaints, and access resolutions are aligned in both NZR policies such as the Harm Free Workplace policy and the MoU. These should be updated to embrace culturally responsive avenues and current understandings of good practice (e.g. survivor engagement framework).
  - Establishing the capability, roles, processes and systems to recognise wellbeing issues and address them early and consistently while on tours so greater care is taken of players and management on future campaigns.
- (iii) In terms of monitoring, NZR needs to be active in its duty of care to all employees and contractors:

- Extend a version of NZR’s ‘Diversity, inclusion and belonging’ survey yearly to professional players and Management to monitor experiences, sharing results with team, team management and Executive.
- NZR’s People & Capability team (or another suitable, and neutral, team or person within NZR) should administer exit interviews with players and team management, (this could be an online survey), results of which should be collated and escalated appropriately within NZR.
- Ensure ongoing education and awareness for all players and team management on ways to raise concerns, including independent complaints management services.
- Extend their safeguarding responsibilities to their online environments and develop clear policies and procedures for abuse of players and team management on NZR controlled social media channels.

## G. NZR STRUCTURES

81. Until recently, all of the women’s rugby game sat within the community space in NZR structures. This did not support or enhance a high performance culture for women’s rugby.
82. It was not until 2020 that NZR restructured a number of roles, and in 2021 it moved responsibilities for the Black Ferns into the high performance area.
83. One positive step has been the recent appointment of a Strength and Conditioning Manager (who will report directly to the Black Ferns Head Coach) and who comes out of the high performance environment.
84. However, many of those interviewed raised questions about why NZR does not have a greater connection with Black Ferns, in camps and tours. For example, there was almost no NZR presence at the recent Queenstown camp (in part due to some executives being on leave), despite the issues that had been raised on the Northern Tour and the announcement of this Cultural and Environmental Review.
85. Similarly, the lack of an invitation to NZRPA’s PDM to attend recent Black Ferns camps should be remedied. The relationship between the NZRPA, Black Ferns players and NZR clearly needs some work.
86. There is also a perceived lack of transparency regarding what is done with the feedback to NZR from the annual review processes, and any outcomes/changes that are made as a result of these reviews. The annual review process is not seen as a valuable exercise, as players have lost faith that anything will change as a result of their feedback (given they have not received any

***“The Black Ferns have been a victim of their own success. They have been dominant for so long that NZR haven’t had the foresight to provide them with appropriate resources”***

***“I have given feedback in the past, but I don’t feel like I have been heard”***

***“There is a real lack of women within leadership positions at NZR”***

feedback or follow up following the submission of relatively comprehensive and specific feedback in the past).

- 87.** In addition, there is a concern regarding how transparent or fulsome the feedback is that is shared with the NZR Board. Extensive (and at times, very critical) player and Management feedback was provided after the 2021 Northern Tour, but only a three-page summary went to the NZR Board. In light of the health and wellbeing issues on the Tour that this Review has identified, greater oversight and transparency could (and should) occur.
- 88.** As stated above, there is a lack of gender, cultural or ethnic diversity in the senior Executive and Board roles at NZR.
- 89.** Another concern raised, was around the current lack of women in coaching and management positions in women's rugby. This raises the question of whether there are clear and sufficient pathways for women to progress to coaching and management roles in New Zealand rugby (on merit).

### Recommendations

- (i) Talent identification processes need to ensure that the right players are being identified, and that there are clear development structures/pathways to develop people within the environment and provide the team with adequate depth.
- (ii) More transparent investment by NZR in the women's game (at all levels) needs to occur, to ensure that they are funded and resourced adequately to win pinnacle events in this professional environment.
- (iii) Too many annual reviews of Black Ferns' tours have resulted in little, if any, change. The players and Management say they have no confidence in tour reviews – this needs to change. A more robust and transparent process needs to be introduced by NZR that allows for more regular check-ins and feedback during the year and a transparent end of year review process.

# APPENDICES

## **A. Terms of Reference for Review**

### **Purpose**

The purpose of this document is to outline the scope of a review of the Black Ferns culture and environment to be carried out following the Instagram post made by Te Kura Ngata-Aerengamate in early December 2021.

A campaign review, focussing on team performance leading up to, and during, the 2021 Northern Tour, has recently been completed by NZ Rugby (**NZR**). In light of Te Kura's comments, NZR wants to provide a separate opportunity to all current and immediate past Black Ferns players, coaches, management, administrative support and New Zealand Rugby Players' Association (**NZRPA**) personnel to make comment about the culture and environment within the Black Ferns – what is working, whether there is anything that is not working, what can be improved and in particular whether there are any behavioural and/or wellbeing concerns in the culture or environment.

### **Review Team**

NZR, following consultation with the NZRPA, has appointed a panel to lead this cultural and environmental review:

- Lead - Phillipa Muir, Partner, Simpson Grierson
- Tammi Wilson Uluinayau, former Black Ferns player, academic specialising in Kaiarataki Maori equity and independent director of the New Zealand Rugby Players' Association
- Eleanor Butterworth, NZR National Harm Prevention Manager
- Gilbert Enoka ONZM, All Blacks Manager – Leadership.

(the “**Review Team**”).

The Review Team will assemble a cultural advisory group to assist with the process of the review and to ensure the review operates in accordance with the principles of Tikanga Maori. The advisory group will also be available to provide advice or guidance to the Review Team.

Eleanor Butterworth and Gilbert Enoka will not participate in the meetings with players, coaches, management and NZRPA personnel to ensure independence from NZR, unless requested to join in any specific instance by an interviewee.

All current Black Ferns players, coaches and management and NZRPA personnel will be provided opportunities to meet with Philippa Muir and Tammi Wilson Uluinayau from the Review Team (utilising technology where needed), or alternatively provide a written submission. The purpose of these meetings / submissions is not to ascertain whether Te Kura's allegations are true. The purpose is to provide an opportunity to make any comments about the culture and high performance environment in the Black Ferns with a view to optimising culture and performance moving forward.

The Review Team may meet with any other person it considers may have information relevant to the Review including other past Black Ferns players and management.

Meeting with the Review Team is voluntary, and participants can bring a support person. All participants also have access to EAP services at any time if required.

### **Current information**

The current information that is available to the Review Team is:

- Te Kura Ngata-Aerengamate's Instagram post
- NZR behavioural, respect and inclusion policies and procedures, including the NZR and NZRPA Resource Document on working within female high performance rugby environments
- Relevant information from the 2020 campaign review and 2021 Management and Leaders planning session
- Survey responses from the 2021 Player Survey from Black Ferns players
- Survey responses from the 2021 Black Ferns campaign review
- 2021 Black Ferns Northern Tour report.

NZR personnel who facilitated the 2021 campaign review, will also be made available to the Review Team.

If any person believes their ability to provide relevant information is restricted by an obligation to maintain privacy and confidentiality, this shall be discussed with the Review Team (via Phillipa Muir in the first instance) and if appropriate, the Review Team will note the implications of this in its report.

No formal complaint about conduct in the Black Ferns environment has been received by NZR at this time.

### **Scope & Deliverables**

The Review Team will be independent of NZR and its conclusions and any recommendations will be those of the Review Team.

Any information provided to the Review Team in confidence will be kept confidential, so far as the law allows. The review will be conducted in a manner consistent with the principles of natural justice, confidentiality, security and information protection.

The Review Team will provide a draft report to NZR and the NZRPA, as well as Black Ferns team management and any other person(s) potentially impacted by the draft report, summarising their findings including an overview of the process followed. Once all parties have had a chance to provide feedback on the draft report, a final report will be provided to the above parties and the Black Ferns team (subject to compliance with any confidentiality obligations and the Privacy Act 2020).

Any statements to be made to the media by NZR or NZRPA party regarding the final report will, prior to being made, be consulted on with the other party.

NZR's expectations are that the meetings will commence as soon as possible, either in the week beginning 20 December 2021 or mid-January 2022, with a draft report being available as soon as possible after the conclusion of the meetings and interim updates made available prior.

While it is intended that NZR will publish the results of the review to all participants in the interests of transparency, to the extent that any matters referred to relate to individuals or specific concerns that are confidential and/or could impact on privacy, the Review Team will redact these matters from the final version of the report to protect privacy and/or maintain confidentiality.

It is envisaged that the Review Panel may wish to make some initial recommendations, but to ensure a full and thorough review, the Review Panel may require further time to prepare a more comprehensive report and set of recommendations. Any decisions about outcomes following the review will be for NZR to make. It is also envisaged that the Review Team's appointment may be extended to have an ongoing role in reviewing progress against any recommendations made.

**B. Te Kura Ngata-Aerengamate's Post (6 December 2021)**

 **teekay713**  
3,220 followers [View profile](#)



[View more on Instagram](#)

   

7,037 likes  
teekay713

## Behind the Smile

One week post tour and the emotions are real. The should I speak up or should I stay quiet runs through my mind a thousand times. Never would I have ever thought that I would become mentally ill in a sport that I loved so much.

I didn't perform the way I wanted to this tour. And the way I have been playing the last few years hasn't been my best.

Over the past 8 years that I have been in the Black Ferns, I have struggled mentally and finally let it all out on the most recent tour.

Yes, I had a mental breakdown in front of everyone.

Throughout the years these were some comments made by head coach

- That I had been selected but didn't deserve to be in the team
- That he was embarrassed for me
- I was told that he couldn't tell my worth in the Blackferns
- I was told what would my students think of me?
- I was sworn at for wearing my jacket around my hips, I was yelled at running to rucks, how I ran the ball, anything I did I felt I was doing wrong.
- a recent comment that I was picked only to play the guitar

From these comments I ended up going crazy. I had to do anger management counselling, I had discovered anxiety & hyperventilating for the first time in my life, I could hear these comments in my mind as I threw the ball. My confidence and self esteem was so low that it made me play like I was walking on egg shells and was constantly too scared to express myself. I invited self doubt and insecurities; some being unbearable to look myself in the mirror.

The reality is that I had been defeated and it was so dark that I could no longer see my WHY. I had forgotten about the 5year old girl who started playing rugby with her cousins 25 years ago.

I let the words over the years get to me, the words became the flesh.

Lesson is, never let anyone dim your light. Be proud of who you are. If you are treated unfairly, hit them up unapologetically because at the end of the day it's your mana on the line.

I know I'm not everyone's cup of tea, but I'm still a person and at the very least deserve to be treated with respect.

Now I'm on a journey of healing  

Stand up  
Speak up  
Know your worth

## **C. Glossary**

**Fa’a-Pasifika:** principles of Pasifika values and customs.

**Haka:** a ceremonial Māori war dance or challenge.

**Hauora:** a holistic view of health and wellbeing, comprising taha tinana (physical well-being), taha hinengaro (mental and emotional well-being), taha whanau (social well-being), and taha wairua (spiritual well-being).

**Kuia:** female Elder – a female of status within a group.

**Mana:** prestige, authority, control, power, influence, status, spiritual power, charisma - mana is a supernatural force in a person, place or object.

**Management:** Black Ferns coaches and managers.

**NZR:** New Zealand Rugby.

**NZRPA:** New Zealand Rugby Players Association.

**Pākehā:** New Zealander of European descent.

**Tikanga:** the customary system of Māori values and practices that have developed over time and which are deeply embedded in the social context.

**Turanga kaumātua:** a position for a respected elder and person of status within a group.

**Wāhine:** female, women, feminine.

**Waiata:** a song or chant.

**Wairua:** the spirit or soul of a person which exists beyond death.

**Whakapapa:** genealogy, genealogical table, lineage, descent.

**Whakatauki:** a proverb or significant saying.

**Whanau:** extended family, family group, or a familiar term of address to a number of people.