TERMS OF REFERENCE FOR THE SENIOR COUNSEL – 27 NOVEMBER 2026

INDEPENDENT FORUM ON THE 2018 SOUTH AFRICA TOUR

The Cricket Australia (**CA**) Board resolved to establish an independent forum (**Forum**) following the events of the Australian Men's Team 2018 South Africa Tour (the **2018 SA Tour**) that have resurfaced.

It will be overseen by Fiona McLeod AO SC (the **SC**). Fiona has more than 30 years' experience in complex, highly sensitive inquiries and matters of national significance, including Royal Commissions. Her strong record of independent leadership, governance and institutional integrity places her well to ensure all perspectives are heard fairly.

Fiona will be provided with the 2018 Culture & Governance Review of Australian Cricket, conducted by The Ethics Centre and all other documentation requested, subject to any legal limitations on disclosure.

ESTABLISHMENT AND PURPOSE

The Forum has been established to provide players, coaches, support staff and senior administrators (including management and Directors) involved at the time of the 2018 SA Tour (**Participants**) with a safe and confidential environment to share their experiences. By offering Participants the opportunity to share their different perspectives, the Forum aims to acknowledge their experiences and inform improvements across Australian cricket.

The Forum is an information-gathering and listening process. Its purpose is to support the welfare of those impacted and to provide Participants with an opportunity to be heard and to have their experience acknowledged and understood without fear of retribution or disadvantage.

The Forum is not a disciplinary process or adjudication. It will not:

- make any adverse findings about, or determine the responsibility of, any individual;
- revisit the sanctions previously imposed; or
- recommend retrospective punishment or legal action.

SCOPE AND LIMITATIONS

The Forum may receive accounts from Participants concerning the matters within the scope of the Forum, the circumstances surrounding those matters, and their continued impact on those Participants. Matters within scope are:

- ball-management practices in the Australian Men's Team during the 2017–18 season;
- all four Tests of the 2018 SA Tour;
- the events of 24 March 2018; and
- the conduct and scope of the 2018 CA investigation.

INDEPENDENCE AND ADMINISTRATION

The SC will exercise independent judgment over the conduct of the Forum within these Terms of Reference.

VOLUNTARY PARTICIPATION AND WELFARE

Participation is voluntary. No inference adverse or otherwise will be drawn from a person's decision to participate or not.

Participants may provide a written account, speak privately with the SC remotely or in person, or use another agreed format. Participants may also provide documents or other material to explain their account.

The SC may seek clarification about a Participant's account by asking the Participant about information received. In seeking clarification from others, the SC will not disclose a Participant's identity without that Participant's consent.

Participants may have a support person, representative or independent legal adviser present, subject to confidentiality arrangements.

CONFIDENTIALITY AND INFORMATION HANDLING

Participant identities, accounts and supporting material will be treated as confidential. Access is limited to the SC, and persons authorised to access that information by the SC on a need-to-know basis. Participants will be told who may access their information before they provide it and will have an opportunity to check any record of their own account for accuracy.

PARTICIPATION WINDOW AND TIMETABLE

The Forum will be open for a six-week participation window. Following the participation window, the SC will provide the Report to the CA Board. The underlying accounts given by Participants will not be provided to CA.

REPORT TO THE BOARD

The Report will include:

- the number and range of Participants;
- principal themes of accounts provided; and
- recommendations for future improvements.

PUBLIC COMMUNICATIONS AND CLOSURE

The underlying accounts will not be published. The CA Board will publish the Report in full, and its response to the Report within 30 days of the SC providing the Report to the CA Board.