

Case number: NST-E25-202460

Case Title: Tracy Wallace v Netball Victoria (with Netball Australia)

Determination

National Sports Tribunal General Division

sitting in the following composition:

Member Anthony Nolan KC

in the arbitration between

Tracy Wallace

(Applicant)

Represented by Dr Mark Gumbleton, Counsel, Ms Bethany East, Counsel, Mr Nick Terziovski, Lawyer and Mr Allister Powell, Lawyer

And

Netball Victoria

(Respondent)

Represented by Mr Marcus Hoyne, Counsel, Mr Scott Traeger, Lawyer and Ms Manisha Jothin, Lawyer

And

Netball Australia

(NSO)

Represented by Ms Natasha Currao, Legal Counsel

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PARTIES

1. The Applicant (**Ms Wallace**) is a Relevant Person as defined by the Netball Australia's Netball Integrity Policy Framework, Conduct & Disciplinary Policy (the **Disciplinary Policy**). Ms Wallace is a full-time netball coach employed by Saint Albans Caroline Springs Netball Association (**SACSNA**) and its associated club, Westside Saints Netball Club (**Westside**).
2. Netball Victoria is a Member Organisation as defined by the Disciplinary Policy. SACSNA and Westside compete at competitions and tournaments organised by Netball Victoria.
3. Netball Australia is a National Sporting Organisation and the peak body for the sport of netball in Australia.

INTRODUCTION

4. Between 9 and 13 February 2025 Netball Victoria received three complaints about Ms Wallace's conduct.
5. Netball Victoria is empowered to investigate those complaints pursuant to the Disciplinary Policy.
6. On 11 February 2025, Netball Victoria issued provisional action against Ms Wallace pursuant to clause 11.5 of the Disciplinary Policy. (the **Provisional Action**). Ms Wallace was prohibited from participating in all Netball Victoria affiliated activities. On 28 February 2025 Ms Wallace made an application to the NST to arbitrate the Provisional Action. On 28 March 2025 the NST upheld the Provisional Action.
7. In or about late February 2025 Netball Victoria appointed an independent investigator to investigate the complaints pursuant to clause 11.2 of the Disciplinary Policy. The independent investigator investigated 27 possible breaches between 2017 and January 2025 and made findings that 19 breaches had occurred (the **Alleged Breaches**).
8. On 4 April 2025, Ms Wallace received a letter from the Decision Maker at Netball Victoria setting out the findings of the independent investigator. Pursuant to clause 12.4.4 of the Disciplinary Policy, the Decision Maker at Netball Victoria issued a Notice of Breach Offer (the **Breach Offer**) to resolve the Alleged Breaches if Ms Wallace accepted the Alleged Breaches without a hearing.
9. The Breach Offer sanctions were:
 - (a) a 20-year ban from all netball activities in Victoria, ending in 2045, with the condition of being permitted to obtain a role with adults exclusively, provided there is no access to or interaction with children;
 - (b) a lifetime ban from all child related netball activities in Victoria; and
 - (c) removal of Netball Victoria membership and inability to obtain membership until 1 January 2045 (the **Sanctions**).



10. On 7 April 2025, Ms Wallace disputed the Alleged Breaches and rejected the offer of the Sanctions.
11. On 11 April 2025 an application was lodged with the NST pursuant to clause 14.2.1.2 of the Disciplinary Policy, seeking an arbitration about the Alleged Breaches, and a determination whether sanction(s) (if any) should be imposed, Ms Wallace sought a dismissal of all of the Alleged Breaches and for no sanction to be imposed. Netball Victoria and Netball Australia sought a determination that the Alleged Breaches be upheld and that the Sanctions remain in effect.

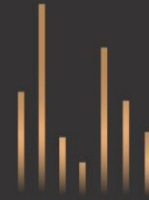
THE ALLEGED BREACHES

12. The Breach Offer sets out the Alleged Breaches of the 2025 Netball Australia Safeguarding Children and Young People Policy by Ms Wallace:
 - (1) *That you possessed, shared or encouraged the sharing of images of a child engaging in a sexual activity or depicted in an indecent sexual manner or context.*
 - (2) *That you engaged in aggressive language and tone of voice in the presence of a child, including shouting, swearing and/or belittling them, in breach of section 2 of the Child Safe Practices.*
 - (3) *That you engaged in inappropriate contact with a child in the form of telephone calls, texts or messages made or sent in a volume and/or at a time of day that exceeded your professional boundaries in breach of section 1 of the Child Safe Practices.*
 - (4) *That you engaged in inappropriate contact with a child in the form of telephone calls, texts or messages made or sent directly to a child, rather than their parents, that exceeded your professional boundaries in breach of sections 1 and/or 5 of the Child Safe Practices.*
 - (5) *That you encouraged and engaged in conversations of a sexual nature with a child, in breach of sections 1 and/or 2 of the Child Safe Practices.*
 - (6) *That you made inappropriate comments about or in the presence of a child regarding weight, in breach of section 2 of the Child Safe Practices.*
 - (7) *Allegation Withdrawn.*
 - (8) *That you denied access to water during training and/or games where a child didn't meet your playing expectations in breach of section 3 of the Child Safe Practices.*
 - (9) *Allegation Withdrawn.*
 - (10) *Allegation Withdrawn.*
 - (11) *That you forced a child to continue to play when they were injured in breach of section 3 of the Child Safe Practices.*
 - (12) *That you filmed a child who exposed their buttocks in training and shared the images with third parties.*



- (13) *That you encouraged and assisted a child to take medication in the form of the morning after pill without the knowledge of her parents in breach of section 11 of the Child Safe Practices.*
- (14) *Allegation Withdrawn.*
- (15) *Allegation Withdrawn.*
- (16) *That you arranged for a child to sell spare tickets to an event at [location A] in their swimwear to maximise sales and subsequently commented on their breasts to that effect, in breach of sections 1 and/or 2 and/or 4 of the Child Safe Practices.*
- (17) *That you threatened to negatively impact a child's netball pathway if they did not meet your expectations in terms of playing and non-playing reasons, in breach of sections 2 and/or 3 of the Child Safe Practices.*
- (18) *That you arranged for a child to attend a medical procedure (fillers) with you in breach of section 1 of the Child Safe Practices.*
- (19) *Allegation Withdrawn.*
- (20) *That you punished four children for behaviour on a 2025 pre-season camp by using inappropriate language, forcing them to swim underwater in a swimming pool in front of their peers, causing them to be humiliated, in breach of sections 2 and/or 3 of the Child Safe Practices.*
- (21) *That during the alleged 2025 camp punishment, you forced one of the 4 children to change their clothes in front of their peers in breach of sections 3 and/or 9 of the Child Safe Practices.*
- (22) *Allegation Withdrawn.*
- (23) *That you offered or purchased alcohol for a child in breach section 10 of the Child Safe Practices.*
- (24) *That you gave gifts to a child in breach section 1 of the Child Safe Practices.*
- (25) *That you victimised or fabricated stories about a child after they had left your team with the intention to harm them in breach of section 3 of the Child Safe Practices.*
- (26) *Allegation Withdrawn.*
- (27) *That you forced a child to take part in punishments consisting of being required to run excessively with arms aloft the whole time, in breach of section 3 of the Child Safe Practices.*

13. Netball Victoria abandoned Alleged Breaches 23 and 24 prior to the hearing. 17 Alleged Breaches remain to be considered in this arbitration. In this Determination, I have maintained the numbering for each Alleged Breach as set out in the Breach Offer.



14. Netball Victoria filed a document entitled “*Revised list of breaches*” which particularises each allegation and specifies the Policy or Code alleged to have been breached. It is not necessary for me to summarise the facts said to support the 17 allegations. They are detailed in my findings.

APPLICABLE RULES

15. In the Breach Offer, Netball Victoria alleged that each Alleged Breach was a breach of 2025 Netball Australia Safeguarding Children and Young People Policy (the **Safeguarding Policy**).

The Alleged Breaches are said to have occurred between 2017 and 2025. Netball Victoria accepts that the relevant Codes and Policies for the Alleged Breaches are:

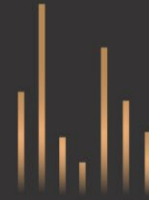
- (a) from 1 January 2017 to 31 December 2022, the Netball Victoria Child Safety in Netball Policy (**2017 Netball Victoria Child Safety in Netball Policy**) and the Netball Victoria Child Safety in Netball Code of Conduct (**2017 Netball Victoria Child Safety in Netball Code of Conduct**);
 - (b) from 1 January 2023 to 31 January 2025, the Netball Australia Member Protection Policy 2023 (**2023 Member Protection Policy**);
 - (c) from 1 January 2023 to 29 February 2024, the Netball Australia, Child Safeguarding Policy dated 1 January 2023 (**2023 Child Safeguarding Policy**);
 - (d) from 1 March 2024 to 31 January 2025, the Netball Australia, Safeguarding Children and Young People Policy dated 1 March 2024 (**2024 Safeguarding Children and Young People Policy**); and
 - (e) since 1 February 2025, the Safeguarding Policy.
16. The Arbitration was conducted under the Disciplinary Policy and *the National Sports Tribunal (Practice and Procedure) Determination 2024* (the **NST Determination**).

PROCEEDINGS BEFORE THE NST

17. On 28 February 2025 Ms Wallace made an application to the NST to review the Provisional Action by means of an expedited hearing pursuant to clause 11.6.3 of the Disciplinary Policy.
18. On 28 March 2025 Member O’Grady held that the Provisional Action was necessary and proportionate and dismissed the review.
19. On 16 May 2025 the parties executed an arbitration agreement and agreed to the confidentiality of the proceedings.
20. On 23 May 2025 Member Graham made procedural directions. Netball Victoria was ordered to file and serve written submissions and statements of evidence by 25 June 2025. Ms Wallace was ordered to file and serve written submissions and statements of evidence by 25 July 2025.

Netball Victoria was ordered to file and serve any written submissions in reply. A Pre-Hearing Conference was scheduled for 13 August 2025.

21. On 23 July 2025 a second Pre-Hearing Conference occurred. At that conference Member Graham advised that a new NST Member would need to be appointed.



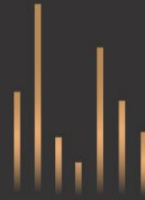
22. On 28 July 2025 Member Graham made further procedural directions extending the time for the filing and service of statements of evidence and written submissions. Member Graham also made directions pursuant to section 41 of the NST Determination that the arbitration proceedings are confidential and that all witnesses must be informed that the arbitration proceedings are confidential.
23. On 2 September 2025 the CEO of the NST appointed me to conduct the arbitration.
24. On 2 October 2025 I made procedural directions extending the time for Netball Victoria to file and serve any written submissions in reply and to identify any witnesses Netball Victoria requires to be called at the hearing. I also directed that the parties meet to discuss the number of days required for the hearing and that by 31 October 2025 the Registry be advised of any agreed estimate.
25. On 5 November 2025 I held a Pre-Hearing Conference via audiovisual link. The hearing was scheduled to commence on 1 December 2025 for 5 sitting days. During the conference, the Parties agreed that document “*Detailed Offence List*” would be updated by Ms Wallace to include the response to each particular of each Alleged Breach.

Confidentiality

26. The parties signed the Arbitration Agreement and agreed that this arbitration is confidential (See clause 11.16). Member Graham also made directions pursuant to section 41 of the NST Determination that the arbitration proceedings are confidential. In the affidavits filed by Netball Victoria serious allegations are made about the conduct of Ms Wallace and her interactions with children between 2017 and 2025. It is alleged that her conduct caused humiliation and embarrassment to the children named in the various affidavits and to their family members. The confidentiality directions made by Member Graham ensured that the identity of the children and their parents was protected at the hearing.
27. There is a real risk the children and their parents could be further traumatised as a result of this arbitration or the publication of this decision. To minimise this risk and to protect the confidentiality of the children, I made a direction pursuant to section 41 of the NST Determination to “de-identify” every child referred to in the affidavits filed by Netball Victoria and Ms Wallace or in the evidence given at the hearing and use a pseudonym for each of them. If the parents are identified by name, the child would be easily identified. It is necessary to use a pseudonym for each parent. The evidence also refers to the personal life of one young coach who had just turned 18, it is appropriate that the above direction be extended to protect the identity of this coach.
28. The NST Registry has prepared a spreadsheet identifying the child or parent and the allocated pseudonym. That spreadsheet remains confidential. In this Determination I have used the allocated pseudonym when referring to a child or their parents. I have also quoted from affidavits and documents which named or described the child or parent. In those quotes I have substituted the name of the child or parent with the allocated pseudonym.

Court Book and Exhibit List

29. The NST Registry prepared and updated an electronic e-Brief (the **Court Book**) which contains:
 - (a) the Case Documents – Application and Breach Notice and Response;



- (b) the Case Documents – Policy;
 - (c) the Arbitration Agreement;
 - (d) the Directions made by the NST;
 - (e) Netball Victoria's Submissions and Evidence;
 - (f) the Witness Affidavits relied on by Netball Victoria;
 - (g) Ms Wallace's Submissions and Evidence;
 - (h) the Witness Affidavits relied on by Ms Wallace; and
 - (i) additional documents tendered during evidence.
30. During the hearing, the Court Book was updated as the parties provided further documents. Ultimately the Court Book was 768 pages. It was an invaluable tool in conducting the Arbitration.
31. I directed that all documents tendered be given an exhibit number. During the hearing the NST Registry prepared and updated the Exhibit List. It provides a cross-reference to the relevant pages of the Court Book.

Witness Affidavits

32. Netball Australia filed affidavits from:
- (a) Ms Jade Fisher;
 - (b) Parent 23;
 - (c) Parent 2;
 - (d) Child 19;
 - (e) Parent 5;
 - (f) Child 5;
 - (g) Child 36;
 - (h) Parent 14;
 - (i) Child 30. This affidavit was tendered in evidence. The witness was not required to attend for cross-examination;
 - (j) Child 17;
 - (k) Parent 17;
 - (l) Child 21;
 - (m) Parent 21; and



- (n) Confidential Witness 1. The affidavit was filed by this witness with her name redacted. Confidential Witness 1 did not attend the hearing. Counsel for Netball Victoria told me that it did not rely on the affidavit.

33. Ms Wallace filed affidavits from:

- (a) Ms Tracey Wallace;
- (b) Mr Darren Abela. The affidavit was filed by this witness. The witness did not attend the hearing for cross-examination. Counsel for Ms Wallace advised me that Ms Wallace no longer relied upon that affidavit;
- (c) Child 10;
- (d) Parent 26;
- (e) Parent 10;
- (f) Ms Susan Flynn;
- (g) Child 34;
- (h) Ms Jan Schulz;
- (i) Mr Sean Steele;
- (j) Parent 12;
- (k) Parent 20;
- (l) Ms Alison Cram. This affidavit was tendered in evidence. The witness was not required to attend for cross-examination;
- (m) Child 37. This affidavit was tendered in evidence. The witness was not required to attend for cross-examination;
- (n) Ms Kelsey Lane. This affidavit was tendered in evidence. The witness was not required to attend for cross-examination;
- (o) Ms Josie Cini. This affidavit was tendered in evidence. The witness was not required to attend for cross-examination;
- (p) Parent 38. This affidavit was tendered in evidence. The witness was not required to attend for cross-examination; and
- (q) Child 31. This affidavit was tendered in evidence. The witness was not required to attend for cross-examination.

Submissions

34. Netball Victoria made the following submissions:



- (a) On 25 June 2025, written submissions entitled “*Respondent’s Submissions*” (Court Book 329-363);
 - (b) On 30 October 2025, written submissions entitled “*Outline of Respondents’ Submissions in Reply*” (Court Book 363-371);
 - (c) On 5 November 2025 written submissions entitled “*Respondents’ Supplementary Submissions in Reply*” (Court Book 372-373);
 - (d) On 15 December 2025, oral submissions; and
 - (e) On 10 February 2026, Netball Victoria made further written submissions about sanctions.
35. Ms Wallace made the following submissions:
- (a) On 1 October 2025 written submissions entitled “*Applicants Submissions*” (Court Book 519-537);
 - (b) On 15 December 2025, oral submissions; and
 - (c) On 13 February 2026 Ms Wallace made further written submissions about sanctions.
36. The parties also prepared a spreadsheet entitled “*Revised list of breaches including Applicant’s response*” (Court Book 677-709). The spreadsheet sets out the particulars of each Allegation, including the Policy or Code alleged to be breached and Ms Wallace’s response. On 19 December 2025 Ms Wallace prepared a second spreadsheet updating the Applicant’s responses. I have treated both spreadsheets as part of submissions made by the parties.
37. I am indebted to counsel and solicitors for the parties for the extensive and comprehensive submissions. I have considered these submissions when making my findings.

The Hearing

38. On 1 December 2025 the hearing commenced using a Microsoft Teams platform and was scheduled for 5 sitting days. On 3 December 2025 it became apparent that the evidence would not finish by 5 December 2025. The hearing continued on 8 and 9 December 2025.
39. The hearing was conducted using the Court Book. At my request the parties also provided a joint chronology listing approximately 96 events and the reference to that event in the Court Book. The joint chronology was of great assistance to me when I prepared my findings.
40. The Microsoft Teams platform generates a transcript. The transcript is 1965 pages. If a professional transcript service had been used, the daily transcript would have been reviewed by the transcript provider to correct transcriptional and grammatical errors and remove background noise or unclear speech. This transcript was not reviewed and contains many errors. For example, the transcript records that on numerous occasions I said “Yeah” when, in fact, I had coughed. Nevertheless, the transcript provides the substance of the evidence given by the witnesses. In this Determination I have quoted sections of the transcript without amending the transcript to remove most of the obvious transcriptional or grammatical errors.
41. On 15 December 2025 the parties made oral submissions. The parties agreed that I should deliver my written findings on each allegation before hearing submissions on any sanction.



42. On 29 January 2026 the hearing recommenced. I determined that it was impractical to deliver oral findings and delivered written findings. The hearing was again adjourned to enable the parties to consider if any further oral or written submissions were required on any sanction. The parties made further written submissions on sanctions and advised the Tribunal that they did not require oral submissions on sanctions.

MERITS

Legal Issues

A. The burden and standard of proof.

43. Section 40 of the National Sports Tribunal Act 2019 states:

“40. General principles relating to arbitration

(1) In the arbitration:

(a) the procedure of the Tribunal is, subject to this Act, within the discretion of the Tribunal; and

(b) the arbitration must be conducted with as little formality and technicality, with as much expedition and at the least cost to the parties as a proper consideration of the matters before the Tribunal permit; and

(c) the Tribunal is not bound by the rules of evidence but may inform itself on any matter in such manner as it thinks appropriate.”

(Emphasis added)

44. Section 40(1)(c) enables an arbitrator to disregard rules of evidence. It does not address the issues of the burden or standard of proof.

45. Section 55 of the NST Determination states:

“Burden and standard of proof

(1) For a dispute before the General Division, the burden and standard of proof and method of establishing facts and presumptions are to be as set out in the constituent documents of the sporting body, or in the separate agreement between the parties to the dispute referring the dispute to the Tribunal.

(2) Where neither the constituent documents nor the separate agreement set out a standard of proof, the default standard of proof is to be the balance of probabilities.”



46. Clause 9.9 of the Disciplinary Policy states:

“9.9.1 The standard of proof that applies to all decisions made under this Policy (including by an investigation or Hearing Tribunal) is “balance of probabilities”.

9.9.2 For a Decision Maker, investigator and a Hearing Tribunal to find something has been proven on the balance of probabilities, it must be satisfied that on the evidence put before it the alleged fact or matter is more probable than not. In reaching this conclusion, the Decision Maker, investigator and Hearing Tribunal must take into account all relevant factors including the impact of the potential sanctions that may be imposed if the allegations are proven. For the avoidance of doubt, the standard of proof requires greater certainty for a more serious allegation compared with a less serious allegation.”

47. In civil cases in Australia the standard of proof is the balance of probabilities. All courts and tribunals have applied what is known as the Briginshaw rule. In *Briginshaw v Briginshaw* (1938) 60 CLR 336 Dixon J stated:

“At common law two different standards of persuasion developed. It became gradually settled that in criminal cases an accused person should be acquitted unless the tribunal of fact is satisfied beyond reasonable doubt of the issues the burden of proving which lie upon the prosecution. In civil cases such a degree of certainty is not demanded. ...

... The truth is that, when the law requires the proof of any fact, the tribunal must feel an actual persuasion of its occurrence or existence before it can be found. It cannot be found as a result of a mere mechanical comparison of probabilities independently of any belief in its reality. No doubt an opinion that a state of facts exists may be held according to indefinite gradations of certainty; and this has led to attempts to define exactly the certainty required by the law for various purposes. Fortunately, however, at common law no third standard of persuasion was definitely developed. Except upon criminal issues to be proved by the prosecution, it is enough that the affirmative of an allegation is made out to the reasonable satisfaction of the tribunal. But reasonable satisfaction is not a state of mind that is attained or established independently of the nature and consequence of the fact or facts to be proved. The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding are considerations which must affect the answer to the question whether the issue has been proved to the reasonable satisfaction of the tribunal. In such matters ‘reasonable satisfaction’ should not be produced by inexact proofs, indefinite testimony, or indirect inferences. Everyone must feel that, when, for instance, the issue is on which of two dates an admitted occurrence took place, a satisfactory conclusion may be reached on materials of a kind that would not satisfy any sound and prudent judgment if the question was whether some act had been done involving grave moral delinquency. ... This does not mean that some standard of persuasion is fixed intermediate between the satisfaction beyond reasonable doubt required upon a criminal inquest and the reasonable satisfaction which in a civil issue may, not must, be based on a preponderance of probability. It means that the nature of the issue necessarily affects the process by which reasonable satisfaction is attained. When, in a civil proceeding, a question arises whether a crime has been committed, the standard of persuasion is, according to the better opinion, the same as upon other civil issues... But, consistently with this opinion, weight is given to the presumption of innocence and exactness of proof is expected.”



48. Section 140 of the Uniform Evidence Act (Cth) 1995 states:

“140 Civil proceedings: standard of proof

- (1) In a civil proceeding, the court must find the case of a party proved if it is satisfied that the case has been proved on the balance of probabilities.*
- (2) Without limiting the matters that the court may take into account in deciding whether it is so satisfied, it is to take into account:*
 - (a) the nature of the cause of action or defence; and*
 - (b) the nature of the subject - matter of the proceeding; and*
 - (c) the gravity of the matters alleged.”*

Section 140(2) of the Uniform Evidence Act has codified the Briginshaw rule.

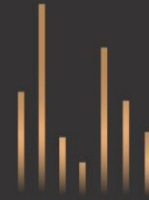
49. In *LL UP Pty Ltd v Kegland Distribution Pty Ltd* [2024] VSC 651 Croft J stated that:

“17. As to the standard of proof, and as to the concept of actual persuasion, the Defendants emphasise two principles; principles not doubted by the plaintiffs.

18. The first is that each element of the cause of action must be proved to the reasonable satisfaction of the court, which means that the court ‘must feel an actual persuasion of its occurrence or existence’. Such satisfaction is ‘not ... attained or established independently of the nature and consequence of the fact or facts to be proved’ including the ‘seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding’

19. The second principle involves the relevance of s 140(2) of the Evidence Act which is relevant to the concept of actual persuasion. Under this provision, in deciding whether the court is satisfied that a case has been proved to the requisite standard the court must take the following matters into account: (1) the nature of the cause of action or defence; (2) the nature of the subject matter of the proceeding; and (3) the gravity of the matters alleged.

20. Moreover, as the Defendants contend, when proof of any fact is required, the court must feel an actual persuasion of the occurrence or existence of that fact before it can be found. Mere mechanical comparison of probabilities, independent of any belief in reality, cannot justify the finding of a fact. Actual persuasion is achieved where the affirmative of an allegation is made out to the reasonable satisfaction of the court. However, it is stressed, reasonable satisfaction is not a state of mind that is attained or established independently of the nature and consequences of the fact to be proved. The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, and the gravity of the consequences flowing from a particular finding are considerations that must affect whether the fact has been proved to the reasonable satisfaction of the court. It follows that reasonable satisfaction should not be produced by inexact proofs, indefinite testimony or indirect inferences.”



50. In the Court of Arbitration for Sport the standard of proof is “the comfortable satisfaction”, based upon the Briginshaw rule. See: CAS 2007/A/1311 *Sevdalin Marinov v. Australian Sports AntiDoping Authority (ASADA)*, award 26 September 2007, CAS 2018/A/5940 *Baghdad Bounedjah & Al Sadd FC v. Asian Football Confederation (AFC)*, award 14 February 2019 and CAS 2022/A/8960 *Pyramids FC v. Cristian Benavente Bristol & Fédération Internationale de Football Association (FIFA)*, award 6 September 2023.
51. In the Pyramids FC, the CAS Arbitration Panel stated:
- “90. As to the standard of proof, it is a well-established practice that in the lack of any specific legal or regulatory requirement, in a civil dispute a CAS Panel has to apply the usual standard of proof for civil matters, i.e. the one of comfortable satisfaction. In the present case, the Panel sees no reason to impose a higher standard of proof than comfortable satisfaction (see CAS 2020/A/7503, para. 95; CAS 2018/A/6075, para. 46), seeing as the case at hand concerns essentially matters of contractual nature.*
- 91. The “comfortable satisfaction” standard of proof may be defined “(...) as being greater than a mere balance of probability but less than proof beyond a reasonable doubt (CAS 2014/A/3625, with further reference to CAS 2009/A/1920, CAS 2013/A/3258, CAS 2010/A/2267, CAS 2010/A/2172). In particular, CAS jurisprudence clearly established that to reach this comfortable satisfaction, the Panel should have in mind “the seriousness of the allegation which is made” (CAS 2014/A/3625, with further reference to CAS 2005/A/908, CAS 2009/A/1902)” (CAS 2016/A/4558, para. 70).”*
52. In *Member v Sporting Body NST-E23-375291* Member Heath KC considered Section 40(1)(c) of the NST Act and Section 55 of the NST Determination and held that for arbitrations conducted under the NST Act, the Briginshaw rule is relevant when determining questions of fact and whether an allegation has been proved on the balance of probabilities:
- “In light of section 40(1)(c) of the NST Act, strictly speaking, the Briginshaw principle does not apply to the Tribunal’s exercise of its decision-making power in this case. Notwithstanding this technical position, however, the factors underpinning this principle are relevant to the question whether an allegation is made out to the reasonable satisfaction of the Tribunal. For example, adopting the language of Dixon J in Briginshaw, reasonable satisfaction should not be produced by “inexact proofs, indefinite testimony, or indirect inferences”, especially where the allegations are serious and where grave consequences will flow from a particular finding.”*
53. I agree with Member Heath KC that the Briginshaw rule has direct application to all arbitrations conducted by the NST. It is curious that Section 55 does not expressly refer to the Briginshaw rule or its statutory codification, S.140(2) of the Uniform Evidence Act.
54. If I was required to determine this matter by considering Section 55 only, I would have applied the Briginshaw rule in determining whether an allegation has been proved on the balance of probabilities, I must be comfortably or reasonably satisfied. Ms Wallace is a professional coach. The allegations made against her are serious. Adverse findings are likely to affect her livelihood. A finding of professional misconduct against a person requires the Tribunal to be “*comfortably or confidently satisfied that the affirmative case has been made out*” (see for example *Re Hodgekiss* (1959) 62 SR (NSW)340 and JRS Forbes Justice in Tribunals (6th edition) (2024) 12.23 and the cases cited there concerning reasonable satisfaction or comfortable satisfaction).



55. The parties agree that Clause 9.9 of the Disciplinary Policy prescribes the standard of proof I am required to consider and apply in this arbitration.
56. I interpret Clause 9.9.2 of the Disciplinary Policy as a restatement of the Briginshaw rule and S.140(2) of the Uniform Evidence Act.
57. In this determination, I have determined each allegation and used the words “*comfortably satisfied*” to indicate that I have made my findings that an allegation has been proved on the balance of probabilities, applying the Briginshaw rule as restated in Clause 9.9.2 of the Disciplinary Policy.

B. Evaluation of Witness Evidence and Assessment of Credit

58. Ultimately my task is to evaluate the evidence of each witness and make an assessment of their credibility to establish whether I am comfortably satisfied that an allegation has been proven. I am required to consider and evaluate the conflicting “*oath on oath evidence*” as described by counsel for Ms Wallace. The evidence of the witnesses called by Netball Victoria on most matters was disputed or contradicted by Ms Wallace or the witnesses she called.
59. In *LL UP Pty Ltd v Kegland Distribution Pty Ltd* [2024] VSC 651 Justice Croft sets out 13 propositions applicable to the assessment of credit and character of witnesses in civil proceedings at [23] and further “*specifically articulated indicators of unsatisfactory witness evidence*” at [24]. These propositions are not novel and have been used by courts and tribunals when assessing evidence of witnesses.
60. In assessing the oral and written evidence of each witness I have had regard to the propositions and indicators summarised by Justice Croft.

FINDINGS

Club Culture

61. The allegations against Ms Wallace require me to make some findings about the culture of SACSNA and Westside between May 2017 and January 2025. During this time SACSNA ran competitions at various venues including the Caroline Springs Leisure Centre. Westside competed at the representative level at the State Netball and Hockey Centre at Parkville (**Parkville**). SACSNA also arranged for teams to compete at various tournaments and competitions in Victoria.
62. Ms Jan Shultz was president of the SACSNA for 41 years. She was the driving force of the club. In 2023 she retired as president but remained actively involved in SACSNA. Like most sporting associations, the committee was generally made up of individual club representatives, including parents of junior netballers, who donated their time to assist in the administration of SACSNA. In most cases, the involvement of these parents ceased when their children left the club or SACSNA. The day-to-day decisions at SACSNA were made by Ms Schultz. Ms Schultz was responsible for the employment of the coaches. The head coach of the Westside was Mr Darren Abela. In approximately 2013 Ms Wallace was employed as a coach. In approximately October 2021 Mr Darren Abela left SACSNA and Ms Wallace was employed as its head coach.



63. A “results driven” “win at all costs” culture permeated SACSNA. This culture was established by Ms Schultz and Mr Abela and implemented by Ms Wallace. Central to this culture was the requirement that children and their parents must be “loyal” and show “respect” to SACSNA and Westside and the coaches. The children must follow the instructions of the coaches in all circumstances. Ms Wallace demanded that she be given unqualified respect and obedience.

64. At paragraph 28 of her affidavit dated 25 June 2025 (Exhibit 5) (the **Ms Jade Fisher Affidavit**), Ms Jade Fisher deposes:

“I had many conversations with Tracy conveying my concern about her inappropriate language towards the players. Tracy would reply with words to the effect: “the players should be scared of me, if they are not, they don’t respect me”.

65. The culture required acceptance by the parents and the children that the coaches knew what they were doing. Parents were encouraged to support the development of their children and to accept that the training and coaching techniques, including the behaviour of the coaches, would result in success.

66. The culture did result in substantial success for Westside at competitions and tournaments. The success was also measured by the number of netballers who developed into elite players. The culture provided a pathway for some children to reach the elite levels.

67. Parent 23 gave evidence on this aspect of the culture at the club:

“I think the culture of the club eventually ended up being that that was the club and that was accepted, rightly or wrongly. We accepted that as parents, rightly or wrongly.”
(Transcript Day 2 page 189)

Parent 23 also give cogent evidence as to why her family remained at the club:

“The reasons around friendships and stability and both of my girls were in. High school at that point and that that was a really big part of their life and and (sic) my life and my husband’s life as well. You know, it was almost like it was a fat (sic) like a family club. And they were our people. And, you know, often we would. Discuss things that had happened at netball or some of the incidents that we’ve touched. I and my husband and I will go. Gosh, are we doing the right thing and we would question ourselves, but then we’d fall back to. OK, well, there’s plenty of other parents there. There’s plenty of other friends that Child 23 and Child 8 have there and we decided maybe against our better judgement to continue with the club.”

68. If the parent or the child objected to unqualified loyalty and obedience to the coach or the manner in which the children were coached, the only practical alternative was to leave the club.

69. Complaints about the treatment of children by the coaches were not encouraged or acted upon. Parent 21 provided a telling example of this when he was cross-examined. He was asked why he put up with the alleged bad behaviour for so long and whether he made complaints to Mr Abela or to the committee. He stated:

“Informally. Yes, I did and could feel I could vent frustrations from time to time.



Sure. Yeah, that's the same informally from time to time, they'll be venting your frustrations. You know, certainly there was some sort of empathy at times from those committee members. But yeah, it was never it. Never felt like an environment where you could take it any further than that. Never felt like a comfortable environment to be able to raise those concerns.

Well look when you've got, you know, beginning of season or pre-season full club addresses to parents. You know the Keilor Netball stadium where that particular head coach said if your kids good. I'll make sure they make it. I don't want to hear about complaints. If you got any complaints, there's the f&ing door."*

So that that doesn't really lend itself to an environment that you feel comfortable to go and voice some concerns." (Transcript Day 1 pages 311-312)

70. Parent 14 also gave evidence about the futility of making complaints. Parent 14 was involved in the club between 2015 and 2019. In 2018 and 2019 she was a coach at Westside. When giving her evidence she stated:

"There wasn't really much point complaining anywhere else because Tracy used to tell that SACNSA got her back. So and SACSNA would refer back to Darren, everything got referred back to Darren, so it was going around the circles. Darren was the one that you contacted. If you have an issue, but then you have the other issue with Darren. In at the start of every season, Darren will get all the parents in and pretty much say my way or the highway. There's a door. If you don't like it, f&! off. So. It was. It wasn't really a culture where you could have an issue that would be dealt with. It was very much a culture of Darren's boss and you just have to suck it up and deal "*

"A few some parents had told me that they wanted to make complaints, but if they went to Netball Victoria, therefore Victoria would tell them to go back to SACSNA. But the main reason that you didn't complain is because your pathway of your child was threatened repeatedly." (Transcript Day 3 page 11)

71. This culture is further evidenced by the outcome of a complaint made against Ms Wallace by Parent 22 on or about 13 May 2021 (Court Book 669). This complaint was also lodged with Netball Victoria. The complaint was referred back to SACSNA to investigate. The complaint was handled by Ms Schultz. It appears that no investigation occurred as to the behaviour of Ms Wallace or her treatment of the children. Ms Schultz investigated the bad behaviour by the girls and found that they *"showed no respect to Tracy"*. The girls were *"not welcome back at the club as this type of behaviour is not acceptable"*. I will consider this matter in greater detail later in my findings.
72. Ms Jade Fisher also gave evidence of the unwillingness of Westside to investigate complaints. When she resigned from the club in 2023, she sent a text message to Mr Abela (Exhibit 9 Court Book 674). The text provides a contemporaneous record of the behaviour of Ms Wallace and the continued acceptance of that behaviour by SACSNA which caused netballers and coaches to leave the club.
73. The success of SACSNA and Westside came at cost – the culture created a toxic division in the netball community. On one side there was the coaches, parents and children who became disillusioned with the culture at SACSNA and Westside and left the club and, in some cases, the sport. This group is represented by all of the witnesses called by Netball Victoria. On the other



side, are the coaches, administrators, parents and children who prioritised the quest for “success” and accepted the price for that success was total and unqualified loyalty and support for the coaches, including Ms Wallace. This group is represented by some of the witnesses called by Ms Wallace.

74. My primary task in this matter is to consider all of the evidence and determine whether Ms Wallace has breached the relevant Policies and, in particular, the obligation to ensure that harmful behaviour to a child did not occur.
75. I find that Ms Wallace, as head coach, adopted and embraced this culture and I have had regard to this finding when considering specific allegations.

THE ALLEGATIONS

1. Ms Wallace possessed, shared, or encouraged the sharing of images of a child engaging in a sexual activity or depicted in an indecent sexual manner.

76. Netball Victoria alleges:

- (a) in July 2022, Ms Wallace had in her possession, and showed or distributed, a sexually explicit video of Child 35 and called Child 35 a “sk+#k” and “s@t”;
- (b) in April 2023, Ms Wallace showed the relevant video to Confidential Witness 1; and
- (c) on at least two occasions in 2023 Ms Wallace admitted she had the video in her possession and made negative comments regarding Child 35.

77. It is common ground that:

- (a) in 2022 a video circulated amongst the youths of the Western Suburbs depicting Child 35 involved in a sexual act. At that time Child 35 was a child;
- (b) the possession of the video and showing the video to children are potential criminal offences and also contrary to the Netball Victoria Policies;
- (c) Child 35 had previously played with Westside and attended school with some of the then current Westside junior netballers; and
- (d) in 2022 some of the then current Westside junior netballers watched the video whilst at training.

The issues to be considered are whether Ms Wallace had possession of the video on her phone and showed the video to junior netballers.

78. Netball Victoria relies upon the evidence of Ms Jade Fisher, Parent 5 and Parent 17.
79. Ms Jade Fisher lodged a written complaint with Netball Victoria on 13 February 2025 (Exhibit 10 Court Book 709-715). In the complaint Ms Jade Fisher made an allegation that Ms Wallace was in possession of and shared videos and photos including showing these images and videos to members of her Under [REDACTED]'s team on a Thursday night at Parkville.



80. At paragraphs 48-57 of the Ms Jade Fisher Affidavit, she states, in summary, that at training Ms Wallace called Child 12 over and was told by Child 12 about the video. Ms Jade Fisher was not shown the video. Later that evening Ms Wallace stated that she had obtained the video from Child 12. Ms Jade Fisher then advised Ms Wallace that she could get into trouble for having the video and she should delete it. Despite this warning, Ms Wallace then walked over to a group of junior netballers and showed them a video on her phone. Ms Wallace says that she heard the girls start laughing and saying “gross” and “show me again”. Ms Jade Fisher did not see the video shown to the junior netballers, but inferred that it was the video of Child 35 because of the reaction of the girls.
81. On 2 December 2025 Ms Jade Fisher gave evidence at the hearing. In her evidence in chief, she conceded that the date of the training was a Thursday, probably 21 July 2022, based upon a text she had received from Ms Wallace but that she was not confident about the date. Subject to that qualification she verified that the Jade Fisher Affidavit was true and correct.
82. Ms Jade Fisher was cross-examined about the allegation that Ms Wallace was in possession of the video (Transcript Day 2 pages 133-143). She was challenged about where and when the incident occurred but maintained that it occurred at Parkville.
83. Parent 17 swore an affidavit dated 16 June 2025 (Exhibit 20 Court Book 493) (the **Parent 17 Affidavit**). At paragraphs 32-34 she deposes that in early 2023 she had a conversation with Ms Wallace. During the conversation Ms Wallace said she had possession of a video on her phone of a girl who used to play at Westside performing sex acts. Parent 17 says that she immediately shut down the conversation.
84. On 4 December 2025 Parent 17 gave evidence at the hearing. In her evidence in chief, she was asked why she did not report the matter. She stated that she did not know Child 35 and had not seen the video and did not want to be involved. She also stated that she did not know the age of Child 35 (Transcript Day 4 page 62). She reaffirmed her the conversation had occurred and that she had not made a complaint about it to anyone.
85. Parent 17 was cross-examined. She admitted that she did not raise this complaint with the independent investigator engaged by Netball Victoria. It was put to Parent 17 that the conversation never occurred (Transcript Day 4 page 123). Parent 17 disagreed. It was also put to Parent 17 that, if she had the conversation with a coach, [because of her occupation], she was required to do something about it. Parent 17 responded:
- “Well, no, because I didn’t know she was a minor and I hadn’t seen the video and my daughter was about to go on to play a netball game like and it was just prior to that, like, just as we’re going on to the court, I don’t understand. How you think I would become involved?”* (Transcript Day 4 page 124)
86. Parent 5 swore an affidavit dated 23 June 2025 (see Exhibit 15 Court Book 462-465) (the **Parent 5 Affidavit**). At paragraphs 15-20 of her affidavit, she deposes to a conversation in June 2023 at Parkville with Ms Wallace who said:

“See that [REDACTED] girl over there? She is a dirty b!%&h. I will show you video of her later”.

Parent 5 said that she did not know the girl and just ignored the comment. She subsequently found out from her daughter about the content and nature of the video.

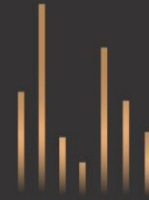


87. On 3 December 2025 Parent 5 gave evidence and confirmed that the contents of her affidavit were true and correct.
88. Parent 5 was cross-examined and gave evidence that prior to June 2023, she was unaware that a video of Child 35 had been circulating, not only to the school community, but also to the netball community. When asked why she did not make a complaint she stated:

“No, I didn’t. I didn’t. I didn’t know that she absolutely did have it. That was a comment she said to me that she had a video of her.” (Transcript Day 3 page 176).

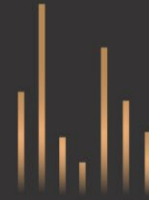
It was put to Parent 5 that the conversation did not occur and it was fanciful to suggest that it did occur. She rejected that proposition and described it as *“typical behaviour of Tracy”* (Transcript Day 3 page 177).

89. Netball Victoria initially sought to rely upon the evidence of Confidential Witness 1. An affidavit was filed by this witness with her name redacted (Court Book 491-492). Confidential Witness 1 did not attend the hearing. Counsel for Netball Victoria told me that it did not rely on the affidavit. As a consequence, I have had no regard to the affidavit.
90. Ms Wallace gave evidence concerning the video and relies upon the evidence of Parent 12.
91. On 11 September 2025 Ms Wallace affirmed an affidavit (Exhibit 44 Court Book 575 – 649) (the **Ms Wallace Affidavit**). The affidavit was sworn after Ms Wallace had been provided with all of the affidavits of Netball Victoria, including the Ms Jade Fisher Affidavit, the Parent 17 Affidavit and the Parent 5 Affidavit. At paragraphs 7-13 of the Ms Wallace Affidavit, in summary, she deposes:
- (a) she denied ever being in possession of or viewing the video;
 - (b) she became aware of the video in or around 2022 at an [REDACTED] 1 game. The video was said to have been shown by a girl to the rest of the team. At that time, she was not wearing her glasses and couldn’t see what was depicted in the video, but she knew what the girls were probably watching and told the girls to put the phone away because it was inappropriate;
 - (c) at no stage did she have this video on her mobile phone and she did not ask anyone to provide it to her;
 - (d) she denies the evidence given by Ms Jade Fisher and in particular she did not ask Ms Jade Fisher to look at the video;
 - (e) at no stage did she point out Child 35 or laugh at her; and
 - (f) she may have talked about the video because it was gossip or that she was expressing concern for Child 35.
92. On 8 December 2025 Ms Wallace gave evidence and swore that the contents of her affidavit were true and correct (Transcript Day 6 page 141). In her evidence in chief, she was asked numerous questions by her counsel concerning the video (Transcript Day 6 page 162-164). Ms Wallace stated that there were a lot of under [REDACTED] and under [REDACTED] girls looking at a what she thought was a photo. She said that because she was visually impaired, she could not see what was depicted in the photo. Ms Wallace denied asking Child 12 to send her the video or that she ever



had the video on her phone. She denied telling Parent 17 or Parent 5 about the video (Transcript Day 6 page 164).

93. On 9 December 2025 Ms Wallace was cross-examined about the video (Transcript Day 7 pages 173-184). She stated that she was unaware of the existence of the video but believed that there was a series of photographs of Child 35 (Transcript Day 7 page 176). Ms Wallace admitted that she was friends with Parent 17 in 2023. Once again, she denied the conversations with Parent 17 or Parent 5.
94. Ms Wallace also relied upon the evidence of Parent 12, the father of Child 12. On 16 September 2025 she affirmed an affidavit (Exhibit 23 Court Book 542- 544). That affidavit does not deal with the video concerning Child 35.
95. On 5 December 2025 Parent 12 gave evidence about the video (Transcript Day 5 page 141). Parent 12 said that he and his wife had spoken to Child 12 who “vehemently denied” that she had the video on her phone or had sent the video to Ms Wallace. Parent 12 sought advice from a police friend who showed him how to search a phone and he checked Child 12’s phone to satisfy himself that she did not have the video.
96. On 5 December 2025 Parent 12 was cross-examined. He admitted that he had been informed in 2023 that Child 12 had a video on her phone. At the time he spoke to his daughter who denied it on dozens of occasions (Transcript Day 5 page 166). Parent 12 said that when he searched the phone he did not go into social media or check Snapchat. (Transcript Day 5 page 170-171).
97. I have carefully reviewed all of the evidence concerning these allegations. I have considered and reviewed the detailed submissions by both parties on this issue. I must be comfortably satisfied that the allegations have been proved bearing in mind the seriousness of this allegation.
98. The allegations raised by Confidential Witness 1 cannot be sustained. Counsel for Netball Victoria conceded that he could not rely upon the affidavit of Confidential Witness 1. She was the only witness who asserted that she had seen the video on Ms Wallace’s phone. That allegation is now no longer supported by any evidence. Ms Wallace has given sworn evidence denying that she was ever in possession of the video.
99. In relation to the allegations concerning the admissions made by Ms Wallace there is a clear factual dispute. The evidence given by Ms Jade Fisher, Parent 17 and Parent 5 was truthful, cogent and creditable. The evidence given by each of them was limited to their observations and conversations with Ms Wallace. These witnesses did not embellish the claims. There are two examples of this. Ms Jade Fisher gave evidence that she assumed the video she discussed with Child 12 and Ms Wallace was the one which was then shown to the group of girls. It would have been easy for Ms Jade Fisher to say that she had seen the video. Second, none of these witnesses claimed that they had seen the video on Ms Wallace’s phone. The witnesses confined their evidence to the statements made by Ms Wallace.
100. I accept the evidence that Ms Wallace told each of them that she had a video. I reject the evidence by Ms Wallace that the conversations did not occur. In relation to the conversations with Parent 17 and Parent 5, I accept that they were conversations with people who she regarded as friends.
101. However, the statements that Ms Wallace had a video of Child 35 does not establish that she actually had the video. I do not exclude the possibility that Ms Wallace overstated her position and made gossip about Child 35.



102. I accept the evidence given by Ms Jade Fisher about the involvement of Child 12. Child 12 did not give evidence, but her father did. It is apparent that in 2023, prior to any complaint being lodged against Ms Wallace, numerous sources had informed the parents that Child 12 had access to the video on her phone. Parent 12 did not accept the denials given by his daughter and searched the phone. With his limited technical skills, he was unable to locate the video. That search does not establish that the video was not on the phone, merely that he was unable to locate it. I accept that his daughter denied that she had access to the video. I do not place any weight in these denials. Child 12 was not called to give first-hand evidence on this critical issue.
103. There remains dispute concerning the location where these conversations occurred. It is unnecessary for me to reach a conclusion on this issue.
104. Having considered all of the evidence, I am not comfortably satisfied that the allegation has been proven. As previously stated, these matters are very serious and my level of satisfaction is very high. It is likely that the conversations between Ms Jade Fisher, Parent 17 and Parent 5 occurred. But these witnesses do not provide direct evidence that the video was actually on Ms Wallace's phone. These conversations must be viewed in the context of social settings. I do not discount the possibility that Ms Wallace made these statements to impress her friends. In the circumstances, I am not comfortably satisfied.

2. Ms Wallace engaged in aggressive language and tone of voice in the presence of a child, including shouting, swearing and/or belittling them.

105. This allegation canvasses Ms Wallace's interactions with players and parents between 2017 and 2025. Netball Victoria asserts that the conduct alleged breached clause 2.2 (c) of the 2017 Netball Victoria Child Safety in Netball Code of Conduct, clause (d) of the 2017 Netball Victoria Child Safety in Netball Code of Conduct, the 2023 Member Protection Policy, clauses 3.1.1.1, and 2.1.2 of the 2023 Child Safeguarding Policy, clause 3.1.2.1 and clause 3.1.3 of the 2024 Policy and Safeguarding Children and Young People Policy 2 (a) and (b).
106. A substantial amount of the evidence from the witnesses relates to these events. It is necessary to analyse the evidence about each event and provide detailed reasons.
107. There are 2 overlapping elements to this allegation:
- (a) a general allegation that aggressive language and tone was regularly used and this included shouting at, swearing at and/or belittling the children; and
 - (b) specific events when it is alleged that aggressive language and tone was used which included shouting at, swearing at and/or belittling the children.

General Allegation

108. Netball Victoria relies upon the evidence of Parent 23, Parent 21, Child 21, Ms Jade Fisher, Child 19, Child 30, Child 5, Parent 14, Child 17, Parent 17, Parent 5 and Child 5.
109. Parent 23 is the mother of Child 23. Parent 23 swore an affidavit on 24 June 2025 (Exhibit 11 Court Book 449) (the **Parent 23 Affidavit**). In paragraphs 16 to 22 she deposes that she was a spectator at countless games over an 8-year period and she would regularly hear: "Tracy from the courtside swearing or showing frustration when a player made a mistake like accidentally



throwing a ball out of bounds. You would typically see Tracy swear or act inappropriately when the team was losing or she wasn't happy with a player's performance".

110. She specifically recalls comments such as "*what the hell was that*" or "*oh f*&!*". At paragraphs 20-22 of the Parent 23 Affidavit, she deposes to a specific allegation about a tournament in 2021 at Diamond Creek. My findings relating to this incident are set out below.
111. Parent 23 gave evidence at the hearing and was cross-examined. She swore that the conduct occurred regularly at Parkville and estimated that it occurred approximately 16 or 18 times a year. She acknowledged that the umpires and court supervisors did not speak to Ms Wallace about her behaviour (Transcript Day 2 page 182-185). It was put to Parent 23 it was inconceivable this misconduct could occur without the court supervisors or referees intervening.

She disputed that and said:

"Completely disagree I witnessed that myself, so I'm very confident in that. That is not true. In terms of the supervisors and the umpires, supervisors aren't always court side, they they (sic) sort of float throughout the Parkville venue, so there's not always a supervisor beside the court. So I think at times. Language was used within. Without court supervisor being within the vicinity, so it was going unnoticed. I would also suggest that some of the umpires were quite young and so often intimidated by Tracy as well. I could see that as a spectator. And perhaps they weren't confident in saying anything or addressing it either." (Transcript Day 2 page 189)

112. It was put to Parent 23 that the conduct referred to in the affidavit never occurred. Parent 23 stated that "it absolutely happened" and she witnessed it happening (Transcript Day 2 page 197-198).
113. Parent 21 is the father of Child 21. Parent 21 swore an affidavit on 20 June 2025 (Exhibit 4 Court Book 488) (the **Parent 21 Affidavit**). He deposes that his daughters had played for Westside between 2016 in 2022. He deposes "*I recall countless occasions when I was watching games during which Tracy exploded and screamed at her players for losing.*"
114. Parent 21 also deals with specific allegations about the under [REDACTED] tournament at Caulfield and the event on [REDACTED] at Parkville. My findings in relation to these incidents are set out below.
115. Parent 21 gave evidence at the hearing (Transcript Day 1 page 296). During his evidence in chief, he deposed that Ms Wallace used inappropriate language often "*Too countless to recall, it was quite a frequent occurrence*" (Transcript page 300) and these incidents were likely to occur when the teams were performing poorly. He stated that he did not make complaints to the umpires and explained:

"It was my view that certainly Tracy gave the impression that she was quite well looked after, certainly around the Parkville Vicinity with Netball, the perception was probably wrongly that there would have been little to no point of making those complaints".

He was also asked whether he made any complaints to the supervisors. He explained:

"Court supervisor that's also present in the competition office and it was the same perception."



116. Child 21 swore an affidavit on 20 June 2025 (Exhibit 3 Court Book 484) (the **Child 21 Affidavit**). At paragraphs 7-10 she deposes that Ms Wallace would very easily become angry and frustrated and project that on to players, it was more common than not for Ms Wallace to swear and yell at players. It would happen *“basically any time Westside were losing or underperforming”*. She provided examples of these comments (see paragraph 9). Child 21 then gave evidence of specific examples at Parkville in May 2022 and at the Caulfield tournament in 2022.
117. Child 21 gave evidence at the hearing (Transcript Day 1 page 243). During her evidence in chief, she deposed:
- “Yes, if we were losing a game or playing bad like down at any point, she was much more likely to have an outburst that would result in swearing over at halftime during the game or after the game in huddles.”*
- “I say it wasn’t constructive. There were times where it was, but if she was spraying, it was never constructive. It was always personal. I’m saying that you did something wrong or you were f*%!ing embarrassing. Not. You need to work on this.”*
- “It was just. It happened weekly. Everyone was used to it. All the girls were used to it, so we didn’t see any reason that she was always really close with all the people at SACSNA. So, it didn’t seem like a complaint would go anywhere.”*
118. Child 21 was cross-examined. She deposed that the behaviour would not happen often at training.
119. Between 2017 and 2023 Ms Jade Fisher was a coach for various teams at Westside. At paragraphs 13,14 and 28 of the Ms Jade Fisher Affidavit, she deposes:
- “13. Tracy used inappropriate and aggressive language both around, and directly to the players frequently, many of whom were under 18. Westside became a place where it was simply expected of Tracy to use such language. I was often the person the players would come to either upset by Tracy’s comments or to vent their frustrations and have their feelings validated.*
- 14. This behaviour got especially bad after Darren Abela left Westside in October 2021. Darren was the previous head coach of the club and used to try to hold Tracy in check. In around November 2021, Tracy took over as head coach for Westside.”*
- “28. I had many conversations with Tracy conveying my concern about her inappropriate language towards the players. Tracy would reply with words to the effect of, “the players should be scared of me, if they are not, they don’t respect me”. Whenever anyone would raise concern with Tracy’s conduct directly to her, she would often send these messages to me or tell me about it, placing the blame on the parent/player rather than taking any accountability. Examples of such messages are at Annexure B.”*
120. The Ms Jade Fisher Affidavit refers to several specific examples of inappropriate and aggressive language. My findings in relation to these specific examples are set out below.



121. Ms Jade Fisher gave evidence at the hearing (Transcript Day 2 page 6). During her evidence in chief, she deposed that there were complaints made to court supervisors (Transcript page 21). She was cross-examined (Transcript page 63-64) and maintained that various court supervisors had approached Ms Wallace to calm down and that she was too loud and aggressive. She could not recall a specific occasion where the court supervisor spoke about the bad language. Ms Jade Fisher says that she had spoken to various umpires and court supervisors about Ms Wallace's behaviour. She nominated various persons.
122. Child 19 swore an affidavit dated 23 June 2025 (Exhibit 12 Court Book 457) (the **Child 19 Affidavit**). She was a player at Westside between [REDACTED]. At paragraphs 6-12 of her affidavit, she deposes:
- “6. In my first season at Westside, I played under [REDACTED]'s.
 - 7. I recall Tracy swearing every now and then, but I couldn't say how often it would happen. I don't remember it being a weekly thing at training or games.
 - 8. Beginning in about 2021, and up [REDACTED], Tracy's swearing at or around players increased significantly. Tracy would swear and say "f*&! this or that at every training session. Tracy would yell and swear directly at players or the team nearly every week.
 - 9. I felt Tracy's swearing and frustration would be worse when we lost (or were losing a game), and that it picked up even more towards finals or association championships when she appeared visibly more stressed.
 - 10. I remember between 2021 and 2022 Tracy saying to players at training or at games comments to the following effect:
 - (a) "you're f*&!ing useless";
 - (b) "what the f*&! was that";
 - (c) "you're so f*&!ing slow"; and
 - (d) "pull your head out of your a\$^".
 - 11. It is difficult to say precise games or training sessions when Tracy made these comments. These types of comments were made repeatedly and almost weekly.
 - 12. That said, there are two occasions that stand out where Tracy drilled the team.”
123. Child 19 also deposes to “mean comments” directed at players including Child 16 and Child 4 (paragraphs 25-30). My findings in relation to the specific examples and the mean comments are set out below.



124. Child 19 gave evidence at the hearing (Transcript Day 2 page 208 and Day 3). In her evidence in chief she was asked questions about evidence foreshadowed by other players that Ms Wallace was a hard, but fair coach, and never used bad language or swore at the players. Child 19 stood by her evidence (Transcript page 213). When cross-examined she admitted that in her first season there was not a lot of swearing and that she may have heard Ms Wallace swear, but not at the players (Transcript 223). She gave evidence that the swearing “increased significantly” and occurred at training and games. She raised this behaviour with Ms Jade Fisher, but not to the umpires or supervisors at the various stadiums. She further explained about Ms Wallace’s conduct:

“Yes, it could. She would have her notebook and she would be swearing with that. And sometimes she’d, like, throw that around or she’d go like, sorry, my language. What the f! is happening? Why is she doing that? And then a lot of the time it was after games as well. She’d take us away from everyone into a corner of where we played or outside. And if it wasn’t a good game, we would. Get sworn out, then? Yeah, if it was a good game, everything was OK. But if it wasn’t, then it wasn’t.” (Transcript 231)*

125. She gave another example of Ms Wallace’s conduct:

“I remember one of the finals games. This is a specific example for me. She turned to me and said if you don’t put up your f!ing shots, we’re losing this f*!ing game and will be your all your fault. Another time, she said, pull your head out of your f*!ing a\$^\$. Do something. These are all at breaks during the game. Yeah, they were like, move your a\$^\$ like, stuff like that. Work your s\$@t out. Those were like, pretty basic ones that she would say to me, yeah.” (Transcript 233)*

126. Child 30 swore an affidavit dated 25 June 2025 (Exhibit 17 Court Book page 515) (the **Child 30 Affidavit**). Most of the affidavit deals with the events which occurred at the 2025 Westside pre-season camp. She was one of the girls who was told to get into the pool. This evidence will be considered later. In relation to the inappropriate language she states: *“in my experience playing under Tracy was at times intimidating and imposing, particularly if we weren’t playing well”*. Her affidavit was tendered without any cross-examination.

127. Child 5 swore an affidavit dated 26 June 2025 (Exhibit 1 Court Book 502) (the **Child 5 Affidavit**). Her affidavit canvasses many issues. I will consider those issues later.

128. At paragraphs 12-17 of the Child 5 Affidavit, she deposes:

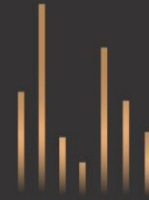
“12. Because of my involvement as a player and coach, I spent a significant amount of time around Tracy on Mondays, Tuesdays, Thursdays and Saturdays.

13. From the outset of joining Westside, I was surprised by the way Tracy spoke to the players. It was by far the worst I had seen a coach treat their players.

14. I don’t remember a training session or game where Tracy didn’t appear visibly angry and swear at players. It happened on a weekly basis, particularly if Westside was losing or players weren’t training to her expectations.

15. I have observed Tracy yell the following comments at players:

(a) “you’re s\$@t ”;



- (b) *"you lost us that game";*
- (c) *"you're hopeless";*
- (d) *"you don't deserve to wear that uniform";*
- (e) *"what the f*&! was that";*
- (f) *"I can't even bare to look at you"; and*
- (g) *"you're embarrassing".*

16. *These are just a few examples of the type of comments I can recall Tracy making. It happened so frequently that it became normal to me."*

129. Child 5 gave evidence on the first day of the hearing (Transcript Day 1 page 25). During her evidence in chief, she deposed that Ms Wallace's behaviour got progressively worse, especially when the parents weren't around (page 29). She admitted she did not complain to the referees, supervisors or the committee of SACSNA about Ms Wallace but admitted raising her concerns with Ms Sabrina Taylor. She reaffirmed her evidence that the swearing or inappropriate language was so commonplace it happened all the time.

130. Parent 14 swore an affidavit dated 20 June 2025 (Exhibit 13 Court Book 473) (the **Parent 14 Affidavit**). She [REDACTED] is the mother of Child 14, who played at Westside. A substantial portion of this affidavit relates to a series of incidents subject of other allegations which, in part, relate to the allegation that Ms Wallace engaged in aggressive language and including shouting, swearing and belittling children.

131. In relation to the allegation of inappropriate language, Parent 14 deposes:

"10. *There would seldom be a week when Tracy did not swear at players either at training or during games.*

11. *It was just what you came to expect of Tracy.*

12. *Tracy would also both blame players generally, and at times single out and blame individual players, for Westside losing in a close game.*

13. *At training, and at games, I would see and hear Tracy say to girls ranging from between under [REDACTED]s to under [REDACTED]s comments to the effect of:*

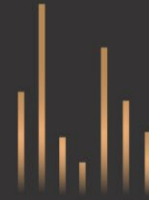
(a) *"you don't pay attention to instructions; you f*&!ing embarrass me";*

(b) *"you don't f*&!ing listen on court"*

(c) *"you're a f*&!ing fairy";*

(d) *"you're the reason we lost".*

14. *There isn't one specific example that sticks out in my mind, because it all blends into one. That said, I recall these comments happening frequently over the entire period I knew [REDACTED] Tracy."*



132. Parent 14 gave evidence at the hearing (Transcript Day 3 page 4). In her evidence in chief, she deposed that she did not complain because the pathway of the child was threatened (Transcript page 11). She deposed that Parent 11 approached her to coach her daughter because she didn't like Ms Wallace's swearing and yelling (Transcript page 13).
133. Parent 14 was extensively cross-examined about other matters, including allegations that Ms Wallace swore at her and her daughter. In relation to the general allegations, she reiterated that there was swearing at the players and that Ms Wallace would use words such as "f*&! or f*&!ing". She gave an example which involved her own child (Transcript page 52).
134. I asked Parent 14 some questions about use of these words in the general community and by coaches. She answered:

"No. In context, so when it's aggressive, when it's used as a form of aggression towards a child when it's used. To a child. So, if, for example, Tracy laughed and said, oh f&! that was a s\$@t pass. That's OK, not OK to use the language to child, but that's OK. But if you're that was a f*&!ing s\$@t pass, they're two very different contexts." Q. And your complaint is about the latter, not the former?*

Yes, it's it's the context of of (sic) how the the language is used when it's used as aggression, when it's used to diminish a child. That's when I had problems.

Q. Yes, yes. And just back to the communication of, I've used one word, but there's a series of words and descriptors of words which I've got to make a decision as the tribunal as to whether what the language was used. Is it the same? Same for other words I've heard I've got a few of them in mind. S\$@t, b!%:h, there's some other words. sk+#+k, I think I heard somewhere in the material, but there's a whole cast of words. If the kids use it, it's undesirable if the coaches use it to depend upon the context?

It depends on the context and the age group that you're using it with. Like Tracy, Tracy swore as her everyday language and she was quite loud as a coach. But there's a difference between using language and being loud and using language. There's a slur not as a slur that, do you know what I mean? Like to be to be aggressive and you know you can call it. Hey, that was a. that was a s\$@t pass. No more of that. Or that was a s\$@t pass. No more of that. There's a difference. Tone intense.

Q. And so, and certainly dealing with umpires, because we've heard about the umpire's report or complaint, which then is dealt with by the Association, is it common for coaches to to using (sic) that single? That type of descriptions, that was a s\$@t pass or that was a s\$@t call or whatever it it (sic) might be, not uncommon in a coach to say those types of things. It's the map (sic).

Yes, it's not uncommon. It's not uncommon for coaches on the sidelines to make comments.

Q. And that behaviour is generally accepted by umpires as something which happens not condone but accepted as and they just get on with the game.

Yes. Yeah, they'll usually say pipe down or that's enough out of you or. And then just, you know, continue with the...." (Transcript pages 79-81).



133. Child 17 swore an affidavit dated 21 June 2024 (Exhibit 19 Court Book 467) (the **Child 17 Affidavit**). At the time of the allegations, she was [REDACTED]. In her affidavit, she deposes:

"7. If our team wasn't playing very well, or were losing, Tracy would get mad and yell at our team.

8. Some of the things I can remember Tracy saying to my team, normally after we had lost a game, included comments like:

(a) "you girls should be embarrassed by your performance";

(b) "you girls are an embarrassment to our club";

(c) "you are s\$@t"; and

(d) "you are a bunch of losers".

9. Tracy would sometimes point to a player and say "you are the reason we lost".

10. I don't remember a season where this didn't happen. I would say Tracy would make comments like this whenever we lost."

134. Child 17 deposes to some specific allegations. I have considered these specific allegations later in these reasons.

135. Child 17 gave evidence at the hearing (Transcript Day 4 page 11.) Her cross-examination was directed to the other specific allegations.

136. Parent 17 is the mother of Child 17. In the Parent 17 Affidavit, she deposes about numerous allegations involving Ms Wallace. I have considered her evidence in relation to those specific allegations. In relation to the general allegation of inappropriate language, she deposes:

"6. As a parent and spectator, I observed Tracy to have a win at all costs attitude. When the team wasn't winning, or the girls weren't performing to the standard Tracy required, she would regularly vent her frustration and anger in full view of the playing group and parents.

7. It was such a regular occurrence that it became normal, though it was still nonetheless embarrassing to witness.

8. At almost every tournament and on many weekly games, and especially if the team wasn't playing well, Tracy would make comments to the players during the game, or yell at them as a group afterwards, comments to the effect of:

(a) "that's f&ing embarrassing";*

(b) "you girls are s%@t"; and

(c) "you girls should be embarrassed by your performance".

10. Tracy would sometimes point to a player and say "you are the reason we lost"."



137. Parent 17 gave evidence at the hearing (Transcript Day 4 page 50). During cross-examination she again stated that the language had been used and that she did not make any complaint about it *“because Tracy was so powerful at the time”* (Transcript page 74) and she did not believe the complaints would be properly investigated.

138. At paragraphs 7-9 of the Parent 5 Affidavit, she deposes to the general allegation of inappropriate language:

“7. In my time at Westside, I would regularly see Tracy yell and scream at players across various age groups from under [REDACTED]s to open division.

8. If a player made a mistake or the team were losing, Tracy would blame players or yell from the sidelines, making comments like:

(a) “what the f&! was that”;*

(b) “are you f&!ing serious”; and*

(c) “you lost us that f&!ing game”.*

9. It has hard to give precise examples of when or against which teams these types of comments were made because they happened pretty much weekly.”

Parent 5 also deposes to specific allegations. I have considered this evidence in relation to these allegations later.

139. Parent 5 gave evidence at the hearing (Transcript Day 3 page 132). During evidence in chief she reaffirmed paragraphs 7-9 of her affidavit and stated she made no complaints about the conduct as there would have been no point. She was afraid that a complaint would make her daughter’s netball pathway damaged. She was cross-examined and stated that she had raised the language issues with Ms Wallace (Transcript 164). She stated that she did not have a strong feeling about Ms Wallace’s behaviour until middle 2024. Parent 5 said that she was very intimidated by Ms Wallace (Transcript page 187).

140. Ms Wallace disputes most of the allegations made by the witnesses for Netball Victoria. In summary, she asserts:

(a) that she did not make derogatory comments or abuse of players or swear at them;

(b) the evidence of the netball umpires, stadium supervisors or committee members confirms this conduct did not occur; and

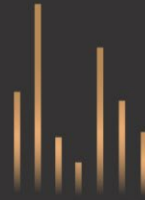
(c) the evidence of the parents and players confirms this conduct did not occur.

141. Ms Wallace relies upon:

(a) her affidavit and her evidence at the hearing;

(b) the evidence of witnesses who were netball umpires, stadium supervisors or committee members of SACSNA including:

i. Ms Susan Flynn;



- ii. Mr Sean Steele;
 - iii. Mrs Jan Shultz;
 - iv. Ms Allison Cram;
 - v. Ms Josie Cini;
- (c) the evidence of parents, players and coaches at Westside including:
- i. Parent 12;
 - ii. Parent 20;
 - iii. Child 34;
 - iv. Parent 10;
 - v. Parent 26;
 - vi. Child 10;
 - vii. Parent 38;
 - viii. Child 31; and
 - ix. Child 37.

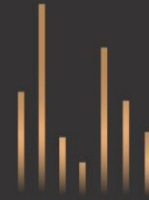
142. At paragraphs 31-33 and 36 of the Ms Wallace Affidavit, she deposes:

- “31. I have a loud voice when I am coaching but I deny ever swearing or abusing players about their performance. I deny I ever called players useless or making other personal insults about them that were not part of constructive feedback.*
- 32. At the end of a game, whether the players lost or won, we would have a huddle. This would go for approximately five to ten minutes and in that time, I would tell the players, as a team, where they had gone wrong and what needed to be improved on. I am loud during this huddle, and I do yell. I will express disappointment in my players, but I have never engaged in personal attacks or swearing at players directly. I have sworn in conversation within earshot of players at training or at games, but I have not sworn at players.*
- 33. Training was always open to parents able to attend and at games there are Court Supervisors and Umpires. If a Coach questions a call the umpire makes about another team too loudly, the Court Supervisor could be called to tell the Coach to rein it in. I have occasionally been spoken to by umpires at games but in recent years I have never been spoken to by a Court Supervisor. I deny that while players are on court during a game that I have yelled abuse or sworn at them.*
- 36. I am loud as a coach, but I have never sworn and abused players while they were on the court. I will shout directions as to what they need to do, and I will leave further*



constructive criticism for the huddle after the game where I will give the criticism but never personal insults.”

143. In the Ms Wallace Affidavit, Ms Wallace also responds to specific allegations made against her. I have considered that evidence when dealing with the specific allegations.
144. At the hearing Ms Wallace gave evidence about the general allegation (Transcript Days 6 and 7). Most of her evidence in chief concerned specific allegations. Ms Wallace was cross-examined about the language used in the presence of children. When asked about using the word “f*&!” she stated that she didn’t think she had ever used that term in netball. Ms Wallace constantly denied abusing the girls but admitted that she did give “feedback or constructive criticism” after the game and at times she was loud.
145. Ms Susan Flynn swore an affidavit dated 16 September 2025 (Exhibit 24 Court Book Page 551) (the **Ms Susan Flynn Affidavit**). Ms Flynn is an Umpire Mentor at SACSNA. She was at the Competition Coordinator at Parkville between 2020 and 2020. In summary he deposes that she had regularly observed Ms Wallace as a coach with a range of teams. She described her as “stern”. She stated that *“she never observed Tracy to swear at players or personally insult them”*.
146. Ms Flynn gave evidence at the hearing (Transcript Day 4 page 110). In her evidence in chief she stated that in all of her time at Netball Victoria she had heard Ms Wallace *“loud but not abusive”* (Transcript page 202). Ms Flynn was cross-examined. She admitted that from time to time Ms Wallace had been spoken to because she was too loud (Transcript 205). She denied that Ms Wallace was aggressive. Ms Flynn agreed that she was not the supervisor but a mentor for the young referees.
147. Mr Sean Steele swore an affidavit dated 16 September 2025 (Exhibit 26 Court Book 651) (the **Mr Sean Steele Affidavit**). For approximately 22 years Mr Steele was Court Supervisor at Parkville. Mr Steele deposes he has known Ms Wallace since 1997. He states *“he never observed Tracy swear at or belittle a player*. He believes that Tracy may have been told to *“turn it down”* 2 or 3 times from umpires at games at Parkville between 2022 and 2024. He states that Tracy was loud but never disrespectful.
148. Mr Steele gave evidence at the hearing (Transcript Day 5 page 4). In evidence in chief, he described Ms Wallace as having *“white line fever”* (Transcript page 9). He estimated that he had observed Ms Wallace over 100 times over a 10 year period. He deposed that in all of his time he had never heard Tracy swear at the players (Transcript page 13). He stated that Tracy could be hard. He stated that if there were complaints from the parents, they would not go to him.
149. Ms Jan Shultz swore an affidavit dated 16 September 2025 (Exhibit 27 Court Book 538) (the **Ms Shultz Affidavit**). Ms Shultz was the president of SACSNA for 41 years until she retired in 2023. Ms Shultz deposes that she never heard Ms Wallace’s swear at players or belittle any players. *“I might have heard Tracy swear in conversation but not at any of her players”*. Ms Shultz also gave evidence about the specific incidents involving the Child 4 and Child 24. I have considered this evidence later in these findings.
150. Ms Shultz gave evidence at the hearing (Transcript Day 5 page 28). During her evidence in chief, she deposed she never heard Ms Wallace use bad language towards umpires or players. *“She only ever offered encouragement from the sidelines, you know, offered kids. Keep going. Let’s, let’s try harder this time, you know”* and she never received complaints (Transcript page 44).

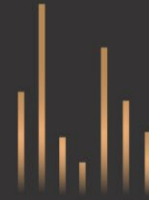


151. Ms Shultz was cross-examined at length about her role as President and the culture at SACSNA. On 13 May 2021 Parent 22 lodged a complaint about the conduct of Ms Wallace which specifically refer to verbal abuse, bad language and denigration of children at a training event (Exhibit 29 Court Book 670). Ms Shultz acknowledged that Ms Wallace had admitted abusing a child in the presence of other children. Ms Shultz stated that in relation to the complaint lodged by Parent 4, Tracy had admitted to her that she told the girls that they were feral. She was asked by me whether that was appropriate. She responded: “*Well, at the time, no. But I can imagine that both parties were very, very angry*”. When pressed further as to why she did not do anything about it she stated:

“Tracy and I had words about as to why this, this, this (sic) unfolded. She was very she was very (sic) remorseful for the words that she had used. And she she (sic) said that she really lost her cool and it should never have happened and that.”

“I’ve asked Tracy about her language and she said she was so upset at the heat of the moment she can’t even remember anything that she was saying. She was just so angry with the girls that they would disrespect everybody and do what they did.”
(Day 5 Transcript page 91) (emphasis added).

152. Ms Josie Cini, Ms Allison Cram, Parent 12, Parent 20, Child 34, Parent 10, Parent 26 and Child 10 sworn affidavits were tendered in evidence. Each of the witnesses who gave evidence addressed the specific allegations. I have considered that evidence when dealing with the specific allegations.
153. Each affidavit included a statement to the effect “*I have never heard Ms Wallace belittle abuse or swear at players or personally attack players*” (see: affidavits of Parent 1, sworn 11 September 2025, Exhibit 31 Court Book 564 (the **Parent 1 Affidavit**), paragraph 5; Child 34, sworn 11 September 2025, Exhibit 32 Court Book 571 (the **Child 34 Affidavit**), paragraph 5; Parent 10, sworn 12 September 2025, Exhibit 34 Court Book 555 (the **Parent 10 Affidavit**), paragraph 2; Parent 26, sworn 12 September 2025, Exhibit 37 Court Book 546 (the **Parent 26 Affidavit**); and Child 10, sworn 12 September, Exhibit 38 Court Book page 558 (the **Child 10 Affidavit**)).
154. Each affidavit maintained this form of denial, although some of the witnesses acknowledged that they observed Ms Wallace raise her voice from time to time to explain to the team where they had gone wrong.
155. I have carefully reviewed all of the affidavits and the evidence presented by the parties. This allegation relates to a general course of conduct. In reaching my conclusions I have taken into account each of the specific allegations made by Netball Victoria. I am required to take a global view of all of the evidence and have done so. My reasons for the individual specific allegations are set out later.
156. I am comfortably satisfied that between 2018 and 2025 Ms Wallace engaged in aggressive language and tone of voice in the presence of children, including shouting and swearing at the children. I find that she humiliated, demeaned and belittled them. I find that Ms Wallace regularly yelled at children of all ages. Several witnesses have described Ms Wallace as a loud person. Ms Wallace admits that she may have been loud when giving “constructive criticism” to the children. Ms Wallace became the head coach in October 2021. I accept the evidence of Netball Victoria’s witnesses that Ms Wallace’s behaviour and in particular her swearing at the players became worse after Mr Abela left in late 2021.



157. There were numerous documents and text messages which contemporaneously record the complaints about Ms Wallace's behaviour. These include:
- (a) a text message dated 9 December 2018 from Parent 27 asserting Ms Wallace screamed at, and publicly humiliated a child for 10 minutes (Exhibit 7);
 - (b) a complaint made by Parent 4 dated 6 May 2021 lodged by email to SACSNA asserting Ms Wallace unloaded on children and their parents and asserting that Ms Wallace was rude, disrespectful and "*basically she is a bully*" (Exhibit 18);
 - (c) a complaint by Parent 22 dated 13 May 2021 asserting Ms Wallace verbally abused and caused fear and humiliation in a child. It is asserted that the child was "completely distraught" by Ms Wallace's torrent of foul language (Exhibit 29);
 - (d) a text message from a coach, Jess Dominko, to Ms Wallace dated 18 December 2021 asserting that Ms Wallace abused players which left players shaking and crying. Ms Wallace forwarded the text and described Ms Dominko as "a silly b!%:h" (Court Book 442);
 - (e) a text message sent by Parent 28 to Ms Wallace asserting that Ms Wallace had a "tantrum" (Exhibit 8);
 - (f) a text message from Parent 19 to Ms Wallace dated 2 December 2022 complaining that Ms Wallace had humiliated Child 19 and called her disloyal (Court Book 441);
 - (g) a text message from Ms Jade Fisher to Mr Darren Abela dated 6 June 2023 referring to Ms Wallace in the following terms "*it's not my responsibility to hold a mirror up to her and get her to change, people have been telling her for years and she still does not see anything wrong with how she treats people. She won't change and I don't wanna waste any more time waiting around for the impossible to happen*" (Exhibit 9);
 - (h) a text message from Parent 17 to Ms Wallace dated 24 October 2023 complaining about the style of coaching and the win at all costs attitude and that Ms Wallace yells at the girls when they do not win and complaining about damage and heartbreak Ms Wallace had inflicted on the children (Exhibit 25); and
 - (i) a text message from Parent 23 to Ms Wallace dated 20 January 2025 advising that Child 23 would no longer be part of Westside effective immediately and complaining about the bullying and humiliation endured by Child 23 at the camp. (Court Book 451).
158. I have considered each of the texts and complaints when reviewing the specific complaints alleged by Netball Victoria. Each matter will be discussed later.
159. I reject the evidence given by Ms Wallace that she did not swear at the children. I find that Ms Wallace regularly swore at and abused the children. What she described as "constructive criticism" was, in fact, belittling and demeaning. It was carried out for the purpose of scaring the children so that they would comply with her coaching instructions. I find that the language occurred more frequently when Ms Wallace became upset or angry with the children, especially at tournaments and finals.
160. I reject the evidence of Ms Wallace that this conduct could not have occurred because the umpires and supervisors, who were present at the games, would have reported it. I accept that



Ms Wallace had a long-standing relationship with these supervisors. I accept the evidence of Mr Sean Steele that the role of the supervisors was to de-escalate any matter when it arose. Other supervisors have given evidence that Ms Wallace was instructed to stop yelling out and that she complied. It was not the practice of the supervisors to make reports to SACSNA or Netball Victoria. In any event, the conduct was directed at the children, not the opposition or the umpires. I place no weight on the evidence that no reports were made to Netball Victoria.

161. I prefer the evidence given by the Netball Victoria witnesses and in particular the parents and children over the evidence given by Ms Wallace and her witnesses to the effect that the abuse either did not happen or they have no recollection of it happening.
162. I am comfortably satisfied Ms Wallace engaged in aggressive language and tone of voice in the presence of children including shouting and swearing at the children. Ms Wallace humiliated, demeaned and belittled the children.

Specific Allegations

Ms Wallace swore at, and abused, Child 14 a (then) 17-year-old coach on [REDACTED] 2018.

163. Netball Victoria relies upon the Parent 14 Affidavit. Parent 14 [REDACTED] had been involved with the club between approximately 2015 and 2019. At paragraphs 65-73 of her affidavit, she deposes about the events in March 2018. In summary, on [REDACTED] 2018 her daughter, Child 14, was coaching a domestic under [REDACTED] game at [REDACTED]. At that time Ms Wallace was the head coach. Parent 14 describes an incident where Ms Wallace was constantly yelling at the umpires. Child 14 told Ms Wallace to stop and shut up (paragraphs 65-73). It is asserted that Ms Wallace took Child 14 aside and started screaming abuse at her and said *“get the f*! out of the stadium”*. Parent 14 received a telephone call from her distraught daughter and made immediate arrangements to collect her. Parent 14 also produced a text message between her daughter and another player, Child 29, dated [REDACTED] 2018 (Annexure C Court Book 483). The text messages include statements which were said to be made by Ms Wallace including *“she goes she shouldn’t have told me to shush. I’ll tell her to f*! off. I don’t care”*.
164. Parent 14 was cross-examined on 3 December 2025. Under cross-examination she admitted that she relied upon what her daughter had told her (Transcript Day 3 page 71-73). She gave evidence that Mr Darren Abela rang her and asked her to *“let it go”* (page 74).
165. In the Ms Wallace Affidavit, Ms Wallace does not specifically deal with these allegations. In her evidence at the hearing, she was asked about the events of [REDACTED] 2018 at [REDACTED] (Transcript Day 6 pages 147-149). Ms Wallace stated *“I was my normal self, cheering along, yelling out. But certainly was not yelling at umpires.”* She acknowledged that Child 14 *“aggressively”* asked her to be quiet and then told her to shut up. She admits that she said to Child 14 *“said I think you mate. You need to leave the stadium and take a breather. And not speak to me in that manner. So go outside and have a breather.”* Ms Wallace was asked by her counsel *“Did you say to some of the players that were there afterwards that if she tells you to shut up, you’ll tell her to f*! off?”* Her response was *“No, I did tell the players afterwards that that behaviour is unacceptable and that she’d be getting spoken to and I would give her a phone call afterwards and speak to her about that matter.”*



166. Ms Wallace was cross-examined about this allegation (Transcript Day 7 pages 109-113). Ms Wallace again denied that she had sworn at Child 14 but admitted that Child 14 had told her on two occasions to stop yelling out. Ms Wallace stated that it was necessary to tell Child 14 to leave the stadium because Child 14 was angry. *“So I thought it’d be a good moment to go and have a breath, get some fresh air going. Hang out in the hallway. Whatever.”* She stated the source of that anger was that *“Yeah, probably yes, yes, probably ‘cause. I was coaching her team. And she probably thought I was overstepping”* and it was perfectly acceptable for her to *“yell out instructions like they would do, but I wouldn’t overrule and no, never take over coaching a team in the circumstances.”*
167. No other witnesses gave evidence about this issue.
168. I accept the evidence given by Parent 14 on this issue. I accept that she received a telephone call from her distraught daughter on the night and spoke to her about the incident.
169. It is undisputed that Child 14 was coaching a team and Ms Wallace took it upon herself to call out instructions to the players. This is unacceptable. It undermined the position of a junior coach and had the effect of belittling a junior coach. It is hardly surprising that Child 14 became upset by Ms Wallace’s behaviour. Child 14 asked Ms Wallace to stop and she refused to do so. Child 14 then told Ms Wallace to shut up.
170. I find that Ms Wallace became upset about being challenged. She regarded her behaviour as acceptable and she was her normal self, cheering along, yelling out. I reject the suggestion made by Ms Wallace that she merely asked Child 14 to leave the stadium to calm down the situation. She ordered Child 14 to leave the stadium because Child 14 had publicly challenged her. I am satisfied that Ms Wallace swore at Child 14 and abused her. Ms Wallace’s behaviour was totally unacceptable.
171. I accept that the text messages (Annexure 3 Court Book 483) provide supporting evidence of the conduct of Ms Wallace and in particular her propensity to use the word “f*&!” directly to Child 14 or about her when communicating with other players. I reject the explanation provided by Ms Wallace for her conduct.
172. I am comfortably satisfied that Ms Wallace swore at and abused Child 14 contrary to the 2017 Netball Victoria Child Safety in Netball Policy.

At a Tournament at Diamond Creek in 2021, Ms Wallace swore at, and abused, the entire team.

173. Netball Victoria relies upon the Parent 23 Affidavit. At paragraphs 20-22 of the affidavit, she describes an event which happened in *“roughly 2021 at a tournament in Diamond Creek.”* At paragraph 21 she deposes that Ms Wallace told the team included one of her children, *“that was a f*&led performance”, “that was f*&ling disappointing”* and *“you guys let me down”*. It is asserted that Tracey *“stormed off to her car and missed the medal presentations for the tournament”*.
174. Parent 23 was cross-examined on 2 December 2025. She said *“Tracy’s behaviour was so alarming I will never forget it”*. It was put to Parent 23 that this event did not occur. She denied it.
175. Ms Wallace does not specifically address the allegations made by Parent 23, but deals with the allegations of abusive and offensive behaviour at paragraphs 31-32 of the Ms Wallace Affidavit.



176. Ms Wallace was cross-examined about the tournament at Diamond Creek. Ms Wallace denied making the comments as alleged (Transcript Day 7 page 119). Ms Wallace was pressed on her denial and she admitted she had no recollection of the game. She admitted that she said words to the effect that you guys let me down as that was something she had said before. She admitted that she did not generally wait around for medal presentations and it was possible that she left early on this day.
177. No other witnesses gave evidence as to what transpired at the tournament at Diamond Creek in 2021.
178. I am comfortably satisfied that the event as described by Parent 23 occurred. I accept that she was able to recall the incident because it was so alarming. It is not surprising that Ms Wallace has little or no recollection of this tournament. As a professional coach, she has attended many tournaments and it would be surprising if she was able to recall the details of a specific tournament unless there was an unusual event.
179. I am satisfied that it is not appropriate to make those comments, even if they were part of what Ms Wallace describes as “constructive feedback”. Ms Wallace acknowledges that she may have used the words to the effect that she was disappointed or that the team let her down. The comments were belittling of the underage team. I also find that she swore at the team. This conduct is in breach of the Policies.

In 2021 Ms Wallace told Child 16 that she was “so s\$@t” and ask how she did not know how to hold the “f*&!ing ball” and refer to her as ugly and a “slapper”.

180. Netball Victoria relies upon Child 19 Affidavit. The affidavit deals with many issues. The allegations relating to this issue are at paragraphs 24-28 of her affidavit. In summary, Child 19 that she observed Ms Wallace regularly pick on Child 16. She identifies 3 specific comments directed at Child 16 to the effect:

- (a) how do you not know how to hold a f*&!ing ball,*
- (b) throw the f*&!ing ball, and*
- (c) you’re so s\$@t.*

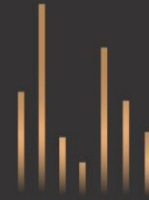
Child 19 also asserts that Ms Wallace made “off-hand comments” about Child 16 to the effect:

- (a) she’s a slapper,*
- (b) she’s a stick*
- (c) she’s ugly, how on earth is she a [REDACTED].*

181. On Day 3 of the hearing, Child 19 was cross-examined about these matters. She admitted that in relation to the comments directed at Child 16, it may have been appropriate for a coach to say these things without using the swear words (Transcript Day 3 page 90). She stated that it may still be unacceptable depending upon the way it was said and when it was said. Child 19 gave evidence that Child 16 left the club as a result of Ms Wallace’s conduct. Child 19 was asked about the comments made about Child 16. It was put to Child 19 that these conversations did not occur. She confirmed that they did.



182. Ms Wallace did not specifically deal with the comments directed to or about Child 16. In the Ms Wallace Affidavit, she refers to the allegations involving abusive behaviour. At paragraph 32 she admitted that in a huddle after the game she would tell players as a team where they had gone wrong and what needed to be improved, she admitted that she would express disappointment in her players but “*I have never engaged in personal attacks or swearing at players directly*” (Court Book 583).
183. In her evidence in chief, Ms Wallace was asked about these comments. She denied ever making those comments to or about Child 16 (Transcript Day 6 pages 152-154.) She denied even knowing what a slapper was.
184. Ms Wallace was cross-examined and asked questions about the comments (Transcript Day 7 pages 120-121). Ms Wallace again denied that she made the comments and gave an unusual answer that “*Child 16 was a player that you couldn’t speak to like that*”. Ms Wallace agreed that Child 16 left at the end of the season but denied it was as a result of dissatisfaction with her behaviour.
185. No other witnesses gave evidence about this issue.
186. I prefer the evidence of Child 19 on this issue. As I have previously stated in this ruling, I have found her to be a credible and believable witness. On these issues she presented cogent evidence of what she saw and heard. The evidence concerning not only the words, but the manner in which the words were delivered, was frank and honest. In summary, she generally agreed that some of the words were acceptable if the swear words were not used. But it depended upon the manner in which the words were delivered. I find that what transpired was not constructive criticism. Ms Wallace agrees that when addressing players, she can be loud but never shouts at the players. In my view there is no practical difference when the volume of the comments is combined with an aggressive manner. Child 19 agreed that she did not make a complaint to anyone about what had occurred. It was not her role to do so.
187. I accept her evidence concerning the effect the comments had upon Child 16, who left the club as a dissatisfied player.
188. I have carefully considered the evidence of Ms Wallace and especially her denials. It is unacceptable to belittle or demean a player. On balance I do not accept her evidence on these issues. Her answer that “*Child 16 was a player that you couldn’t speak to like that*” is not credible. The answer seems to concentrate on the use of the words, not the manner in which the words were given. It ignores that those words were shouted at a child.
189. It also suggests that there were players who Ms Wallace could speak to like that.
190. The 2017 Code of Conduct expressly requires me to consider the language and tone used by Ms Wallace and consider whether that the language was derogatory, belittling or negative.
191. I am comfortably satisfied that in 2021 Ms Wallace shouted and swore at Child 16 in a loud and aggressive manner on numerous occasions and thereby belittled and demeaned Child 16. I am comfortably satisfied that Ms Wallace also made the off-hand comments about Child 16 as alleged. Those comments were made to children about another child.



In 2021 Ms Wallace said about Child 4 that she is a “big b!%;h, she needs to go for a run”

192. Netball Victoria relies upon paragraphs 29 and 30 of Child 19 Affidavit. She deposes:

“29. I also remember Tracy picking on Child 4 in 2021.

30. A group of girls (including me) were huddled on the court at training and Tracy came up and said words to the effect of:

(a) “Child 4 is a big b!%;h, she needs to go for a run”.

193. Child 19 was cross-examined about these matters on Day 3, 2025. During cross-examination she stated that she could not remember who else was present when the conversation occurred, other than her mother (Transcript Day 3 page 93-94). It was put to her that the conversation never occurred. She stated *“It did happen”*.

194. Ms Wallace does not expressly deal with this allegation in the Ms Wallace Affidavit.

195. On Day 7 of the hearing Ms Wallace was cross-examined. She denied making the comment about Child 4 (Transcript Day 7 page 123). She asserted that she had a good relationship with Child 4. She denied she did not like Child 4 or her sister, Child 24. Later in the cross-examination Ms Wallace was asked whether she commented on the weight of players. She admitted that she would *“say things like, oh, that player looks like she's put on some weight”*. She was asked *“And in 2021, you said about Child 4, that she's a big b!%;h. She needs to go for a run, didn't it (sic)? Her response was “No. Doesn't make sense because I wouldn't have thought she was needing to lose any weight, to be honest.”*

196. This is a trivial matter. I am not comfortably satisfied that the allegation has been made out. On this issue, the evidence of Child 19 was not supported by any other witness. Ms Wallace denied making the comment but conceded there may have been conversations concerning the fitness of a player. I find that it may be appropriate for the coach to consider the fitness of a player and to tell the player that she should get fitter. Saying to Child 4 that she needed to go for a run is acceptable behaviour for a coach. It is also acceptable if she said that to other people. Making this statement is not a breach of the 2017 Code of Conduct.

197. Even if, as asserted by Child 19, the phrase “that b!%;h” was said, I am not satisfied that a breach of the Code of Conduct has occurred. I find that Ms Wallace used the word “b!%;h” as part of her general vocabulary. I have received evidence, including oral and written, where Ms Wallace used the word. On the evidence seems it was part of the vocabulary used by both coaches and children at Westside. I am not satisfied the word “b!%;h” was used by Ms Wallace in any derogatory sense.

Dec 2021 – Coach “Jess” resigned after Ms Wallace abused players which left players shaking and crying.

198. Netball Victoria relies upon paragraph 28 of the Ms Jade Fisher Affidavit. It states:

“I had many conversations with Tracy conveying my concern about her inappropriate language towards the players. Tracy would reply with words to the effect of, “the players should be scared me, if they are not, they don't respect me”. Whenever anyone would raise concern with Tracy's conduct directly to her, she would often send these messages



to me or tell me about it, placing the blame on the parent/player rather than taking any accountability.” Examples of such messages are at Annexure B.

199. Annexure B is a text message sent to Ms Wallace by a coach on 18 December 2021. The text makes a series of criticisms against Ms Wallace. In particular it states that *“I walked into the game last week with players shaking and one crying after you yelled at them”*. The text was forwarded by Ms Wallace to Ms Jade Fisher. Ms Wallace is asked whether it was the Coach. The response from Ms Wallace was *“yes, I just hung up from her silly b!%;h”*.
200. The Ms Wallace Affidavit does not expressly deal with this allegation. In paragraphs 31 and 32. She denies making personal insults about players and provided *“constructive feedback”*.
201. Ms Jade Fisher and Ms Wallace both gave evidence and were cross-examined. Little, if any, time was taken on this issue.
202. I accept the evidence of Ms Jade Fisher that Ms Wallace behaved in a manner so that the children would be scared of her. She regarded it as a way to get their respect. I accept the evidence of numerous witnesses that the children were in fact scared of Ms Wallace and would follow her instructions and not complain. Annexure B provides me with contemporaneous and compelling evidence about the perception of the coaching techniques employed by Ms Wallace.
203. I also accept the evidence of Ms Jade Fisher that Ms Wallace would not properly tolerate any complaints, but would place the blame on the parent or the child. The response *“yes, I just hung up from her silly b!%;h”*. Annexure B corroborates this evidence.
204. But Annexure B is the only source of the allegation of what happened in December 2021. It provides evidence that the Coach, claimed that the conduct occurred. The author of the message did not give evidence. There has been no opportunity to test the assertion. Ms Wallace has generally denied that type of behaviour occurred. No other witnesses called to substantiate or rebut the underlying facts.
205. In these circumstances I am not comfortably satisfied that the underlying facts described in Annexure B have been proved.

On [REDACTED] 2022 - Under [REDACTED]’s lost to [REDACTED] at a tournament in Knox. Ms Wallace abused the players for losing. Ms Wallace also abused a player and her mother when they arrived late.

206. The circumstances surrounding these allegations relate to a tournament held on [REDACTED] 2022 at the Knox Regional Netball Centre (the **Knox Tournament**). The events on this day are the subject of other allegations.
207. Netball Victoria relies upon paragraphs 23-25 of the Ms Jade Fisher Affidavit At paragraphs 2325 she deposes:

“23. There was another tournament which took place on [REDACTED] 2022 at Knox Regional Netball Centre

24. Following the girls losing this game, Tracy gathered the girls before spraying them, whereby again, she said things to the effect of:



a) "you're f*!ing embarrassing";

b) "what the f*! was that"; and

c) "you should be ashamed of yourself, they're all laughing at you and as they should, that was f*!ing embarrassing".

25. On this same date, I recall Tracy verbally abusing Child 16 and her mother for being late to the tournament. The mother advised they had gotten into a car accident that morning which is why they were late. I heard Tracy say "B(0s\$@T, you just think you and your kid's s\$@t doesn't stink, let me tell you IT DOES. Maybe you will learn a thing or two in the 2's." Child 16 and her mother were both in tears and Tracy made Child 16 play in the [REDACTED]s on this date, despite being named in the [REDACTED]s leading up to the tournament."

208. Ms Jade Fisher was cross-examined about these events at the Knox Tournament (Transcript Day 2 pages number 111-115). She gave evidence that the events surrounding Child 16 occurred in the morning and the matters set out in paragraph 24 occurred in the afternoon.

209. The Ms Wallace Affidavit does not address the specific allegations concerning the events at Knox.

210. Ms Wallace gave evidence about these events in her evidence in chief on 8 December 2025 (Transcript Day 6 pages 155-157). Ms Wallace stated that it was necessary to play Child 16 in the [REDACTED] team because she was late. Ms Wallace asserted that there had been an issue between Ms Jade Fisher and the mother and she dealt with the issue in the following manner:

"I didn't. She went to Jade's court. Jade Fisher's court and was very angry with her Jade's words. So Jade obviously sent her down to me being the head coach. I recall coaching where I was in the middle of a game and she was very angry and yelling things at me over the fence. And I said to her calmly, you need to leave. And talk to me afterwards. I'm coaching. She did a little bit more of a rant and then I just asked a parent who was watching the game to please just remove her to calm her down." (Transcript Day 6 page 155)

211. Ms Wallace was cross-examined on these events (Transcript Day 7 page 124-127). In summary Ms Wallace denied that the exchange with Parent 16 and stated that it was Parent 16 who was upset. She denied that she had sworn at the children after the final but admitted that did say to the children that "the winners are over there".

212. No other witnesses were called about the events that happened at the Knox Tournament.

213. I am comfortably satisfied that Ms Wallace swore at and abused the players at the Knox Tournament as asserted by Ms Jade Fisher. I reject the evidence given by Ms Wallace that Ms Jade Fisher did not hear the conversations with the girls because she was at a different part of the complex.

214. I am comfortably satisfied that Ms Wallace made the disparaging comments and swore at Parent 16 and her daughter at the Knox Tournament as described in paragraph 25 of the Jade Fisher Affidavit. I reject the evidence given by Ms Wallace that the only reason she changed Child 16 from the [REDACTED] to the [REDACTED] team was because they were late.

215. I am comfortably satisfied that the conduct described breached the 2017 Netball Victoria Child Safety in Netball Policy and the 2017 Netball Victoria Child Safety in Netball Code of Conduct. It



is appropriate for a coach to talk to players after a game and provide constructive criticism. Ms Wallace did not do that. She chose to swear at the players and give them a “spray”. That is unacceptable.

In 2022 At a tournament in Caulfield, Ms Wallace swore at and abused under [REDACTED] Westside team after they lost.

216. Netball Victoria relies on the allegations made by Ms Jade Fisher, Parent 21 and his daughter, Child 21 about a tournament in 2022 at Caulfield (the **Caulfield Tournament**).

217. On 15 December 2025 I heard oral submissions from the parties. Counsel for Ms Wallace made submissions concerning this allegation. It was submitted it was open to me to find this allegation proven. On 19 December 2025 Ms Wallace updated the submissions to include the following words about the Caulfield Tournament – *“The Applicant accepts that this contravention ought to be proven given the consistent evidence of Ms Jade Fisher, Child 21 and Parent 21”*. Notwithstanding this concession is necessary for me to make findings concerning the allegations and the conduct of Ms Wallace at the Caulfield Tournament as Netball Victoria asserts it is one of the factual matters to support the allegation that between 2018 and 2025 Ms Wallace constantly breached the various Policies.

218. In the Ms Jade Fisher Affidavit, she alleges that whilst coaching at the Caulfield Tournament, Ms Wallace screamed at the players when the game ended, made them go into a corner of the court and started “spraying them”. At paragraph 19 she states that Ms Wallace said comments to the effect:

- “(a) *“that was a disgusting performance”;*
- (b) “you’re all s\$@t”;*
- (c) “what the f*&! was that”;*
- (d) “you’re a f*&ling disgrace”;*
- (e) “wearing that uniform is a privilege that none of you deserve”; and*
- (f) “I don’t want any phone calls from your parents complaining about what team you get put into when you’ll be lucky to make any team at all after that f*&ling display”*

219. In the Parent 21 Affidavit, he deposes he attended the Caulfield Tournament to support his younger daughter. After the under [REDACTED]’s Westside lost, Tracy pulled the girls to the side of the court and, in front of the parents, started yelling at the team with comments to the effect:

- “(a) *“you’re f*&ling hopeless”;*
- (b) “what a f*&ling embarrassment”;* and
- (c) “you don’t deserve to wear the uniform”.*”

220. Parent 21 then interjected and pulled Ms Wallace aside and told her that *“You cannot speak to them like that”*. He then deposes that Ms Wallace threw her hands up in frustration and said words to the effect *“you have them”*. Parent 21 told children, in the presence of their parents,



"don't let her upset you, it's one game. Focus on what you can control. It's not okay that she speaks to you like that. I will coach you for the remainder of the day".

221. Parent 21 was briefly cross-examined about the Caulfield Tournament. He was not asked any questions about whether he took over the coaching of the team.

222. In the Child 21 Affidavit, she deposes she attended the Caulfield Tournament and (at paragraph 20):

"Westside lost the game following which Tracy pulled all the girls to the corner of the court near the benches and in front of all us spectators and parents started screaming at the girls, saying:

(a) "you're all an embarrassment";

(b) "you don't deserve to wear the uniform"

(c) "you should be ashamed of yourselves"."

223. Child 21 gave evidence and was cross-examined about the Caulfield Tournament (Transcript Day 1 pages 282-284). It was put to Child 21 that Ms Wallace gave a critique of the game rather than words such as you are an embarrassment or you don't deserve to wear the uniform. Child 21 disagreed and said *"No. It was very much a spray"* (Transcript Day 1 page 284).

224. At paragraph 34 of the Ms Wallace Affidavit, she addresses the allegations about the Caulfield Tournament. Ms Wallace denied telling the whole team in the huddle that they were an embarrassment. She admits she may have said wear the uniform with pride but denies saying that you don't deserve to wear the uniform (Court Book 584).

225. On day 6 and 7 of the hearing Ms Wallace gave evidence. During her evidence in chief, she was asked about the Caulfield Tournament (Transcript Day 6 page 155) and was asked whether she said to the players they're all s\$@t. She denied saying that. *"it's the same as most tournaments we debrief, we go to a quiet space. Parents are usually there and they all get individual feedback on how we went for the day, what we can do better. So individual feedback, but no as no, I never would have said they were s\$@t, no."*

226. On day 7 of the hearing Ms Wallace was cross-examined about the Caulfield Tournament (Transcript Day 7 page 128-129). Ms Wallace again denied swearing at the players and yelling at them. She did concede that she may have said something about a disgusting performance and about wearing uniform with pride.

227. I am comfortably satisfied that the allegations concerning the events at the Caulfield Tournament have been proved. I accept the evidence of Ms Jade Fisher, Parent 21 and Child 21 on these issues. The conduct of Ms Wallace was loud, belittling and abusive to the children, who were under [REDACTED]. She swore at the players because she was angry at their losing performance. Ms Wallace had lost any self-control. There was no attempt to hide her anger and the children were given an abusive "spray". The spray was conducted in public and within earshot of parents and spectators. I reject the evidence of Ms Wallace that that this was individual feedback.

228. I accept the evidence of Parent 21 that he tried to de-escalate this unfortunate situation created by Ms Wallace. He spoke to Ms Wallace about her behaviour, told her that she couldn't speak to



them that way, spoke calmly and appropriately to the team and took over the coaching of the team for the balance of the Caulfield Tournament. I accept his evidence that he did not make a complaint about Ms Wallace because he believed it was pointless.

In 2022 after the team lost to [REDACTED] by one point in the Grand Final of a tournament, Ms Wallace swore at and abused under [REDACTED]'s team and abused each player in turn including Child 19.

229. Netball Victoria relies upon paragraphs 12-19 of the Child 19 Affidavit. She states:

"12. That said, there are two occasions that stand out where Tracy drilled the team.

13. One occasion was in 2022. We were playing in an under [REDACTED]'s carnival. I can't recall which location the carnival was played at, but it wasn't Parkville.

14. We were playing [REDACTED] in the grand final and we lost by one point after playing in overtime.

15. After we walked off the court, Tracy ordered us to huddle around behind a shed away from our parents.

16. Tracy then started yelling at us, saying, firstly, words to the effect of, "you don't deserve any water for that, if I don't need it, you don't need it".

17. Tracy then started pointing her finger to each player and saying a mistake they made during the game. For context, I played [REDACTED] that game.

18. When Tracy pointed to me she said words to the effect of:

*(a) "you're the f*cking reason we lost";*

*(b) "if you put up your f*cking shots, we could've done better";*

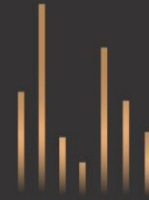
*(c) "you were just f*cking spectating that game".*

19. I felt incredibly embarrassed and upset by her comments."

230. Child 19 gave evidence on oath on Days 2 and 3. On Day 2 she was asked about these paragraphs. Under cross-examination she stated that she would accept criticism about her performance in a match, but that she was more upset by the manner in which Ms Wallace made criticisms.

"It felt a lot more personal and specific towards you. It was a lot more in your face and aggressive. She'd have her finger in my face. Sorry, swearing at me. If I'm going to take feedback. I don't want her to be so directly. To me, yelling in my face pointing, swearing at me, telling me that I'm the reason that we lost, I will accept myself if I played bad that yes, I should have played better. But it is a team." (Transcript Day 2 page 244)

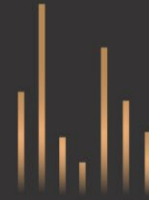
231. Child 19 was cross-examined about her general recollection of the events. She agreed that no parent or court supervisor complained about the conduct of Ms Wallace.



232. The Ms Wallace Affidavit does not address the specific allegations made by Child 19 about the way Ms Wallace addressed the players. Ms Wallace does deny the allegations of denying players access to water (paragraphs 41-43). This issue will be considered later in these reasons.
233. Ms Wallace gave evidence at the hearing about the game against [REDACTED]. In her evidence in chief on Day 6 she agreed that it was possible Westside played in a tournament against [REDACTED], but it did not occur at [REDACTED] (Transcript Day 6 page 157). She was asked by her counsel whether she made the comments alleged by Child 19. She denied that she would give negative feedback (Transcript page 157).
234. Ms Wallace was cross-examined by counsel for Netball Victoria about the allegations made by Child 19 (Transcript Day 7 Page 130-132). Ms Wallace did not recall the match against [REDACTED], whether her team won or lost or ordering the players into a huddle behind a shed away from the parents.
235. I am comfortably satisfied that Ms Wallace swore at and abused Child 19 at the tournament in a manner which was derogatory, belittling and negative. It denigrated Child 19 in the presence her team mates, who were only [REDACTED] years old. I accept Child 19's evidence on this issue. I reject the evidence that this was merely feedback. I accept that Ms Wallace has coached a lot of teams at many tournaments and it is unsurprising that Ms Wallace does not recall this tournament or the outcome of one team at the tournament. I reject Ms Wallace's evidence that the conduct directed to Child 19 was an expression of disappointment in Child 19's performance but that she did not swear or abuse Child 19.
236. I am not satisfied that Ms Wallace swore at and abused the balance of the team at the tournament. Child 19's evidence was that the team was "drilled", but she does not provide any direct evidence that Ms Wallace swore at or abused the rest of the team. It is open to infer that Ms Wallace did, in fact, swear at and abuse the whole team because they were "drilled" and Ms Wallace was likely to have spoken to the other players in the same way she spoke to Child 19. Ms Wallace gave evidence that it was her practice to talk to the players after a game and discuss their performance and that that she never swore at or abused players about their performance. I cannot discount the possibility that this occurred. In these circumstances, I am not comfortably satisfied about what was actually said to the balance of the team or the manner in which delivered.
237. I am satisfied that by abusing yelling, swearing at Child 19, Ms Wallace breached the 2017 Netball Victoria Child Safety in Netball Policy and the 2017 Netball Victoria Child Safety in Netball Code of Conduct. It is appropriate for a coach to talk to players after a game and provide feedback. Ms Wallace did not do that. She chose to belittle, abuse, swear at and yell at Child 19.

On [REDACTED] 2022 at Duncan McKinnon Reserve (Duncan McKinnon), Ms Wallace abused Child 26 and threatened to tell her parents about things she said, knowing the parents inflicted physical punishment on the child.

238. The circumstances surrounding these allegations relate to a tournament held on [REDACTED] 2022 at Duncan McKinnon.
239. Netball Victoria relies upon paragraphs 20-22 of the Ms Jade Fisher Affidavit where she states:



"20. At another tournament on [REDACTED] 2022 at Duncan McKinnon Reserve, Child 26, had said she didn't want to be in the [REDACTED]'s team because she didn't like the group of girls in the team.

21. When Tracy found out about this, she went up to the player and shouted in her face words to the effect of, "you're so f&!ing ungrateful, you're lucky you're in any teams at all, you need to watch yourself". I was standing next to Tracy when she was saying this.*

22. I knew that this particular player came from a strict household where physical discipline was used. I recall this player telling Tracy and I about it at a training session. During this exchange, Tracy threatened to tell the player's parents about the incident i.e. her wanting to be in the 2's and not in the 1's. The player broke down in front of us begging Tracy not to tell her parents. At the end of the day, following the finals and everyone starting to leave, Tracy proceeded to tell her parents about it anyway. That evening, I chose not to give her a lift home as I was upset and disappointed by her actions. I told Tracy that she was out of line and had put a child at risk just because she (Tracy) was upset that they lost a game. Tracy's son called me begging to give her a lift home. I ended up going back and taking her home."

240. Ms Jade Fisher was cross-examined about the events which occurred at Duncan McKinnon (Transcript Day 2 pages 117-118). Ms Jade Fisher explained that there were 2 conversations, one with Child 26 and a later one with her parents. In relation to the first conversation, she said no one else heard the conversation. She agreed that she had not approached the child's parents to provide a statement in this matter.
241. The Ms Wallace Affidavit does not directly address the issues raised about the events which occurred at Duncan McKinnon.
242. On Day 6 of the hearing Ms Wallace was asked questions by her counsel concerning the events at Duncan McKinnon. This gave evidence that she remembered that the tournament and the conversation where she said *"And I said your parents would be horrified that you asked that. And no, that's not what's best for the team, and it won't be happening."* Ms Wallace denied that she was aware that the parents were physically abusive, that she had coached two of the sisters and there was no sign of abuse (Transcript Day 6 pages 157-158).
243. Ms Wallace was cross-examined on this issue (Transcript Day 7 pages 138). She admitted that Child 26 had broken down and cried when told that Ms Wallace was going to talk to her parents. She denied that Ms Jade Fisher had told her she was out of line and stated that Ms Jade Fisher wanted the child to play in the 2's because Ms Jade Fisher was coaching that team.
244. No other witness gave evidence about what happened at Duncan McKinnon.
245. I am comfortably satisfied that Ms Wallace swore at Child 26 on [REDACTED] 2022 at Duncan McKinnon. She told the player that she was *"so f*&!ing ungrateful"*. Ms Wallace does not deny saying that she would tell the parents about it and that this caused Child 26 to break down and cry. I accept the evidence of Ms Jade Fisher that she was so upset about what had transpired that she had decided not to drive Ms Wallace home. Ultimately, she relented. I reject the evidence of Ms Wallace that Ms Jade Fisher was upset because Child 26 couldn't play in the team which Ms Jade Fisher coached.



246. I am comfortably satisfied that the conduct described breached the 2017 Netball Victoria Child Safety in Netball Policy and the 2017 Netball Victoria Child Safety in Netball Code of Conduct. It is never appropriate for a coach to swear at a child, to tell a child that she was “f*!ing ungrateful” or that she “was lucky to be in any team”. Such comments are degrading to and belittling of children.

247. I am not satisfied that Ms Wallace was aware of the domestic situation of Child 26. There was no independent evidence produced as to the family situation. Ms Jade Fisher gave some evidence about what Child 26 had told her. This evidence was contradicted by Ms Wallace who provided some history about the family. I am unable to make a finding of fact on the evidence presented.

On [REDACTED] 2022 at Parkville Ms Wallace swore at and abused Child 21 after she made mistake and team lost close game. Child 21 left Westside as a result.

248. On 15 December 2025 I heard oral submissions from the parties. Senior Counsel for Ms Wallace made submissions concerning the game at Parkville on [REDACTED] 2022 (the **Parkville Game**). It was submitted it was open to me to find this allegation proven in respect of that particular allegation. On 19 December 2025 the solicitors for Ms Wallace updated their submissions to include the following about the Parkville Game:

“9. The Applicant accepts that this contravention ought to be proven given the consistent evidence of Ms Jade Fisher, Child 21 and Parent 21”.

Notwithstanding this concession it is necessary for me to make findings concerning the allegations and the conduct of Ms Wallace at the Parkville Game as Netball Victoria asserts it is one of the factual matters to support the allegation that between 2018 and 2025 Ms Wallace constantly breached the various Policies.

249. Netball Victoria relies on the allegations made by Ms Jade Fisher, Parent 21 and his daughter, Child 21 about the Parkville game.

250. At paragraph 16 of the Ms Jade Fisher Affidavit, she deposes that at the end of the Parkville Game, Ms Wallace shouted and screamed at Child 21 “you’re f*!ing useless, you can’t perform, this is all your fault” Ms Wallace blamed Child 21 for the loss. This caused Child 21 to cry.

251. In the Parent 21 Affidavit, he deposes:

“15. In what can only be described as a significant life altering event, resulting in years of mental anguish and trauma on Tuesday [REDACTED] 2022 Tracy berated my daughter, Child 21, when she was playing for a Westside [REDACTED] team at Parkville.

16. Westside was playing [REDACTED] netball club, it was a very close match. Child 21 was playing [REDACTED], and towards the end of the game, she either missed a shot at goal, or messed up a pass. I can’t recall specifically which error it was, but Westside ended up losing by one goal.

17. Tracy jumped off the bench and made a beeline for Child 21. Before Child 21 was even off the court, I saw Tracy point at Child 21 and started yelling:

(a) “you’re f!ing hopeless”;*

(b) “you’re f!ing useless”;*



(c) *"see that (pointing to the other team celebrating), that's because of you".*

18. My wife and I were so taken aback that we sat in silence and can only explain this reaction as a result of being in such a state of shock. We watched Child 21 crumble to the ground in tears, we stood up, gathered Child 21 and left the stadium immediately. In the following 24-48 hours, I notified Tracy (via text) that Child 21 will fulfill her remaining commitments for that season, but will not be trialling or returning to Westside the following season as direct result of the way Tracy treated her."

252. Parent 21 was cross-examined about the Parkville Game (Transcript Day 1 pages 306,332 334). He agreed that his daughter had been coached by Ms Wallace for a period of approximately 8 years. He provided further evidence of what happened including Ms Wallace swearing at his daughter and pointing her clipboard at her. He was asked why he did not say anything at the time. He answered:

"And my response to that and I don't, I'm not proud sitting here and saying that my response to that was I sat there in silence and I watched my daughter crumble to the ground."

He refuted the suggestion by counsel that it simply did not happen. He responded:

"Completely false statement".

253. In the Child 21 Affidavit, she deposes:

"12. I was playing in an open division competition, and this particular game was against one of Westside's rivals, [REDACTED].

13. It was a very close game and I was playing [REDACTED]. The game was in the balance and in the last minute or so of the fourth quarter, I missed a shot which would have tied or put us ahead, I can't exactly recall which.

14. We ended up losing the game by about one point.

15. As I was walking off the court, Tracy was walking towards with me her clipboard in her hand and before I was even off the court, started abusing me, saying:

(a) "that was f&ling embarrassing";*

(b) "you are the reason we lost";

(c) "see that team over there (pointing at [REDACTED] which was celebrating),... that's because of you";

(d) "you should be ashamed of yourself"

(e) "you should be disappointed"; and

(f) "the whole team should blame you for this loss".



16. I felt very humiliated and started crying. I felt defeated and embarrassed, particularly because I was playing with adult women and I felt Tracy had targeted me specifically for the loss."

254. Child 21 gave evidence on Day 1 of the hearing. In evidence in chief, she was asked:

"Now some people in this case have given evidence well. To give evidence that Tracy was, and this is a generalisation, Tracy was a hard but fair coach, and if she criticised the player, it was always constructive. What do you say to that?

She answered:

"I say it wasn't constructive. There were times where it was, but if she was spraying, it was never constructive. It was always personal. I'm saying that you did something wrong or you were f%!ing embarrassing. Not. You need to work on this."* (Transcript Day 1 page 249)

255. Child 21 was cross-examined about how and when Ms Wallace spoke to the players. She stated that it generally happened when they lost. She stated that the behaviour did not happen often at training (Transcript Day 1 pages 272-273). Child 21 was cross-examined about the Parkville Game (Transcript Day 1 pages 272-273). She was asked why she continued to play and said that the reason was *"To receive my duties as a player, I didn't want to leave my friends and we also had it known that I wasn't to be coached by Tracy for the rest of that season."*

256. At paragraph 34 of the Ms Wallace Affidavit, she deposes: *"I deny I ever abused Child 21, nor blamed her for Westside losing a game in 2022 at Parkville on a Monday night. I deny that while Child 21 was still on the court that I approached her and told her "that was f*%!ing embarrassing" and "she was the reason we lost".*

257. Ms Wallace gave evidence on oath on 8 and 9 December 2025. During her evidence in chief, she gave further evidence about the Parkville Game:

"They all got some feedback equally about what, how they played. Child 21's feedback was we are now playing in an open team. We have to be a little bit more resilient. Not panic under pressure when we're shooting our goals. Yeah, I'm just trying to think what else I did say to her that no point was I abusing her. They all got a really harsh lot of feedback and I actually recall after that game the girl (sic) saying we needed that feedback.

Did you say to her you're f*%!ing useless? You can't perform. This is all your fault?

"No, I did not. I did not. I didn't say whether she interpreted you can't perform. I did make it clear to her that we had a conversation with her parents. Which I do when young girls go up to open level. That the pressure, if you're willing to. Accept that and take a spot in an open team that the pressure does increase a great deal and I said to her, you're going to have to get used to this kid pretty quickly because this is the pressure you're going to be under on a regular basis going higher and higher up the channels."

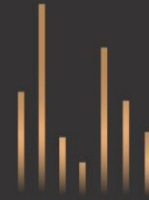
258. On 9 December 2025 Ms Wallace was cross-examined. She agreed that the family had requested Child 21 be coached by a different coach.



259. I am comfortably satisfied that the allegations concerning the events at the Parkville Game held on [REDACTED] 2022 occurred as outlined in the evidence of Ms Jade Fisher, Parent 21 and Child 21. In particular, I accept the evidence of Child 21. I found her to be a truthful and reliable witness. Insofar as there is any conflict with the evidence given by Ms Wallace, I accept the evidence of Child 21 and reject the evidence of Ms Wallace. The explanation proffered that this was an open competition with women and therefore Child 21 needed to be more resilient is ludicrous. She was a child. Placing the child in a situation whereby she was required to deal with the adult pressures of an open game exposed Child 21 to an environment with an enhanced risk that she may not be able to cope. Even if Child 21 was unable to cope with the pressure because she missed a critical shot, Ms Wallace should not have sworn at and abused Child 21 in the manner that she did. And it is unforgivable that she blamed a child for the loss.
260. I find that on [REDACTED] 2022 at the Parkville Game Ms Wallace engaged in conduct which was psychological abuse which included unwarranted criticism, yelling, bad language and ridicule contrary to clause 3.1.1.1 of the 2023 Child Safeguarding Policy.

On [REDACTED] 2022 at Parkville Ms Wallace abused Child 19 for inviting some girls but not others to a party called her “disloyal” and stating other girls were “lying b!%hes” and “disgusting”.

261. The allegations made by Netball Victoria relate to invitations to a farewell party to be held by Child 19. On [REDACTED] 2022, before a preliminary final, there was an interaction between Child 19 and Ms Wallace about who was, or should have been, invited to the farewell party. That interaction resulted in a confrontation between the parents of Child 21 and Ms Wallace. On 2 December 2022 the mother of Child 19 sent a text to Miss Wallace complaining about what had happened. I will refer to these events as the “*Party Invitation Event*”.
262. Netball Victoria asserts Ms Wallace verbally abused, denigrated and/or bullied Child 19 and in breach of the 2017 Netball Victoria Child Safety in Netball Policy and the 2017 Netball Victoria Child Safety in Netball Code of Conduct.
263. Netball Victoria relies on:
- (a) paragraphs 26 and 27 of the Ms Jade Fisher Affidavit;
 - (b) the text message sent by the mother of Child 19 to Ms Wallace on 2 December 2022 (Annexure A Court Book 441);
 - (c) the evidence of Child 19 (Transcript Day 2 pages 214-216); and
 - (d) the evidence of Parent 19 (Transcript Day 1 pages 303-304).
264. In the Ms Jade Fisher Affidavit, she deposes the events which occurred at Parkville on [REDACTED] 2022. She deposes:
- (a) that Ms Wallace became enraged when she found out Child 19 had invited her friends, Child 21 and Child 27 to the party, but that the invitation had not been extended to all of the members of the under [REDACTED] Westside team;
 - (b) that Ms Wallace screamed at Child 19, demanded that she uninvite Child 21 and Child 27 and invite the entire under [REDACTED] Westside team;
 - (c) that Ms Wallace continued to scream and abuse Child 19 during and after the match;



- (d) that Child 19 became “visibly distraught during this time, crying and shaking”; and
- (e) that the *Party Invitation Event* escalated after the game when the parents of the two children who had been invited to the party confronted Ms Wallace.

Ms Jade Fisher also produced Annexure A which had been forwarded by Ms Wallace to Ms Jade Fisher shortly after 2 December 2022.

265. Annexure A is a text message sent on 2 December 2022 by the mother of Child 19. It states:

*“In all honesty I’m not in a good state and would prefer not to call back until I can be sure I’m rational and won’t say anything rude - because that’s not the type of person I am. But then I’m hurting for my kids it’s a whole other story. How Child 19 managed to pull that game off last night is beyond me. **She got outside that stadium and broke.** Child 19 has never been anything but loyal. She’s so humiliated by what happened that I don’t know how she is meant to show her face. **Child 19 has never done anything to question her loyalty to you or to Westside.** From the minute she walked through your stadium doors, she has wanted nothing more than to impress you. You were instrumental in bringing her home to us after she moved away. She’s more hurt that you think so little of her for inviting Child 27 than anything else. She messaged those girls to give them the option of not coming. Tracy. **She has no control over what they or their parents do. To call me and tell me it was her mess and she needed to fix it was inexcusable. She’s a [REDACTED] year old kid.** I told Child 19 that she has the option of playing next week. I know that’s what you want to hear right now. It’s up to her whether she feels like she can do that. I want to believe you had her best interest at heart, but the way she made to feel by your words is not ok.”*
(Emphasis Added)

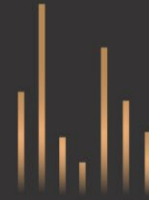
266. Ms Jade Fisher was cross-examined about the Party Invitation Event (Transcript Day 2 pages 150-152). She agreed that Ms Wallace “*had a go at Child 19*”. It was put to her that Child 34 would disagree with the events as described by her. Ms Jade Fisher maintained that her version of events was true.

267. Child 19 did not include any reference to the Party Invitation Event in her affidavit. She gave evidence about it on Day 2 (Transcript Day 2 pages 214-216). She deposed that it was her leaving party as she was relocating. She stated:

“Yes, she had come up to me and asked. Well, I was walking over to the bench and she had asked about my going away party and I told her, yeah, I’m having one before I leave just to say goodbye to all of my friends. And then she I believe she waited until after the game to then say, why haven’t you invited the rest of your team? And why is Child 27 invited? And had a go at me about not inviting the rest of my team because I’ll be friends with them for life and how I shouldn’t have invited Child 27 because she was a backstabbing b!%h and she’s not a nice person and I shouldn’t be friends with her and then proceeded to get into a verbal fight with Child 27’s mum and my mum about it.”

268. On Day 3 of the hearing, I asked Child 19 about when her relationship with Ms Wallace changed. She stated:

*“It was 2022 when she started being a lot more. Like all the swearing and the verbal abuse started that we started to drift away, and **especially after my farewell party incident when she attacked me and my mum.**”* (Emphasis added) (Transcript Day 3 page 111)



269. Parent 21 did not include any reference to the Party Invitation Event in his affidavit. He gave evidence about it on Day 1 of the hearing (Transcript Day 1 pages 303-304). In summary he described how the *Party Invitation Event* escalated when he and his wife were told about it by other parents on the night. An ugly confrontation between the parents of Child 21 and Ms Wallace then erupted.
270. Ms Wallace relies on:
- (a) her evidence given at the hearing; and
 - (b) the evidence of Child 34.
271. The Ms Wallace Affidavit did not expressly refer to the Party Invitation Event. On Day 6 of the hearing, Ms Wallace was asked questions about the Party Invitation Event by her counsel and me (Transcript Day 6 pages 166-169). In summary she explained that prior to the game, members of the team had become quite upset that they had not been invited to the party and she tried to explain to Child 19 that not inviting the girls was quite hurtful when other girls who were members of the club had been invited. She denied that Child 19 became upset when she explained that she had become friends with Child 27. She admitted that she told Child 19 that she should not invite Child 21 and Child 27. Ms Wallace also described how the Party Invitation Event escalated. She agreed that she had spoken to Child 19's mother who was upset about what had happened. She gave evidence of the argument on that night between Parent 21 and Parent 3 and agreed that both sides abused and swore at each other.
272. I asked Ms Wallace why she decided to become involved in social dealings of the children. She answered: *"Because there was a little bit of animosity in the team at that point because of it."* and *"And that's my problem. Well, that's my problem. When they're not getting along on court"*.
273. Ms Wallace was cross-examined about the Party Invitation Event on Day 7 of the hearing (Transcript Day 7 pages 145-148). Ms Wallace admitted that at the time Child 21 had left Westside and she wasn't a fan of Child 27. She again denied that she had called Child 21 disloyal or that the two girls were lying and f*cking disgusting. She denied that Child 19 was upset and that she was not shaking and crying.
274. The Child 34 Affidavit contains reference to the Parties Invitation Event. She deposes:
- "I recall on this night it came out that Child 19 had only invited 2 of the girls from our team to her party and there were some emotional responses within the team. I recall Tracy telling Child 19 that by doing this she was causing issues in the team I do not recall Tracy abusing Child 19."*
275. Child 34 gave evidence on Day 5 of the hearing (Transcript Day 5 pages 181-239). In her evidence in chief, she was asked questions about the Party Invitation Event. She stated that she did not believe that Ms Jade Fisher was present (Transcript 182).



276. Child 34 was cross-examined about the Party Invitation Event. She stated she was near when the conversation between Ms Wallace and Child 19 happened but did not recall Ms Wallace accusing Child 19 as being disloyal. I asked her whether she had any recollection of what was said and she responded, *“Like not the exact word, but like conversation as a whole, yes”*. She reaffirmed her evidence that the girls in the team were upset but did not recall the conversation about Child 21 or Child 27. She believed that Ms Wallace was simply trying to sort out an issue because the team was upset. She denied that Child 19 was upset or crying (Transcript Day 5 pages 205-212).
277. I am satisfied that the events as described by Ms Jade Fisher and Child 19 occurred. Ms Wallace became angry when she found out only two members of the team had been invited to the party by Child 19. She also discovered that Child 21, who had left the team [REDACTED] after being abused by Ms Wallace, and Child 27, who she believed had caused problems earlier in the year, had been invited. I accept the evidence of Child 19 that Ms Wallace “attacked her and her mum”. I accept the evidence of Ms Jade Fisher of what was said before the game. Ms Wallace berated Child 19 and attempted to bully her into uninviting Child 21 and Child 27.
278. Child 27’s mother confronted Ms Wallace on [REDACTED] 2022 at the Parkville Stadium. Ms Wallace admitted in evidence that she told Child 27’s mother on that evening that Child 19 should not invite Child 21 or Child 27.
279. I accept that the events described in Annexure A occurred. This text was sent the next day. Ms Wallace acknowledges receiving it. In particular, the statement in the text *“To call me and tell me it was her mess and she needed to fix it was inexcusable. She’s a [REDACTED] year old kid.”* provides cogent and compelling evidence as to what happened the night before.
280. I do not accept the denials made by Ms Wallace. I have carefully considered the evidence of Child 34 relating to the Party Invitation event and reject that evidence, in so far as it is inconsistent with the evidence of Ms Jade Fisher or Child 19.
281. The confrontation with the parents of Child 21 and Ms Wallace also corroborates what had occurred earlier that night. I accept that the parents were furious that Ms Wallace had decided to become involved with their daughter again. It is hardly surprising that the parents of a child, who had been invited to a party, would become upset when they learned that Ms Wallace had told the host to uninvite their daughter.
282. I reject the evidence by Parent 21 that he and his wife were calm. What occurred was an unsavoury incident at the Parkville Stadium. I conclude that each party swore at and abused each other.
283. It was highly inappropriate for Ms Wallace to get involved in the private lives of 14 and 15 year old children. A coach should never get involved in a squabble about who is invited to a teenage party. Her rationale for doing so appears to be her belief that, as head coach, she had the right to become involved in any matter which may affect the performance of a team. No such right exists. The 2017 Netball Victoria Child Safety in Netball Policy and Netball Victoria Child Safety in Netball Code of Conduct are directed to ensure that the private lives of children are protected from such intrusive conduct.
284. The conduct including:
- (a) yelling at, swearing at and berating Child 19;



- (b) calling Child 19 disloyal;
- (c) telling Child 19 that she should uninvite two of her guests to a teenage party;
- (d) disparaging Child 27;
- (e) telling Child 19 that she should invite the balance of the team to the teenage party; and
- (f) telling Child 19 that was her mess,

provides ample evidence that Ms Wallace engaged in a form of social bullying which is expressly prohibited under the 2017 Netball Victoria Child Safety in Netball Policy and the 2017 Netball Victoria Child Safety in Netball Code of Conduct.

At the end of 2022 – Ms Wallace abused Child 19 saying she was useless and “s\$@t at wing”.

285. This allegation relates to another game at Parkville at the end of 2022, shortly after the Party Invitation Event.

286. Netball Victoria relies upon the Child 19 Affidavit, she deposes:

“20. The other occasion was at the end of 2022, in either my second last or last game for Westside.

21. It was a game at Parkville, and I think we were playing Strathmore although I can't recall for certain. I had missed a couple of games beforehand because I had injured my ankle. Before the game started, I was sitting on the side of the court where Tracy approached me, pulled down my socks and squeezed my ankle. I wasn't wearing any ankle tape. Tracy was visibly annoyed and then said words to the effect of,

“why haven't you f!ing taped your ankle”.*

23. I told Tracy that I would get an itchy rash whenever I wore tape. Tracy said, “I don't care”. I then strapped my ankle just before the game started.

24. Tracy played me in wing attack for the game. We lost the game, and when I came off the court Tracy said to comments to the effect of:

(a) “you're f!ing s\$@t at wing”;*

(b) “you're useless”; and

(c) “you're not going to make it as a winger”.

287. At the hearing Child 19 gave evidence about these allegations. In her evidence in chief she said that the incident occurred in the third quarter after she injured her ankle and not at the start of the game (Transcript Day 2 page 211).

288. Child 19 was cross-examined about these allegations. (Transcript Day 3 pages 85-88) Child 19 agreed that Ms Wallace had asked why she didn't strap her ankles and that Ms Wallace did swear at her. (Transcript page 87). It was put to Child 19 that Ms Wallace did not say that you were



f*!ing s\$@t at wing, useless and not going to make it as a winger. Child 19 said that she did make these comments.

289. The Ms Wallace Affidavit does not refer to this incident. In her evidence in chief Ms Wallace gave evidence about it (Transcript Day 6 page 165). She stated that she pulled Child 19's sock down and saw that the ankle was not strapped and she asked about it. Ms Wallace denies making any comment about the child's ability to play wing or being hopeless.
290. Ms Wallace was cross-examined on this issue. In summary she denied all of the allegations (Transcript Day 7 page 151).
291. The evidence of all of the parties establishes that at a game at Parkville at the end of 2022 Child 19 suffered an ankle injury. This type of injury is not uncommon. I find that Ms Wallace became upset when she discovered the ankle had not been strapped. In the heat of the moment, she may have said "f*!ing strapped". On balance, I am satisfied that Ms Wallace used the word. The language was not directed at the child to abuse or belittle her; it was merely said in circumstances where she was surprised that the ankle had not been strapped and that the child suffered an injury.
292. In these circumstances I am not comfortably satisfied that the use of the word constitutes a breach of the 2017 Netball Victoria Child Safety in Netball Policy or the 2017 Netball Victoria Child Safety in Netball Code of Conduct.
293. I am comfortably satisfied that Ms Wallace did make the comments concerning the ability of Child 19 as a winger. I reject evidence of Ms Wallace to the effect that she would not have made the comments because she knew at the time Child 19 changed position because she was injured. I reject her evidence that the comments were positive feedback. The comments were made in circumstances where Ms Wallace knew that Child 19 was leaving the club. This was her last (or perhaps second last) game for Westside. I find that the comments were intended to be and were belittling and negative.
294. For these reasons I am comfortably satisfied that Ms Wallace breached the 2017 Netball Victoria Child Safety in Netball Code of Conduct

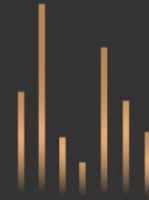
On [REDACTED] 2023 at an under [REDACTED]'s tournament at Caulfield, Ms Wallace abused the team after they lost.

295. On 1 January 2023 Netball Australia introduced its Member Protection Policy and its Child Safeguarding Policy. Both of these policies commenced on 1 January 2023. It is asserted by Netball Victoria that Ms Wallace breached those policies.
296. These allegations arise out of a tournament held at Caulfield where an under [REDACTED] Westside team competed ("The Second Caulfield Tournament").
297. Netball Victoria relies upon the evidence of Parent 2, Child 17 and Parent 17.
298. Parent 2 swore an affidavit dated 25 June 2025 (Exhibit 16 Court Book 454) (the **Parent 2 Affidavit**). In summary, Parent 2 deposes that her daughter Child 2 played at Westside when she was [REDACTED] years old. She alleges she took her daughter out of the Westside teams as a result of Ms Wallace's behaviour at the Second Caulfield Tournament. Parent 2 then sets out a



series of allegations including that her daughter was denied food. These allegations will be canvassed later in these findings. At paragraphs 12 -14 of her affidavit, she deposes:

- “12. After the match, Tracy took the team over to the side of the court under a tree and proceeded to yell and scream at the team and give them a spray for about 10 minutes. I was again only a couple of metres away, standing on the sidelines, witnessing the whole situation play out in front of me. I heard Tracy say, among other things, “how can you lose a game when you are in front”. At one point, Tracy looked directly at Child 2 and said, “if you’re not fit enough to play, get my f*cking uniform off”.
13. There were other people around the court who saw this commotion. We were all standing around with our mouths open, in shock.
14. The tournament organisers were also standing around with the runners up medals in their hands waiting to present them to Child 2’s team, while Tracy was yelling at them.”
299. Parent 2 deposes that she made a complaint about Ms Wallace’s behaviour at the Second Caulfield Tournament to the Caulfield District Netball Association and was told that she would have to make a report to SACSNA. She decided not to make that report because “it felt as though Tracy made the rules and SACSNA bowed to her” (paragraph 16).
300. Parent 2 gave evidence at the hearing. (Transcript Day 3 pages 208-246). She was cross-examined about the Second Caulfield Tournament (Transcript Day pages 218-245). Most of the cross-examination was directed to the issue as to whether her daughter was provided food. Parent 2 was specifically asked about the events which occurred after the match. Parent 2 stated that the comments by Ms Wallace directed to the team and Child 2 “... Absolutely, it occurred” (Transcript Day 3 pages 239-240).
301. The Child 17 Affidavit refers to the Second Caulfield Tournament. She also deposes to things which were generally said by Ms Wallace when the team played badly or lost:
- “11. The angriest I can remember seeing Tracy was in 2023 after our under [REDACTED] team lost in the grand final in the Caulfield Netball District Association Tournament.
12. After we lost the game, Tracy brought the team under a tree and started yelling at all of us in front of our parents. Tracy said comments to the effect of:
- (a) “you should be ashamed of yourselves”;
- (b) “I can’t believe you’re wearing this uniform”; and
- (c) “see those girls over there (pointing to the winning team), they are winners.
- You girls are a disgrace to Westside”.
13. I was in complete shock and really upset. We were used to Tracy yelling and swearing at us, but this felt like she was angrier than ever.”
302. Child 17 gave evidence at the hearing (Transcript Day 4 pages 10-50). She was cross-examined about the Second Caulfield Tournament (Transcript page 42). She said that the conduct referred



to in paragraph 7 of her affidavit happened at the Second Caulfield Tournament and that behaviour happened on “many other different occasions”.

She was asked by counsel:

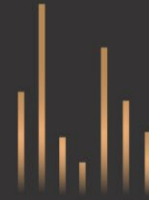
“The reason you don't remember those things is because she never used the sort of language that you allege that she did. That that's (sic) just false. What do you say to that?”

She answered:

“But it's not because if I didn't, I wouldn't be able to make these up.” (Transcript page 45).

303. The Parent 17 Affidavit canvasses numerous issues. She deposes:

6. *As a parent and spectator, I observed Tracy to have a win at all costs attitude. When the team wasn't winning, or the girls weren't performing to the standard Tracy required, she would regularly vent her frustration and anger in full view of the playing group and parents.*
7. *It was such a regular occurrence that it became normal, though it was still nonetheless embarrassing to witness.*
8. *At almost every tournament and on many weekly games, and especially if the team wasn't playing well, Tracy would make comments to the players during the game, or yell at them as a group afterwards, comments to the effect of:*
 - (a) *"that's f*&ling embarrassing";*
 - (b) *"you girls are s\$@t"; and*
 - (c) *"you girls should be embarrassed by your performance".*
9. *Tracy would sometimes point to a player and say "you are the reason we lost"...*
11. *In 2023, Westside played in a tournament at Caulfield. Child 17 was again playing in the under [REDACTED]'s team. Westside lost a very close game in the grand final.*
12. *After the game, Tracy started screaming insults and getting stuck into the girls in public, in view of all the parents and opposition teams.*
13. *I recall Tracy making comments to the effect of:*
 - (a) *"see that team over there (pointing to the winning team), they are winners and you are all a bunch of losers";*
 - (b) *"you should be ashamed of yourselves"; and*
 - (c) *"you are an embarrassment to Westside".*
14. *The girls all looked scared and in shock after Tracy's barrage and they were even late to the medal presentations because Tracy had taken them over near a tree to*



receive the barrage and the tournament organisers were trying to usher our team across for medal presentations.”

304. On Day 4 Parent 17 gave evidence (Transcript Day 4 pages 51-131). She was only briefly asked questions concerning the Second Caulfield Tournament. During her evidence in chief, she agreed that Ms Wallace was a hard coach but was not fair because *“she would want to win at all costs to the detriment of the welfare of the kids”* (Transcript page 54). She acknowledged that she had not made any complaints because she did not believe the complaints would go anywhere. Her evidence given during cross-examination was mainly directed to other issues which I will refer to later in these reasons.
305. Ms Wallace relies upon the evidence given by Child 37 and her own evidence.
306. Child 37 swore an affidavit dated 11 September 2025 (Exhibit 41 Court Book pages 566-567). (the **Child 37 Affidavit**). She was not required to attend for cross-examination. Child 37 deposes that she *“recalled hearing Tracy swearing in front of players but never swearing at them.”* She coached Child 17 during the 2023 season and says that she loved Westside and had told Child 37 how much she loved Tracy. Child 37 provides no evidence as to what happened at the Second Caulfield Tournament.
307. The Ms Wallace Affidavit does not refer to the Second Caulfield Tournament. During her evidence in chief Ms Wallace was asked about the Second Caulfield Tournament (Transcript Day 6 pages 170-173). In summary, Ms Wallace remembered the Second Caulfield Tournament, that Child 2 had spoken to her about being sick, offered the option of not playing but Child 2 insisted on playing. She agreed that the players formed a huddle after the game, Child 37 was in the huddle. She denied she told Child 2 that if she is not fit enough, to take off the uniform or that she swore at her. Ms Wallace agreed that the presentation was delayed because she and Child 37 were still talking to the children in the huddle. She denied abusing them.
308. During her cross-examination Ms Wallace was asked questions about the Second Caulfield Tournament (Transcript Day 7 pages 152-154). Ms Wallace agreed that she took the players from the court and went under a tree. She denied that she had given the players a spray but agreed that she spoke to them and had given them feedback. Some of the allegations made by Child 17, Parent 17 and Parent 2 were put to Ms Wallace and were denied.
309. I accept the evidence of Parent 2, Parent 17 and Child 17. In particular I accept the evidence of Parent 2 that she was so upset as to what occurred she made a complaint to the tournament organisers about the behaviour and was told to complain to SACSNA. I accept that she decided to take her daughter out of Westside because of Ms Wallace’s behaviour.
310. In so far as the evidence given by Ms Wallace contradicts the evidence of these 3 witnesses, I reject that evidence. I reject the assertion by Ms Wallace that she merely provided the children with constructive feedback. I find that she gave them what can only be described as a “spray”. It was entirely inappropriate for her to address [REDACTED] children in such a manner.
311. In reaching my conclusions I have closely reviewed and considered the Child 37 Affidavit. I accept her as a witness of truth. She was not required to attend for cross-examination. In her affidavit, she deposes that Ms Wallace would swear around players. This is consistent with the evidence given by other witnesses. But the content of her affidavit is limited and does not explicitly deal with the allegations made against Ms Wallace at the Second Caulfield Tournament or respond to the allegations made by the 3 witnesses called by Netball Victoria. Insofar as there is any conflict



between the evidence of Child 37 and the evidence of Child 17, Parent 17 and Parent 2, I prefer their evidence.

312. I am comfortably satisfied that on [REDACTED] 2023 at the Second Caulfield Tournament Ms Wallace breached clause 3.1.1.1 of the 2023 Member Protection Policy and the 2023 Child Safeguarding Policy. In particular I find that Ms Wallace:

- (a) was critical of the children and in particular Child 2;
- (b) shouted and swore at the children;
- (c) was unduly critical of the performance of the children;
- (d) abused the children; and
- (e) gave the children an unnecessary and unwarranted “spray”.

On [REDACTED] 2023 Ms Wallace told Child 17 that she should leave the team because they want to win.

313. On 1 January 2023 Netball Australia updated the Member Protection Policy and Child Safeguarding Policy. Both of these Policies commenced on 1 January 2023. It is asserted by Netball Victoria that Ms Wallace breached those policies. The allegation is that Ms Wallace told Child 17 that she should leave the team because they wanted to win.

314. Netball Australia relies upon the evidence of Child 17 and her mother, Parent 17.

315. At paragraph 19 of the Child 17 Affidavit, she deposes:

“19. On [REDACTED] 2023, there was about three games left in the season. Our under [REDACTED]’s team was on the verge of playing finals. During the training session at Keilor, the team coach, Narena Baker, approached me and asked if she could speak to me about the team. Narena then said something like, “it’s best if you leave the team, we want to win finals and need other girls playing. Tracy doesn’t want you to play.”

20. At about 7.00pm that night when I was home, Tracy called me on my mobile and said, “are you okay with withdrawing from the team for the rest of the season, we really want to win finals and can’t with you. We only want players who are going to help us win”.

21. I was extremely upset by Tracy’s comments and then told my mum.

22. My mum was very angry and said that she would send Tracy a message the next morning.”

316. Child 17 gave evidence at the hearing (Transcript Day 4 pages (10- 42). In her evidence in chief, she confirmed the conversation with Ms Baker, her coach (Transcript page 20). She also stated that she had missed a few games because of school sport. She stated that “No Narena came up to me and was like, it’s better. Best if you left the team because we feel we we (sic) want to win finals. We can’t do it with you”.

317. Child 17 was cross-examined. It was put to her that this conversation was simply not true. She denied it and reiterated her evidence about the conversations with Ms Baker and Ms Wallace



(Transcript page 40). She stated that she received a telephone call from Ms Wallace as she was walking into the house with her father.

She was asked by counsel:

‘so I suggest to you that that Tracy did not say that you were not welcome in the team anymore because she only wanted players to help the team win, but that’s that’s (sic) not true. What do you say to that?’

She answered:

“Well, it was true because she did say that.” (Transcript page 42).

318. Paragraphs 21-25 of the Parent 17 Affidavit relate to this allegation. On [REDACTED] 2023 Parent 17 sent text to Ms Wallace (the **Parent 17 Text**). A copy of the Parent 17 Text is exhibited to the affidavit (SLS-1 Court Book page 498). It reads:

“Dear Narena and Tracy, I enrolled my daughter into the Saturday team, and it is not appropriate for you to approach her at training and ask her to withdraw from the team with only 3 games left. I am her mother, and I pay for her fees to play, and I also look after her wellbeing. I teach my kids that if you commit to something you carry through with it.

Child 17 has not played in the last 2 weeks because she has school sport and was sick last game. She trains every week and tries her best each game she plays. There is no way that any of those players in her team wanted to make the finals through the method of coaching you have introduced namely bringing players in to win and benching the existing players. Narena may not be aware but most of the team won at Association Championships- they know how to work hard and achieve outcomes. Child 19 was able to tap into their skills and achieve success. You don’t. Instead, you both decide to win at all costs and not work with the players you have and play them in their normal positions. You are coaching young kids, you are both accountable for your conduct and in particular the impact on the kids well-being. You have diminished, possibly destroyed the confidence of at least 5 players in that team just because you want to win. This coaching style is appalling. Tell me why you would not develop the kids as a team and achieve success instead of bringing player (sic) in that weren’t part of the team. You yell at the girls when they don’t win but you make the decisions about player positions which are wrong. Just because you play netball doesn’t mean you can coach. Turning up to games late, poor decisions in terms of player placement and a lack of understanding of the girls in the team has been the cause of the issues — not their ability. The coaching guidelines do not support your behaviour, and it is not fair on the girls.

You may win the competition but the damage you have caused to these kids’ confidence is disgraceful. My daughter came home upset at what occurred at training and she no longer thinks she is good enough to play netball. Perhaps you can both explain to her your strategy of doing all you can to win at all costs. Explain that you both damaged her confidence and apologise for the heartbreak you have caused. Every action has a reaction, and your actions have caused considerable damage to a number of players in this team. Tracy, you promised that you would not treat my daughter in a negative way. Perhaps you can explain why my daughter would be upset and feels the way she does. I tried to call you last night and did not receive a return call and I was left to try (sic) explain to Child 17



what you are doing. I don't understand what you are doing so perhaps you can explain to me."

319. Parent 17 deposes that Ms Wallace rang her the next day and said it was extremely inappropriate to send Parent 17 Text to a coach and that Parent 17 should not be questioning the decisions of coaches. Ms Wallace denied asking Child 17 to leave the team.
320. Parent 17 gave evidence at the hearing (Transcript Day 4 pages 40-129). When cross-examined she explained that in [REDACTED] 2023 there was a dispute involving SACSNA and a new netball club, the Western Warriors, that had been granted a VNL licence. Parent 17 was the president of Western Warriors. A central issue in the dispute involved Ms Wallace. She had lost the support of the Western Warriors executive. Between [REDACTED] 2023 Ms Wallace had resigned from the Western Warriors. The messages between Ms Wallace and Parent 17 were tendered in evidence (Exhibit 25 Court Book 744-749). These texts disclose that:
- (a) on [REDACTED] 2023 Ms Wallace said that she was "stepping away from WW (Western Warriors)" (Court Book 746);
 - (b) Parent 17 thought it was a good idea but advised Ms Wallace to be careful about what you do, say or threaten to do or say. The text also stated *"I hope this will not impact on the relationship you have with Child 17 or her role at Westside for your friendship with me – it will impact – please let me know immediately as I do not want Child 17 to be involved in this mess"*;
 - (c) Ms Wallace responded *"It was meant to come back"*; and
 - (d) Ms Wallace said, later in the text thread, *"I don't have a problem with you Parent 17 and am shocked you would think my relationship with you or Child 17 would change."*

Parent 17 gave evidence that she believed that the real reason her daughter was asked not to return to the team for the finals was a result of what was happening at the Western Warriors (Transcript Day 4 page 110).

321. Ms Wallace relies upon her evidence. At paragraph 39 of the Ms Wallace Affidavit, she deposes:

"The reason Child 17 ended up not playing the rest of the 2023 season was because she had missed many games on a Saturday due to sport clashes. Narena and I asked Child 17 if it would make it easier on her and her mum if she had the rest of the games off. I recall Child 17 saying "it would help a lot" but she would let her mum make the decision."

322. Ms Wallace also gave evidence about this issue. During cross-examination she was referred to the texts (Exhibit 25). She was asked what the words *"it was meant to come back"* meant. Ms Wallace denied that it was a vague threat (Transcript Day 7 page 154). She stated that she suggested that Child 17 not play for the balance of the year:

"No, we had a conversation in regard to Child 17 telling us that she was quite busy with school commitments, which always took priority at Westside, your school, your Education, your sporting activities. And we asked Child 17 if it would be more suitable for her and mum because they were running from all over town, if she didn't play the remainder of the season and that would be perfectly OK, but it's also absolutely perfectly OK if you finish



off the season. And Child 17 said, oh, that's not a bad idea because it's been very difficult to get to games in the last few weeks.” (Transcript Day 7 page 158)

323. Ms Wallace deposed that she didn't think it appropriate to raise the issue with Parent 17 before discussing it with her daughter because the daughter was quite comfortable having a chat about it. Ms Wallace denied that the real reasons were that she wanted to win finals or that she had found a way to get back at Parent 17 (Transcript Day 7 page 159).
324. This issue was correctly described by counsel for Ms Wallace as “oath on oath”. The allegation is quite narrow – whether Ms Wallace and coach Ms Narena Baker told Child 17 that she should leave the team was that because Ms Wallace wanted the team to win.
325. I am comfortably satisfied that the statement was made by the coach, Ms Narena Baker to Child 17. I accept that Child 17 immediately told her mother about the conversation. It was the subject of a telephone call. Parent 17 was furious about the conversation. Clearly, she wanted her daughter to continue her commitment to the team for the balance of the year. Her fury is set out in the Parent 17 Text, which can only be described as a stinging rebuke of the Ms Wallace's conduct. The Parent 17 Text provides contemporaneous corroborative evidence of what had been said in the previous 24 hours. It correctly describes the obligations of coaches under the prevailing Netball Australia Child Protection Policies. It also provides persuasive evidence that Ms Wallace had “a win at all costs mentality” and had asked Child 17 not to play the balance of the season because it might affect the chances of the team winning. The psychological effect on the child is described in the Parent 17 Text.
326. I reject the evidence by Ms Wallace that the conversation was directed to the welfare of the child. It was highly inappropriate that Ms Narena Baker raised this issue with a [REDACTED] child. It was a conversation which should have been had with the parent, not the child. As the Parent 17 Text correctly states, this was an important matter for the parent and the child. I am satisfied that Ms Wallace was concerned to ensure the team would win.
327. I am not satisfied that the reason Ms Wallace did not want Child 17 to play for the balance of the season was to get back at Parent 17 the way she was treated at the Western Warriors. I regard this as a serious allegation. It is possible that the contemporaneous Western Warriors issue may have played some minor part, but there is insufficient evidence for me to be comfortably satisfied about this serious allegation.
328. I am comfortably satisfied that on or about [REDACTED] 2023 Ms Wallace breached clause 3.1.1.1 of the 2023 Member Protection Policy and the 2023 Child Safeguarding Policy. In particular I find that Ms Wallace told Child 17 that she should leave the team because they want to win. The way the statement was made was inappropriate and caused distress to the child and the parent.

In Nov/Dec 2023 Ms Wallace yelled at, and abused, Child 7 (under [REDACTED]) regarding the calling a time out.

329. This allegation arises out of an under [REDACTED]'s game at Parkville in November or December 2023. The team was coached by Child 5. She wanted to call a timeout so that a player substitution could be made. It is alleged that Ms Wallace yelled at and used very aggressive language towards Child 7. I will refer to these events as **the Timeout Event**.



330. Netball Victoria relies upon the evidence of Child 5 and Parent 5 about the Timeout Event and asserts the conduct a breach of the 2023 Member Protection Policy and clauses 3 (a) and (b) of the 2023 Child Safeguarding Policy.

331. At paragraphs 18-24 of the Child 5 Affidavit, she deposes:

"18. In November or early December 2023, I was coaching the under [REDACTED]'s team at Parkville. In this particular game, I was sitting at the top of the coaches' bench within a couple of metres of Tracy. Tracy was at the game because it was a finals game and she was head coach of Westside.

19. During the game Tracy asked one of the players, Child 7, to approach the umpire to call a time-out. Child 7 was about [REDACTED] old at the time.

20. Child 7 asked one of the umpires for a time out, however, because the ball was on the other side of the court, the umpire said they couldn't call time.

21. Tracy kept yelling at Child 7 from the sidelines to call time and Child 7 responded saying "I am trying to call time".

22. Tracy then just went ballistic, screaming at her to get off the court. It was so aggressive. She was continuing to scream at Child 7 from the sidelines saying "I don't care what the umpire says, get off the f!ing court".*

23. Child 7 looked petrified and then when she came off the court Tracy continued to yell at her saying "get that f!ing uniform off", "don't you ever f*!ing speak to me again" and "you are out of my club, get out".*

24. Child 7 then ran off to her parents on the sidelines and began crying. Child 7's dad and Tracy then got into an argument and were yelling at each other from either side of the court."

332. Child 5 gave evidence about the Timeout Event at the hearing (Transcript Day 1 page 26 235). In her evidence in chief, she deposes:

- (a) that the only way to call for a substitution was for a player to call an injury timeout;
- (b) Child 5 had decided to take Child 7 off the court and needed her to call an injury timeout;
- (c) Ms Wallace intervened. Child 7 yelled that she was trying to call the injury timeout;
- (d) Ms Wallace said *"That she (Child 7) needed to get off the court and when she got off the court, she turned and said you're out of my f*!ing club. Get my uniform off."*;
- (e) Child 7 was sent over to the bench to her parents on the other side;
- (f) Child 7 was *"very taken back. She became visibly upset. She started crying over with her parents"*;
- (g) There was an incident involving Child 7's sister and her parents which involved a lot of screaming between the parents and Ms Wallace; and



- (h) Child 7 changed out of her uniform and put on other clothes, watched the end of the game and then left the stadium.

(Transcript Day 1 pages 29-32)

333. Child 5 was cross-examined about the Timeout Event. Child 5 said she generally agreed with the description of what happened up until three-quarter time. She disputed that Ms Wallace took Child 7 to one side and spoke to her and said that Ms Wallace was screaming at the player as she was walking off the court (Transcript Day 1 pages 121-123). Child 5 agreed that she never complained to anyone at the Association about the Timeout Event.
334. At paragraphs 10 to 14 of the Parent 5 Affidavit, she refers to the Timeout Event and deposes:

"10. The one example that I do recall very well was in 2023 involving a Westside player named Child 7.

11. Tracy came along to watch the under [REDACTED]'s as they were playing finals. Child 5 was the coach of this team. For this game though I was sitting on the coaching bench next to Tracy, spectating.

12. During the game Tracy asked Child 7 to call a time out, who then made a couple of attempts to approach the umpires and call time. For whatever reason, the umpires didn't call time, and Tracy kept asking Child 7 to do so. Child 7 then said to Tracy something like "I'm trying to" which then enraged Tracy.

13. From the sidelines and in front of the team and spectators, Tracy started yelling at Child 7:

(a) "get off the f&!ing court"*

(b) "you are never playing for my f&!ing club again"*

(c) "get that f&!ing uniform off"*

14. Child 7 then ran to her dad who was sitting on the other side of the court. The dad and Tracy then got into an argument from either side of the court. Child 7's sister Child 9 also approached Tracy and they exchanged heated words".

335. Parent 5 gave evidence about the Timeout Event at the hearing. In evidence in chief, she gave a more detailed explanation of what happened. (Transcript 131-132). She deposed that:

"Tracy pointed out her, and she said get that f&!ing uniform off your back.";*

- (a) Child 7's sister was in the stands and began yelling things at Tracy. She described the shouting between the sister and Ms Wallace;
- (b) she went to her daughter, who was [REDACTED], to try and calm the other players down;
- (c) after the game she said some of the girls were "very very upset by the whole situation"; and



- (d) the parents were upset as to what happened and Tracy Wallace said to the parents “*she was out of the f*cking club*”.

(Transcript 131-141)

336. Parent 5 was cross-examined about the Timeout Event. She stated that Ms Wallace had told Child 5 to call the timeout and Child 5 asked Child 7 to call the timeout. She agreed that no one lodged a complaint about the incident (Transcript pages 168-170.)
337. Ms Wallace relies upon the evidence of Child 10, Parent 10 and her own evidence.
338. At paragraph 39 of the Ms Wallace Affidavit, she deposes:

“35. On or about November or early December 2023, I was coaching under [REDACTED]’s of Westside at a game in Parkville. Child 5 and Parent 5 were present. Child 5 and Parent 5 were asking one of the players, to call time out. When Child 7 did not call time out, Child 5 and Parent 5 asked for my help. I yelled out to Child 7 to call time. Child 7’s sister was yelling out for her to stay on the court. When Child 7 did come off the court, I explained to her that the behaviour was unacceptable at Westside. Parent 9 and Child 9 approached the bench, and they were upset with what had occurred. I had a heated exchange with Parent 9 and Child 9, but I did not abuse them. I did not tell Child 7 to get her uniform off, not to speak to me again, or kick her out of the club.

36. I am loud as a coach, but I have never sworn and abused players while they were on the court. I will shout directions as to what they need to do, and I will leave further constructive criticism for the huddle after the game where I will give the criticism but never personal insults.”

339. Ms Wallace gave evidence at the hearing (Transcript Day 6 page 137-221 and Day 7). During her evidence in chief Ms Wallace stated that paragraph 35 of her affidavit was incorrect and Child 5 was coaching the team.
340. Ms Wallace was cross-examined about the Timeout Event (Transcript Day 7 pages 162-170).

Ms Wallace gave evidence that:

- (a) Child 5 came to her and asked her help to call the timeout;
 - (b) she became angry and yelled at Child 7;
 - (c) Child 7 started to cry when she came off the court;
 - (d) at three-quarter time she spoke to Child 7 but denied telling her to get the uniform off or that she ripped that bib off. She denied telling her that she was done with the club or that she was required to get changed straight away; and
 - (e) Child 7 did get changed and did not play the rest of the game.
341. Ms Wallace also gave evidence that it was Child 5 who told Child 7 to go and get changed and she would not be playing in the game and that Child 5 had difficulties with Child 7. Ms Wallace stated that she had raised these issues with Child 7 when she spoke to her and told her that her



- conduct was unacceptable. She also agreed that she told Child 7 it was unacceptable to yell back at her or Child 5. Ms Wallace denied that she had abused or swore at Child 7.
342. Paragraph 5 of the Parent 10 Affidavit refers to the Timeout Event. In summary Parent 10 deposes she was a spectator seated on the other side of the court when Child 7 was asked to call the timeout. She could see but not hear the conversation. There was a confrontation with Child 7's sister but she could not hear what was being said. She denied any screaming or yelling. *"I did not observe Tracy yell or abuse Child 7 or any of her family members."*
343. On day 6 of the hearing Parent 10 was cross-examined about the Timeout Event (Transcript Day 6 page 6). She stated that she was present because her daughter was at Parkville. She denied that her attention was drawn to the incident because Ms Wallace was yelling. She agreed that Child 7 was trying to get off the court *"to a certain extent."* She denied that Ms Wallace went into a rage and that she could not hear any yelling. She stated that she couldn't hear what was being said. At no time did she see Child 7 sob or cry.
344. Parent 10 admitted she was a big fan of Ms Wallace's style of coaching. *"I get along with Tracy and am I am a big fan. I like her. I like her as a person."* *"And I thought she was a brilliant netball coach, yes."* (Transcript page 42).
345. On 12 September 2025 Child 10 swore an affidavit which was filed in these proceedings (Exhibit 38 Court Book page 558.) At paragraph 5 of the Child 10 Affidavit, she provides evidence about the Timeout Event. That evidence is in similar terms to her mother's affidavit on this issue.
346. On Day 6 of the hearing, Child 10 gave evidence about the Timeout Event (Transcript Day 6 page 82-111). When cross-examined she stated she was sitting with her mum. She denied that Ms Wallace yelled at Child 7. She stated she heard Child 7 saying that she was trying to get off, but called to the wrong umpire. I questioned Child 10 about what she could hear and she admitted that she could not hear as she was on the other side of the court (Transcript page 103). She gave evidence that she saw Child 7 come back in different clothes before the end of the game. She agreed that Child 7 did not participate in the game in the last quarter. She stated that Child 7's father spoke to Ms Wallace at three-quarter time and had a *"discussion"* with her. She agreed that Child 9 had a *"big crack"* at Ms Wallace. She couldn't hear what was said, but she could see the body language. She was very angry. Parent 7 came over and attempted to remove Child 9. She denied any of the players were crying.
347. The circumstances surrounding the Timeout Event are unfortunate. It was a preliminary final for the under [REDACTED]'s. At the time the children were [REDACTED] old. Child 5 was also a child. It is disappointing that an argument ensued over a trifling incident about a child trying to call an injury timeout to enable a substitution to occur.
348. Having considered all of the evidence, I prefer the version of events given by Child 5 and Parent 5. Ms Wallace admits becoming angry because Child 7 couldn't (or wouldn't) call an injury timeout by approaching the correct umpire. Ms Wallace regarded this as disrespectful to the coach. I reject her evidence that she was asked by Child 5 to become involved. I reject her evidence relating to the early departure of Child 7. The suggestion that she had to leave early is inconsistent with the uncontradicted evidence that she changed and returned to watch the rest of the game. Ms Wallace told her to get out of the uniform and she was not welcome to play at the club.



349. I have considered the evidence of Child 10. I accept her evidence as truthful. She admits that she did not hear the conversations between Child 7 and Ms Wallace or the conversations between Child 9, Parent 9 and Ms Wallace. Child 10 had difficulty differentiating what she thought might have been said to what she actually heard. When she gave her evidence, she was the child and I am not critical that she did not understand the difference. Once this was explained to her, she was more precise as to what she actually heard.
350. I have also considered the evidence of Parent 10. Her evidence was that she did not hear any of the relevant conversations because she was seated in the spectator area away from where those conversations occurred. In these circumstances I give her evidence very little weight.
351. I am comfortably satisfied that Ms Wallace became angry and then swore at and abused Child 7 in the manner described by Child 5 and her mother, Parent 5. I am satisfied that Child 7 was upset and cried about what happened.
352. The conduct of Ms Wallace turned a minor issue, associated with the calling of a timeout, into an unnecessary saga about the improper use of power. It was inexcusable that during a game, an [REDACTED] child was sworn and yelled at and then told by the head coach to “*get that f*cking uniform off*” because the player had not shown respect to Child 5, the coach. There is no valid excuse for this behaviour. It was demeaning and degrading to Child 5 and Child 7 and breached to the 2023 Member Protection Policy and 2023 Child Safeguarding Policy.

On [REDACTED] 2023 at half time of an under [REDACTED]'s grand final against [REDACTED] Ms Wallace abused players and said they could not have water because of their performance.

353. These allegations relate to an under [REDACTED] grand final held at Parkville between Westside and [REDACTED]. Netball Victoria asserts that Ms Wallace abused the players and also said they could not have water because of their performance. Netball Victoria asserts that Ms Wallace thereby breached the 2023 Member Protection Policy and clauses 3 (a) and (b) of the 2023 Child Safeguarding Policy.
354. Netball Victoria relies upon the evidence of Child 5.
355. At paragraphs 28-33 of the Child 5 Affidavit, she deposes:

“28. The one particular example that does stand out was on [REDACTED] 2023, during a Westside's under [REDACTED]'s Grand Final against [REDACTED] at Parkville. I was sitting as a spectator in the grandstand next to the court.

29. Westside was losing at half-time, and I recall Tracy being visibly frustrated and speaking quite aggressively to the players. During the half time break, I observed and could hear Tracy say to the team words to the effect of, “you don't deserve any water after that performance”.

30. During this break, one of the players, Child 15, kind of ignored what Tracy was saying and picked up her drink bottle to have a drink of water.

31. I then saw Tracy slap Child 15's arm, grab her drink bottle and say something like “I told you not to have any water”.



32. Tracy then marched the girls, as a group, into a tunnel area next to the court and continued to yell at them. The whole crowd could hear Tracy going ballistic yelling at the players saying things like:

- (a) "you're s\$@t";
- (b) "you're embarrassing"; and
- (c) "you should be ashamed of your performance".

33. I was roughly 20 metres or so metres away from the tunnel, but Tracy was yelling so loudly that I could hear very clearly what she was saying."

356. Child 5 gave evidence at the hearing (Transcript Day 1 pages 25- 242). When cross-examined, Child 5 reaffirmed her evidence. She was asked questions concerning her evidence about Child 15 and maintained her evidence, despite a statement having been made to the investigator by Child 15's mother that this did not occur.

357. At paragraph 41 she denies she has ever refused players access to water or to take breaks to have water. At paragraph 45 she refers to the allegations concerning Child 15. She deposes:

"I have never denied players water as punishment. I deny I snatched Child 15 's water bottle off her at the [REDACTED] at Parkville in 2023 as a form of punishment. I received correspondence from the previous investigator, in this matter who spoke with Child 15 's mother who confirmed this never took place."

358. Exhibit TW-2 appears to be an extract from a report from the investigator. It states:

"Refer to [REDACTED] complaint where it is alleged TW grabbed a child's arm.

[REDACTED] and [REDACTED] daughter corroborate the allegation that a child's arm slapped away as she attempted to retrieve her water bottle.

Note that the child's mother has denied the allegation."

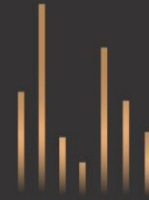
359. During her cross-examination Ms Wallace was asked a series of questions and stated "I've never ever denied a child water" (Transcript Day 7 page 131). She was asked questions about the game against [REDACTED] (Transcript page 170). She agreed that at half-time she took the players to the tunnel because of the air-conditioning and she wanted privacy. She was asked:

"I suggest get to be private, yes, because you knew you were going to give them. You knew you're going to give them a spray and you didn't want everyone to hear."

She answered:

"Of course. Yes. I was going to give them a talking to yes, if you want to call that a spray, yes" (Transcript 171).

360. Ms Wallace denied that she told the team that they were s\$@t, were embarrassing and the place should be ashamed of themselves. She deposed:

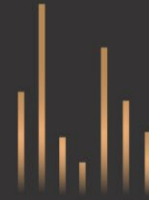


“No, no, I had two minutes. And that’s all you have. So by the time you, you know, come off the court, grab your bottles, you’ve got less than two minutes. I wanted to win the game. So every girl got feedback as what they need to do in the next quarter.”

I asked Ms Wallace why did this need to be private. She deposed:

“Because I was loud, I was loud. I was loud and there’s a lot of supporters sitting around everywhere. I don’t want anyone else hearing what I was telling them we were about to do on court.”

361. There are several allegations arising from the events on [REDACTED] 2023.
362. The first allegation relates to Ms Wallace’s abuse of the players at half-time. I accept the evidence of Child 5 on this issue. Ms Wallace was clearly angry at the performance of the players in the first half. She decided to take the children to a private area and give them a spray (using Mr Hoyne’s description). Ms Wallace yelled at the children, berated them for their poor performance in the first half and swore at them. I reject the evidence of Ms Wallace that she has never sworn at players. What she regarded as feedback was, in fact, abuse.
363. The second allegation concerns contact with Child 15. This is a very serious allegation. I am not comfortably satisfied that Ms Wallace made physical contact with Child 15. Whilst I accept it is possible that the event as described by Child 5 occurred, that evidence is not supported by any other witness. Child 15 was not called to give evidence. Ms Wallace denied making contact.
364. The third allegation relates to denying children water as a form of punishment. I am not comfortably satisfied that Ms Wallace denied the children water at the half-time break. I accept that Ms Wallace wanted to talk to her players at half-time. She had a lot to say to them. It is likely that she told them her to follow her to the tunnel so that she could speak to them privately. She only had 2 minutes to do so. There is no evidence that the players were deprived water after they returned to commence the third quarter. Even if she told the children to come immediately and not get their water bottles, I am not satisfied that this conduct was a punishment. At its highest, the children were deprived of some water for no less than 2 minutes.
365. I am not comfortably satisfied that Ms Wallace told the players that they did not deserve water.
366. I am comfortably satisfied that the way she gave feedback, by yelling, swearing at and abusing 14 year old children was demeaning and degrading and breached the 2023 Member Protection Policy and 2023 Child Safeguarding Policy.
3. **Ms Wallace engaged in inappropriate contact with a child in the form of telephone calls, texts or messages made or sent in a volume and/or at a time of day that exceeded her professional boundaries in breach of section 1 of the Child Safe Practices.**
4. **Ms Wallace engaged in inappropriate contact with a child in the form of telephone calls, texts or messages made or sent directly to a child, rather than their parents, that exceeded her professional boundaries.**
367. Netball Victoria makes the following allegations against Ms Wallace:



- (a) Ms Wallace repeatedly contacted players to discuss matters unrelated to netball without including the parents in such contact. These players include Child 14, Child 12, Child 19 and Child 5;
- (b) in 2017 Ms Wallace maintained fake social media account of child, Alex Fang, to obtain information about players and parents;
- (c) In 2018 Ms Wallace maintained a “dirt account” on parents and players that she could use if they upset her;
- (d) Ms Wallace would contact Child 14 at all hours including late at night and when Child 14 was at school;
- (e) between 2021 – 2023 Ms Wallace contacted Child 12 for school yard gossip, whether she had a boyfriend and other matters, and encouraged child not to tell parents and claimed they were “best friends”;
- (f) between 2021 – 2022 Ms Wallace contacted Child 19 at all hours, including late at night, about various matters including general gossip;
- (g) between 2021– 2024 Ms Wallace contacted Child 5 at all hours including about matters that had nothing to do with netball;
- (h) Ms Wallace told Child 5 that if she did not answer her calls then she could not coach;
- (i) in 2024, after Child 5’s mother told Ms Wallace that Child 5 did not want to go to VNL match, Ms Wallace contacted Child 5 to say she had abandoned her, and was not loyal; and
- (j) on 23 October 2024 Ms Wallace sought to contact Child 5 on numerous occasions. Ms Wallace told Child 5 that if she did not answer her calls then she could not coach.

368. Netball Victoria asserts that the conduct breached:

- (a) clauses (b) and (f) of the 2017 Netball Victoria Child Safety in Netball Code of Conduct;
- (b) clause 2.1.2 of the 2023 Policy and in particular Clauses 2 (a) (8), 6 (a) and (b) of the 2023 Child Safeguarding Policy; and
- (c) clause 3.1.3 of the 2024 Policy and in particular Clauses 1 (b) (6) and 5 (a) of the 2024 Safeguarding Children and Young People Policy.

369. Ms Wallace:

- (a) accepts that she had contact with each child;
- (b) in relation to Child 12 and Child 19 she asserts that the contact related to netball related matters;
- (c) in relation to Child 5, Ms Wallace acknowledges that there was extensive personal social interaction and contact but ultimately conceded that the social interaction was in breach of the relevant Policy; and



- (d) admits that a fake social media account using the name “Alex Fang” had been proved and that she had used that account.
370. Despite these concessions from Ms Wallace, I reviewed the witness statements and evidence to determine whether any breaches of the Policies occurred. I make the following findings about each category.
371. In relation to the allegations concerning the use of the account Alex Fang and the dirt file, Netball Victoria relies upon the Parent 14 Affidavit.
372. In summary, she deposes that Ms Wallace told her about the account in 2017 and about the dirt file in 2018. She exhibited a printout of the Facebook account. Ms Wallace gave evidence about the Alex Fang Facebook page and stated that the account had been set up by her son and she used the account to look up different things, mainly about opposition teams (Transcript Day 7 page 11).
373. Ms Wallace was unable to give a satisfactory explanation as to why the account was established using the identity of a fictitious person who “resided” in South Korea. She admitted that she probably did tell Parent 14 about it and she probably used it to look up other clubs (Transcript page 12). Ms Wallace agreed that she had followed some of her players on Instagram. She agreed that she had sent a text to Parent 14 about Child 33, who was then ■ years of age, and a boy at School 1.
374. Ms Wallace denied that she had told Parent 14 about a dirt file or that she had kept a dirt file.
375. I am comfortably satisfied that Ms Wallace did use a fake Facebook account in the name of Alex Fang and that she told Parent 14 about this account in 2017 and that she used the account to stalk players and their parents. I prefer Parent 14’s evidence on this issue.
376. I am comfortably satisfied that Ms Wallace told Parent 14 she maintained a dirt file on parents and players. Parent 14 gave cogent evidence that Ms Wallace used social media to find out information about the private lives of players and their parents. There is insufficient evidence for me to be comfortably satisfied that Ms Wallace actually had a physical file.
377. The allegations concerning Child 5 were initially contested. In her affidavit (Exhibit 1 Court Book 501), Child 5 made series of allegations including how Ms Wallace:
- (a) tried to establish a friendship with her, and how the conduct “*morphed into obsessiveness which made me feel very uncomfortable*” (paragraph 36);
 - (b) made numerous telephone conversations multiple times a day which included gossip sessions (paragraph 38); and
 - (c) had conversations of a sexual nature including Child 5’s personal and sexual relationships.
378. She described her attempts to have her mother and Parent 1 to stop Ms Wallace making the constant telephone calls. She also provided cogent evidence about the events surrounding the morning after pill issue which is dealt with separately in these findings.
379. Child 5 gave evidence at the hearing. In summary, she explained that in about 2023 Ms Wallace discovered that Child 5’s father was acquainted with Ms Wallace’s partner and some interaction between families occurred. The scope of the friendship was disputed.

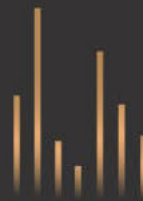


380. In the Ms Wallace Affidavit, Ms Wallace deposed that “*Child 5 and I were close family friends*” (Exhibit 44 paragraph 28). She explains the family relationship. She denies that she had improper communications with the children at Westside. At paragraph 67-73 of the Ms Wallace Affidavit, she deposes to some elements of the close relationship with Child 5 and her family. She also denies some of the allegations made by Child 5.
381. It is unnecessary for me to set out my findings on all of the matters raised by Child 5 in her affidavit. The evidence establishes that Ms Wallace sought to establish a friendship with Child 5 and became involved in every aspect of her life. Ms Wallace constantly contacted Child 5 and treated her as a friend. It is precisely the type of conduct which is prohibited under the Policies. Ultimately Ms Wallace conceded that the conduct is not permitted under these Policies.
382. I accept the evidence given by Child 5. Insofar as there is any conflict with the evidence of Ms Wallace, I prefer the evidence given by Child 5. In particular I accept her evidence that the conduct “*morphed into obsessiveness which made me feel very uncomfortable*”. I reject any evidence given by Ms Wallace that the contact with Child 5 was only related to these matters.
383. It is puzzling why Ms Wallace would want to inject herself into the personal life of a [REDACTED] girl. When the scope of the relationship was disclosed to Child 5’s mother in early 2025, she became furious and it resulted in the complaints been lodged with Netball Victoria. The evidence given by Ms Wallace that she saw herself as a second mother to Child 5 does not explain why she engaged in such egregious behaviour that breached the Policies. I will deal with some of the issues raised by this behaviour later in these reasons.
384. I am comfortably satisfied that between 2022 and December 2024 Ms Wallace engaged in inappropriate communications with Child 5 contrary to the 2023 and 2024 Policies.
385. At paragraphs 44-47 of the Ms Jade Fisher Affidavit, she deposes to the allegations concerning Child 14 and Child 12:
- (a) that Ms Wallace would excessively ring Child 14 at all hours of the day and the early hours of the morning. These conversations related to non-netball matters. At the time Child 14 was a child;
 - (b) communications with Child 12, a [REDACTED] - [REDACTED] child;
 - (c) Ms Wallace had excessive and non-netball related communications with Child 12;
 - (d) that she was present during some of the calls when she asked Child 12 about non-netball related matters, such as school gossip, boyfriends and sexual experiences;
 - (e) that she spoke to the parents of Child 12 and was informed that they had asked Ms Wallace to cease these communications without their permission; and
 - (f) that Ms Wallace and Child 12 describe each other as “*best friends*”. She confronted Ms Wallace about the inappropriate nature of the communications and was told “*I’m friends with the girl’s parents, so she is like a daughter to me*”.
386. In the Ms Wallace Affidavit, Ms Wallace deposed that she had significant communications with some of the children from Westside. Ms Wallace does not directly address the allegations involving Child 12. In her evidence at the hearing, she explained that she had a lot of



communications with Child 12, generally on facetime. Those conversations occurred when her parents were present. She deposed that Ms Wallace and Child 12 spoke a lot as they were both involved in volunteer work for animals (Transcript Day 6 page 178). Ms Wallace denied inappropriate conversations or midnight conversations. When cross-examined, Ms Wallace admitted Ms Jade Fisher had spoken to her about getting too close to players. She denied the conversation was about Child 12. She denied the allegations made by Ms Jade Fisher about Child 12.

387. In the Parent 12 Affidavit, and during his evidence, Parent 12 confirmed that he was aware that Child 12 and Ms Wallace had a close relationship and spoke a lot. He stated that Ms Wallace was like a second mother to her. He stated he was unaware of the telephone conversations between his wife and Ms Jade Fisher concerning communications between Ms Wallace and his daughter.
388. I am not comfortably satisfied that the allegations of inappropriate communications with Child 12 have been proved. It is undisputed that Child 12 and Ms Wallace had numerous conversations. It is unacceptable that a coach should get involved in these conversations, presumably in an attempt to establish a friendship with Child 12 and her family. Nevertheless, I am satisfied that the conversations occurred in circumstances where Child 12's parents were aware of the frequency of the conversations and treated them as appropriate. I am unable to say what the conversations were about, given that Child 12 did not give any evidence at the hearing.
389. I am not comfortably satisfied that the allegations of inappropriate communications with Child 14 have been proved. The evidence in relation to Child 14 is at best hearsay. They are general allegations. No evidence was given about the frequency of these conversations. I accept that Ms Jade Fisher may have been told about these conversations by Child 14, but that does not establish that the conduct actually occurred. At the time Child 14 was a coach and had numerous conversations with Ms Wallace. I am not prepared to draw an inference that the conversation breached professional boundaries or that Parent 14 was unaware of these conversations.
390. At paragraphs 54-57 of the Child 19 Affidavit she deposes, in summary, that when aged [REDACTED] Ms Wallace started to send her text messages on a frequent basis. These messages became more frequent through 2021 and 2022 and would be sent at all hours of the day sometimes as late as 10 PM. Some of the messages would be netball related but they would also be about general gossip including about fights Ms Wallace had just got into with another parent or coach.
391. Ms Wallace admits that she was in regular contact with Child 19 but only about netball related matters. Paragraph 67 of the Wallace affidavit contains an admission that she had significant communications with some of the children from Westside. Presumably this includes Child 19.
392. The Child 19 Affidavit canvasses many complaints about Ms Wallace's behaviour. In her affidavit, Ms Wallace disputes most of the allegations made by Child 19. At the hearing Child 19 and Ms Wallace did not give any relevant evidence concerning this specific allegation. The substantial evidence on other matters gave me the opportunity to assess the credibility of the evidence of Child 19. On this issue I am prepared to accept her evidence.
393. I am comfortably satisfied that Ms Wallace did engage in inappropriate conduct with Child 19, who was then aged approximately [REDACTED]. Ms Wallace had conversations directly with the child about non-netball matters. I reject the evidence of Ms Wallace that these calls solely related to netball matters such as training plans, attendances and player performance. Having reviewed all of the evidence I am satisfied that Ms Wallace had a propensity for trying to establish a friendship with



the children and their families and this type of social communication regularly occurred with children, their parents and other coaches.

394. I am comfortably satisfied that Ms Wallace breached the relevant Policy and Code by:

- (a) maintaining and using a fake social media account using the name Alex Fang to obtain private and social information about players and parents; and
- (b) engaged in inappropriate contact with children and thereby breached the relevant Policies and Codes in relation to her communications by social media, text and phone with Child 5 and Child 19.

5. Ms Wallace encouraged and engaged in conversations of a sexual nature with a child.

395. Netball Victoria alleges that between 2018 and 2024 at various locations Ms Wallace discussed sexual matters and intimate affairs about children with the children she coached.

396. Netball Victoria relies upon the allegations made by Child 21, Ms Jade Fisher, Child 19, Child 5, and Parent 14. These allegations cover different time periods. It is therefore necessary to separately analyse the allegations made by each witness and the response made by Ms Wallace and her witnesses.

397. Ms Wallace relies upon her evidence and the evidence of Parent 38, Parent 26, Parent 20, Child 37 and Child 31.

398. At paragraphs 24-28 of the Parent 14 Affidavit (Exhibit 13), Parent 14 deposes to a conversation with Ms Wallace about Child 33, then a [REDACTED] girl. Parent 14 then deposes that Ms Wallace approached a group of under [REDACTED] girls and asked them “has Child 33 had sex”. Parent 14 then told Ms Wallace “She could not ask that”.

399. Parent 14 gave evidence at the hearing (Transcript Day 3 page 3). During cross-examination she was asked about this incident (Transcript page 53-54). She confirmed it was the only occasion that Ms Wallace had raised sexual matters with the players. She agreed that this was the one specific matter that she could recall but couldn’t specify the details of other events.

400. Ms Wallace relies upon her evidence, including the general denial made at paragraphs 14-17 of the Ms Wallace Affidavit, and the affidavit of Child 31 sworn on 12 September 2025 (Exhibit 40 Court Book 561) (the **Child 31 Affidavit**).

401. At paragraphs 14-17 of the Ms Wallace Affidavit, she deposes that there have been times when players voluntarily told her things of an intimate nature. She states that she did not initiate any of these conversations. During her evidence at the hearing, Ms Wallace was cross-examined about this allegation. Ms Wallace agreed that she had spoken to Parent 14 about Child 31. She did not recall the precise conversation with Parent 14, and ultimately admitted that she “possibly did have that conversation” (Transcript Day 7 page 18). Ms Wallace denies that she approached the children and asked whether they thought Child 31 was having sex.

402. At paragraph 5 the Child 31 Affidavit she deposes:

“I have been made aware of an allegation that Tracy asked me, and other players, inappropriate and sexually explicit questions such as “whether I had sex”, “how it felt”, “what have I done with a boy” and “have you touched him”. I was never asked these



questions or questions of a sexual nature by Tracy. I did not hear Tracy ask other players these questions or questions of a sexual nature. Tracy did have strong relationships with her players as we spent up to eight hours a week in her company. The only questions I ever recall Tracy ever asking players about relationships would be what I would describe as “natural curiosity” questions. For example, if a player was talking about boys and Tracy might ask “who are you talking about?” or “is that your boyfriend?”. Apart from that netball was serious for Tracy and she had a general rule of no boyfriends at games, to stop any of the players getting distracted.”

403. At paragraphs 49-53 of the Child 19 Affidavit (Exhibit 12), Child 19 deposes that in 2021 Ms Wallace asked questions about another player, Child 40 and asked the girls whether they knew if this player was having sex. She asserts that Ms Wallace asked “*did you know Child 40 was having sex in her school bathroom*”.

404. Child 19 gave evidence at the hearing (Transcript Day 2 page 207 and Day 3).

405. Ms Jade Fisher gave some evidence concerning this allegation. During cross-examination she was asked about the allegations made about Child 40 and stated:

“I have some recollection of having conversations with that group of girls and Tracy around Child 40 and her boyfriend, but I don’t recall if it was a specific one time conversation or if it was a conversation that happened on a number of times.” (Transcript Day 2 page 91).

406. At the hearing Ms Wallace was cross-examined about the allegations made by Child 19. She deposed that she did not know that Child 40 had been found having sex in the bathroom at school or that she discussed this matter with Child 19.

407. At paragraphs 24-31 of the Child 21 Affidavit, she deposes that Ms Wallace would ask her personal and intimate questions about her life. It is asserted this happened on multiple occasions. At paragraph 27 she deposes that Ms Wallace would “*pry about other girls at the club and whether I knew things about them*”. A particular example was given about a girl it is asserted that Tracy asked about photographs of Child 41’s boyfriend, were they doing anything and whether she thought Child 41 is going to get pregnant.

408. Child 21 gave evidence about intimate conversation about boys (Transcript Day 1 pages 284-286). She deposed that the conversations were never about her but her teammates and she would shut them down. She confirmed that the conversation occurred but could not provide a date.

409. In relation to the allegations made by Child 21, Ms Wallace relies upon her evidence including the general denial made at paragraphs 14-17 of the Ms Wallace Affidavit and the Child 31 Affidavit. In particular Ms Wallace deposes that she had spoken to players about sanitary requirements. I note that this matter was raised in the Child 21 Affidavit, but that is not the subject of any allegation against her. At the hearing Ms Wallace was cross-examined about the allegations made in the Child 21 Affidavit. She admitted that there were many conversations involving Child 41 because Child 21 was being bullied by Child 41. She denied the allegations (Transcript Day 7 page 21).

410. At paragraphs 29-43 of the Ms Jade Fisher Affidavit, a series of serious allegations are made involving numerous players. In summary Ms Jade Fisher deposes:



- (a) that Ms Wallace would frequently ask inappropriate questions of the players of a sexually explicit nature. These questions were asked of all teams but more frequently the under [REDACTED] and [REDACTED] players. These questions would involve sexual matters and are expressly referred to in paragraph 30 of the Ms Jade Fisher Affidavit;
 - (b) Ms Wallace asked under [REDACTED] players about their sex lives (paragraph 33);
 - (c) in December 2022 Ms Wallace discovered that one of the players had been filmed by a man without the consent at a caravan park. Ms Wallace had a conversation with Child 6 where she discussed the incident and asked inappropriate questions about it (paragraph 35);
 - (d) that Ms Wallace had another conversation with three under [REDACTED] girls about their private lives and sexual experiences (paragraph 37);
 - (e) in January 2023 Ms Wallace had a discussion at a netball camp when Child 38 was present. The discussion was about sexual experiences. (Paragraphs 39);
 - (f) Ms Jade Fisher was cross-examined about this allegation and agreed that her knowledge was dependent on what other parties had told her (Transcript page 154);
 - (g) that she would on occasions interrupt these conversations and tell Ms Wallace to stop. She states that Ms Wallace described her as a “prude” (paragraph 42); and
 - (h) At the hearing Ms Jade Fisher was cross-examined about this allegation and explained that she was in the car with Ms Wallace and the conversation occurred over a speaker (Transcript Day 2 pages 152-153).
411. During the hearing Ms Jade Fisher was cross-examined about these allegations and admitted that she did not report these matters to Mr Darren Abela (Day 2 Transcript page 58), or complain to Netball Victoria (Transcript page 59). She was asked to confirm the identity of the children referred to in her affidavit and did so (Transcript page 87-90).
412. Ms Wallace relies upon her evidence including the general denial made at paragraphs 14-17 of the Ms Wallace Affidavit. She also relies on the evidence of Child 10 and Child 34.
413. At paragraph 4 of the Child 10 Affidavit, she deposes “*Tracy never asked me any questions of a sexual nature and I never heard her do this with any other players*”.
414. At paragraph 5 of the Child 34 Affidavit, she deposes “*I never observed Tracy ask any players questions that were sexually explicit. Tracy never asked me questions that were sexually explicit or inappropriate*”
415. Ms Wallace also relies upon the evidence of other coaches, Parent 26, Parent 1 and Child 37. At paragraph 6 of the Parent 26 Affidavit, he deposes “*nor did I ever hear her discuss conversations of a sexual or intimate nature with the players*”. Child 37 was initially a player at Westside and subsequently began coaching in 2020. At paragraph 4 of the Child 37 Affidavit, she deposes “*Tracy never spoke about topics of a sexual nature with me, nor did I ever hear her speak about these topics with other players*”.
416. In relation to the allegations involving Child 38, Ms Wallace relies on her affidavit and the affidavit of Parent 38.



417. Ms Wallace deposes that an 18-year-old, Child 47, raised the topic of sex in the presence of Child 38 but that she did not ask Child 38 about her sex life. Ms Wallace was also cross-examined about the allegations concerning Child 38 (Transcript Day 7 page 63). Ms Wallace denied talking about her sexual experiences and stated that the conversation was mainly about Child 47. Ms Wallace did admit that she was asked when she lost her virginity and she said it was when she was ■ years old (Transcript page 65). She deposed:

“There was a lot of conversation going on about a lot of different things. It wasn't just sex, sex, sex. We might jump to a topic where we talked about growing up, an experience I had as a child growing up and how we did things differently and how we didn't have phones like it wasn't just.... whole like barrage of sexual questions or anything like that. It was probably a 30 minute conversation about a lot of different things they'd say. Oh, what did you do when you grew up playing Apple Tracy, and how was it there was different topics of conversation.”

418. Parent 38 swore an affidavit (Exhibit 39 Court Book 553). Parent 38 deposes that she had spoken to her daughter about the allegations about conversations involving sexual matters and her daughter denied the general allegations had ever occurred. In relation to the allegations concerning the camp, she deposes:

“Child 38 has told me that during that time sexual topics were discussed Specifically, Child 38 told me that it was Child 47 who spoke openly about her sexual experiences, and that Tracy did respond and engage in the conversation while Child 38 was there. Child 38 said the only question Tracy asked of her specifically was something along the lines of “I hope you're not doing anything like this” and Child 38 said “No, I am not”.”

419. The evidence of Parent 38 is equivocal. She was not required to attend to give evidence before the hearing. The evidence is clearly hearsay and had she attended she could not give direct evidence of what actually occurred, merely what her daughter had told her. I attribute some weight to the evidence. The hearsay statements made by Child 38 suggest that Ms Wallace's involvement in the conversation was more than what she admitted in her evidence. Regrettably the statement does not specifically address the evidence of Ms Jade Fisher that Child 38 discussed what happened at the camp with Ms Jade Fisher.
420. On 30 September 2025 Ms Wallace filed submissions (Court Book 519). At paragraph 122 it is submitted that Ms Wallace was involved in the conversation and did not put an end to it. Ms Wallace concedes that a breach of the 2023 Child Safeguarding Policy occurred.
421. At paragraphs 41-55 of the Child 5 Affidavit, Child 5 makes a series of allegations involving personal questions about her sexual experiences. She also deposes to the events surrounding the “morning after pill” incident, which must have involved conversation about sexual experiences. The morning after pill incident will be discussed later in these reasons.
422. Child 5 gave evidence on the first day of the hearing (Transcript Day 1 page 26). During her evidence in chief, she was asked about the allegations in paragraphs 41-55 of the Child 5 Affidavit. She deposed that the questions started by asking about school and progressed it to conversations about kissing boys and “very sexual questions” (Transcript page 36). She was cross-examined about these issues and confirmed that the conversation started out as “gossip sessions” but then moved to questions of a sexual nature. She stated that she had heard Ms Wallace make statements about other people (Transcript 130). It was put to Child 5 that it was



not true that Ms Wallace was prying into your sexual life and she was keen to share that information at training. She denied that allegation (Transcript 184).

423. In the Ms Wallace Affidavit, Ms Wallace denies ever telling players to talk to her about their sexual experiences and she would not initiate any such conversation (paragraphs 14-17). She admits there was a conversation with Child 5 in 2024 about sexual intercourse (paragraph 16) and gave evidence concerning the morning after pill incident. Ms Wallace asserts that Child 5 was a close family friend (paragraph 28). During the hearing Ms Wallace admitted conversations with Child 5 about her boyfriend. She also admitted that she had conversations with Child 5 about her sexual experiences, including the time when she lost her virginity and another sexual relationship (Transcript Day 7 pages 30-31). Ms Wallace gave evidence that Child 5's mother was present when these conversations occurred.

424. Ms Wallace was cross-examined about what she described as the close family relationship. She explained she did not shut these conversations down because:

"... we had a 30-minute strong relationship (sic) and it wasn't a secret to her mother or her father. And as I said? Quite often, her mother would be in the conversations with Child 5. I know her mother and I, she joked with me about how she announced how Child 5 lost her virginity at a gathering of friends. So. Yeah, I didn't think there was a need to. We were very close."

425. This critical allegation was never put to Parent 5 who denied the close family relationship. In late December 2024 or January 2025 Parent 5 was told by her daughter about these conversations. The outcome of that conversation is this hearing.

426. On 19 December 2025 the solicitors for Ms Wallace submitted *"The Applicant accept this contravention but denies the factual basis alleged in as per the oral submissions made on 15 December 2025 submits this is oath on oath evidence"* (See Applicant's Position in Updated Summary of Conduct page 4).

427. I accept the evidence of Child 5. In so far as there is a conflict between the evidence of Child 5 and any other witness, I prefer the evidence of Child 5.

428. A determination on these allegations requires me to assess the evidence of:

- (a) the witnesses called by Netball Victoria, including Child 21, Ms Jade Fisher, Child 19, Child 5, and Parent 14;
- (b) Ms Wallace;
- (c) the witnesses called by Ms Wallace including Parent 38, Parent 26, Parent 20, Child 37 and Child 31; and
- (d) the evidence of parents who regularly attended games.

429. The witnesses gave evidence which either was damning or strongly supporting of Ms Wallace. I attach a greater weight to the witnesses called by Netball Victoria. The evidence provided sufficient detail to support the allegations. I accept the evidence given by Parent 14, Child 19 and Ms Jade Fisher as honest and truthful. Each gave creditable evidence about specific events. I prefer their evidence over the evidence given by other team members including Child 37 and



Child 31. Their evidence is that they did not hear Ms Wallace ask the players questions that were sexually explicit. That does not establish that these questions were not asked and does not expressly contradict the evidence given by given Parent 14, Child 19 and Ms Jade Fisher.

430. I am comfortably satisfied that Ms Wallace encouraged and engaged in a conversation of a sexual nature about Child 33 with a group of under [REDACTED] children. Ms Wallace admits that there was a conversation with Parent 14 but denies the conversation with the children. I reject that denial. I accept the evidence of Parent 14 that she heard the conversation and told Ms Wallace that she could not ask about these types of matters.
431. I am comfortably satisfied that Ms Wallace did have the conversation as alleged by Child 19. Counsel for Ms Wallace submitted that this evidence was not corroborated and I should not be comfortably satisfied. There is some corroborating evidence given by Ms Jade Fisher who recalled some conversation about Child 40 but was unable to provide the precise details. I prefer the evidence of Child 19 over the denials given by Ms Wallace.
432. I am comfortably satisfied that the various allegations made by Ms Jade Fisher have been proved. I accept the evidence given by Ms Jade Fisher on these issues. It was clear and precise. Ms Wallace gave evidence disputing the allegations made by Ms Jade Fisher. Insofar as the evidence of Ms Wallace and Child 31 conflicts with the evidence given by Ms Jade Fisher, I prefer and accept the evidence of Ms Jade Fisher.
433. I am comfortably satisfied that Ms Wallace did engage in a conversation about sexual matters in the presence of a [REDACTED]-year-old child. Ms Wallace admits that the conversation occurred and that Child 47 spoke about her sexual experiences. Ms Wallace also admits that she answered questions about when she lost her virginity. The conversation should have been shut down immediately. I can only infer that Ms Wallace thought it was acceptable for conversations about sexual matters to occur with children and there was nothing wrong in having such a conversation. I am at a loss to understand why an adult will allow any conversation about sexual experiences to continue in the presence of a [REDACTED] year old child.
434. It is clear that Ms Wallace participated in a totally inappropriate conversation about sexual experiences. However, her precise involvement in this allegation is clouded in hearsay evidence. On the one hand Ms Jade Fisher gave hearsay evidence of what Child 38 had told her. On the other, Parent 38 gave conflicting evidence of what Child 38 had told her. Child 38 was not called as witness to clarify the obvious conflict.
435. In these circumstances, I am not satisfied that Ms Wallace said anything about her own sexual experiences, other than the loss of her virginity. Even this part of the conversation was totally inappropriate.
436. I am comfortably satisfied that Ms Wallace did engage in numerous conversations about sexual matters with Child 5. I accept the evidence of Child 5.



6. The Ms Wallace made inappropriate comments about or in the presence of a child regarding weight.

438. Netball Victoria asserts:

- (a) in 2021 Ms Wallace said about Child 4 that she is a “big b!%;h, she needs to go for a run.”;
- (b) in late 2022 or early 2023, Ms Wallace told Child 17 that she was “too fat” and needed to “lose weight” if she had any hope of playing [REDACTED] again; and
- (c) these statements breached the 2017 Netball Victoria Child Safety in Netball Policy, the 2017 Netball Victoria Child Safety in Netball Code of Conduct and the 2023 Child Safeguarding Policy.

439. I have already considered the evidence concerning Child 4. I am not satisfied that the allegation has been made out.

440. In relation to the allegations about Child 17, Netball Victoria relies upon the evidence of Child 17 and Parent 17.

441. At 14-17 of the Child 17 Affidavit (Exhibit 19) she deposes:

“14. In late 2022 or early 2023, our team had just lost a game in which I was playing [REDACTED] in our Saturday morning competition.

15. Tracy approached me at a training session on the following Monday at Keilor Netball and Basketball Centre (Keilor) and said comments like:

(a) “you’re not playing [REDACTED] anymore”; and

(b) “you’re too fat and you need to lose weight if you want to play at that position or be put on the court”

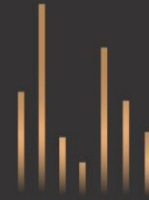
16. I felt incredibly sad about these comments and started to eat less so that I would lose weight.

17. I told my mum about Tracy’s comments and she then raised it with Tracy. My mum told me that Tracy denied ever telling me to lose weight and said that she would never say that to a child.”

442. Child 17 gave evidence of the hearing (Transcript Day 4 page 10). During her evidence in chief she deposed that another coach, Narena Baker was not present when the conversation occurred (Transcript page 17). She denied that Ms Wallace had told her that she needed to get fitter (Transcript page 20). During cross-examination she stated “No, she definitely told me I’m too fat” (Transcript page 38).

443. At paragraphs 15-20 of the Parent 17 Affidavit (Exhibit 20), Parent 17 deposes:

“15. In early 2023, Child 17 told me that Tracy had made comments to her about being too fat to play as a [REDACTED].



16. *I found this incredibly inappropriate and said as much to Tracy in person, asking a question to the effect of "did you tell Child 17 she needs to lose weight in order to play [REDACTED]".*

17. *Tracy responded to the effect of, "I would never say that to a child".*

18. *I told Child 17 on many occasions that there was absolutely nothing wrong with her weight and that it wasn't something she needed to worry about. I am very conscious about young teenagers being concerned about their body image. Despite my comments to Child 17 to ignore Tracy, I saw her throughout the course of 2023 lose a considerable amount of weight. I didn't find Child 17 to lose an unhealthy amount of weight, but I was conscious that she said to me that her decision to try to lose weight was driven by the comments Tracy had made.*

19. *I found it very disturbing and worrying that Tracy's comments had such an impact on Child 17.*

20. *Subsequently after Child 17 lost all of the weight, I remember Child 17 telling me that Tracy told her that she needs to grow as she was not taller (sic) enough. I told Child 17 that height is not something you can control and that she needed to accept the way that she was".*

444. Parent 17 gave evidence at the hearing (Transcript Day 4 page 51). During cross-examination she deposed that she was still prepared to assist Ms Wallace in the VNL licence application despite the alleged comments having been made. Parent 17 was asked about her original complaint to Netball Victoria and agreed that she did not use the same wording about this issue in that complaint. The complaint is Exhibit 22 (Court Book 718).

445. Ms Wallace relies upon the evidence of Parent 26 and her own evidence.

446. At paragraph 37 of the Ms Wallace Affidavit, she deposes:

"37. In or around 2023, I had a conversation with a player, Child 17, and another coach, Narena Baker, about Child 17's fitness and positional training. As coaches, Narena and I emphasised to Child 17 that it was important for her to work on her overall fitness and to be open to learning a new playing position, due to her height not being suitable for the position she was playing in at the next level. At no stage did discuss Child 17's weight. The season I coached Child 17, Parent 26 was coaching under me, and I was mentoring him. He was with me the entire time. I never told Child 17 that she was "too fat" or that she needed to lose weight. The conversation was part of ensuring Child 17 continued to progress and realise her potential. As a coach I have always looked at ways to ensure a player can diversify and play more than one position. Narena Baker wrote an email on 21 March 2025 confirming the content of our discussion with Child 17."

447. During her evidence at the hearing Ms Wallace was asked numerous questions concerning Child 17. Most of these questions related to social contact with her. In relation to fitness and weight issues, Ms Wallace conceded that she would talk about the players fitness and weight with other coaches and would make comments about other players weight and stated at *"I may have. Yes, I may have said that they need to lose some weight, yes"* (Day 7 Transcript page 191). On several occasions she denied that she ever had this conversation with Child 17 and believed that she did



not need to lose weight. She deposed that Child 17 needed to get fitter. She denied telling Child 17 that she was too fat and had to lose weight (Transcript page 192).

448. Parent 26 Affidavit (Exhibit 37) refers to Child 17 (paragraph 4). At paragraph 7 he refers to the allegation concerning denial of water. Parent 26 does not depose to any conversation concerning the fitness of Child 17.
449. Parent 26 gave evidence at the hearing. During his evidence in chief, he gave evidence that he was present when Ms Wallace and he spoke to Child 17 about her fitness (Transcript Day 6 page 58). He deposed that there were no conversations about Child 17's weight. Parent 26 then gave evidence of how Tracy always make sure that the children felt included in that larger uniforms were available for the "bigger children".
450. Exhibit TW-3 (Court Book 599) is an email from Narena Baker to Ms Wallace dated 21 March 2025.
451. I am comfortably satisfied that in late 2022 or early 2023 Ms Wallace did tell Child 17 that she was too fat and had to lose weight. It is likely that Ms Wallace also told her to get fitter. I accept that Child 17 told her mother about it. This evidence is corroborated by Parent 17. During the 2023 season Child 17 lost weight. I reject the evidence of Ms Wallace that this conversation occurred in the presence of Ms Narena Baker or Parent 26. The evidence given by Ms Wallace that she regularly discussed the weight of players, including juniors, demonstrates that she was not only concerned about fitness but also the weight of some players. It is appropriate that a coach may instruct a player that they should get fitter. It is an entirely different matter to tell a child that she is too fat and has to lose weight. Body shaming is and has always been a breach of Netball Victoria's Policies. By way of example the 2017 Child Safety in Netball Code of Conduct expressly states:

"d) Use of language and tone of voice

Language and tone of voice used in the presence of Children and Young People should:

not be harmful – therefore, avoid language that is intended to be, or is received or likely to be received by the individual it is directed at or any other person as:

- *derogatory, belittling or negative, for example, by calling a Child or Young Person a 'loser' or telling them they are 'too fat' (emphasis added) (Court Book 277).*

452. I reject the evidence given by Parent 26. He explained that he was a shift worker and at the time he gave evidence he should have been asleep. His evidence was confusing and combative. By way of example, he was shown a document and asked if it was his own handwriting. He stated that he was unsure. "I don't know. I don't know." (Transcript Day 6 page 56). He repeatedly demonstrated that he was unable to focus on the questions that were asked of him. Rather than answer a simple question, he would describe the context for the question, give a rambling response and never directly answer that question.
453. I place no weight on the statements made in the email from Ms Norena Baker (Exhibit TW-3). I am not bound by the rules of evidence. In this matter I have received evidence in the form of contemporaneous texts and emails passing between witnesses. I have considered each of these documents and given them such weight as I thought was appropriate. I am not prepared to accept evidence about the statements made about Child 17 as set out in this email. It is not a



contemporaneous document and was clearly sent to Ms Wallace after the complaints have been lodged. Without the benefit of cross-examination there is no way for me to assess the statements made by her in the email.

454. It is unclear whether the breach occurred in late 2022 or early 2023. If the conversation occurred in 2022 Ms Wallace breached the 2017 Netball Victoria Child Safety in Netball Code of Conduct and the 2017 Netball Victoria Child Safety in Netball Policy. If the conversation occurred in 2023, it breached Child Safe Practices 3 (b).

8. From at least 2019 to 2024, Ms Wallace denied children and young players access to water if they did not perform a drill appropriately or perform in a game to Ms Wallace's expectations.

455. Netball Victoria makes the following allegations against Ms Wallace:

- (a) in 2020 at training at Keilor, Ms Wallace told the players that they could not have water until they got the drill right;
- (b) in 2021 at a Thursday night under [REDACTED]'s game, Ms Wallace told players that could not have water because they do not deserve it;
- (c) in early 2023 Ms Wallace made the under [REDACTED]'s team do a "yoyo" test. It was very hot but the Applicant refused to allow them to drink; and
- (d) on [REDACTED] 2023 at half time of an under [REDACTED] against [REDACTED], Ms Wallace abused players and said they could not have water because of their performance.

456. At paragraphs 32-37 of the Child 21 Affidavit, she deposes:

"34. We were training at Keilor and kept getting a drill wrong. Tracy kept making us do the drill until we got it correct a number of times. Given I was captain I thought I should step in and ask Tracy when we could have some water because we were doing the drill for about 45 minutes without a break. I said to Tracy during the drill, "can we have some water".

35. In response, Tracy said "you can't have any water until you get this drill correct". This turned out to be the case and we probably did the drill for about another 15 minutes before we were allowed to have a drink.

36. Another incident I recall was on a Thursday night game in 2021. I was still playing in under [REDACTED]'s for Westside, and we were playing this game against Diamond Creek.

37. We were losing at quarter time and during the break when me and some other girls went to have a drink, Tracy said:

(a) "don't have any water, you don't deserve it" and

(b) "you can have water when you earn it"."

457. On Day 1 of the hearing Child 21 was cross-examined and gave some further evidence concerning her allegations (Transcript Day 1 page 244). In summary she deposed that the water deprivation would crop up from time to time at training or when the team was losing or lost. She stated that, besides talking about it to her teammates, she did not raise the issue with her parents or complain about it (Transcript page 289). She admitted that training normally went for 90



minutes, 30 minutes on each court and there was usually an opportunity to take water before moving onto the next court. In relation to the 2021 game, she stated it was against Riverside. She agreed that she can raise any complaints with her parents, Westside or the Association but no complaint was made (Transcript page 291).

458. At paragraphs 14-16 and 31-34 of the Child 19 Affidavit, she deposes:

"14. We were playing [REDACTED] in the grand final and we lost by one point after playing in overtime.

15. After we walked off the court, Tracy ordered us to huddle around behind a shed away from our parents.

16. Tracy then started yelling at us, saying, firstly, words to the effect of, "you don't deserve any water for that, if I don't need it, you don't need it".

[...]

31. It was normal for Tracy to punish our team at either training or games if we were not playing well enough or did a drill incorrectly. In my experience, Tracy would either make us run laps, or not allow us to drink water, as punishment.

32. For training, we would have three courts going at one time. There would be the:

(a) warm up or conditioning court;

(b) drill court; and

(c) game court.

33. If we were on the drill court, and we messed up a drill a few times in a row, like for example dropping a ball, Tracy would make comments to the effect of, "that's f!ing s\$@t, you're not getting any water until you get it correct".*

34. This type of comment was made regularly. To the best of my recollection this type of comment was made at least one training per month."

459. On Day 2 of the hearing Child 19 was cross-examined about the game against [REDACTED]. She deposed that she remembered what Ms Wallace had said *"I remember her specifically saying you don't deserve any water, and if I don't need it, you don't need it"* (Transcript Day 2 page 237).

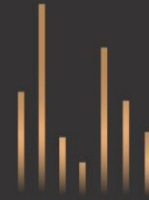
460. On Day 3 of the hearing Child 19 was cross-examined about the training matters (Transcript Day 3 page 96). She deposed that the team was denied water for the whole 30 minutes when they were on the drill court and sometimes the team was made to go straight to the next court (Transcript page 96). She stated she did not complain to anyone because she thought it was normal. It was put to her that it did not happen. She stated *"It did happen"* (Transcript page 99).

461. At paragraphs 23-27 of the Child 17 Affidavit, she deposes:

"23. It would be very common during a training session for Tracy to get angry at our team for not doing drills correctly or not running hard enough.



24. *Tracy would normally say that we couldn't have water until we did something to the standards she expected, for example not messing up a drill more than twice in a row.*
25. *In early 2023, Tracy made our under [REDACTED]'s team perform the yoyo test during training at Keilor. This is a running test to measure fitness levels. As part of the test, you run between points about 20 metres apart. As the test progresses, you have to run quicker and quicker between each point. If you don't make the other side in time (by the sound of a "beep"), you are eliminated from the test.*
26. *When we were doing the test, it was very hot.*
27. *After we completed the test, Tracy didn't let any of the girls have a drink of water. Tracy said words to the effect of, "you all need to run laps because you didn't do well enough. You're not drinking until you finish running".*
462. On Day 4 Child 17 was cross-examined about these allegations (Transcript Day 4 page 11). She deposed that after the "yoyo test was completed all of the girls were required to run laps of the court and then were allowed access to water. She stated she was required to run 4 laps of 3 courts (Transcript 47).
463. I have already set out the relevant evidence of Child 5 about the [REDACTED] 2023 game against [REDACTED]. It is unnecessary to recite it.
464. Ms Wallace denies these allegations. At paragraph 41 of the Ms Wallace Affidavit she denies she has ever refused players access to water or to take breaks to have water. At paragraph 43-45 of the Ms Wallace Affidavit, she deposes:
- "43. I accept at times I might have told players that (sic) had to finish a drill before taking a break. The portion of a training session that involves drills is thirty minutes. Each drill would vary but I can say with certainty that players would have had multiple drink breaks within each thirty minute session. If they were in the middle of a drill and mucking about, I accept I could have asked them to finish the drill and then have a water break. I have never suggested that players are unable to have water in any way as a punishment.*
- 44. I recall the day of the Yo-Yo test that Child 17 took part in during early 2023. The test requires that you run from one line to another. If you do not reach the opposite line before the beep sounds you have to drop out. When you drop out you go to the sideline and sit down on the bench or continue to run for encouragement if desired. On that day I believe Child 17 made it to around 6.2. The highest score on that day was something above 9. Each level of the test takes approximately a minute to complete. This meant Child 17 had plenty of time to get a drink. I did not say to any of the players they didn't do well enough on the test and could not have a drink until they ran laps.*
- 45. I have never denied players water as punishment. I deny I snatched Child 15's water bottle off her at the [REDACTED] at Parkville in 2023 as a form of punishment."*
465. During cross-examination Ms Wallace again stated, "I've never ever denied a child water" (Transcript Day 7 page 131). She agreed that it would be inappropriate to deny water as punishment (Transcript page 192). She conceded that at training she may have told the players to complete the drill and then they would have a break.



466. Ms Wallace relies upon the evidence of Parent 26, Child 37, Child 34, Child 31, Parent 20, Parent 10 and Child 10. In their Affidavits they all depose that Ms Wallace did not deny players water “as a punishment.” In the Parent 26 Affidavit, he deposes that he has been made aware of the allegations made by Child 17 and provided details of a yo-yo test conducted in early 2022. It was a hot day. He deposes that she would have had a few minutes to have a drink, and to fill up her drink bottle.
467. I am comfortably satisfied that Ms Wallace did tell the children at training that they could not have immediate access to water. I accept that a coach is entitled to conduct the training so that various drills are carried out by the players. It would be impossible to carry out these drills if there was a constant procession of children wanting to leave the drill to get water. It is appropriate that a coach to tell the children to wait until the drill is finished. I accept the evidence that the training is divided into 3 sections and that approximately 30 minutes is spent on drills.
468. I am comfortably satisfied that Ms Wallace did tell the children at games they could not have immediate access to water. I have set out my findings about the [REDACTED] game. It is not necessary to restate those findings. I accept that a coach is entitled to address the players at the end of each quarter and may only have 2 minutes to do so. The coach may have a lot to say and may direct the players to form a huddle and not get the water bottles for that 2 minute period.
469. The real issue to be determined is whether the denial of water was used as a punishment. Child 5, Child 17, Child 19 and Child 21 all gave evidence that Ms Wallace regularly denied water as a punishment. I accept their evidence that Ms Wallace did tell them that they could not have water. Parent 26, Child 37, Child 34, Child 31, Parent 20, Parent 10 and Child 10 all gave evidence that Ms Wallace did not deny water as a punishment.
470. Having considered all of the evidence I am not comfortably satisfied that Ms Wallace denied access to water as a punishment. I accept Child 5, Child 17, Child 19 and Child 21 as witnesses of truth. I also accept the uncontradicted evidence given by Child 31, Child 37 and Child 34 as witnesses of truth. For reasons previously expressed, I give no weight to the evidence given by Parent 26. Ms Wallace denies that that she refused to allow players access to water as a punishment. I accept her evidence that at times she may have denied players access to water, but only for a short period until a training drill was completed or until she finished addressing the players during a break in play at a game.
471. During oral submissions Counsel for Ms Wallace advised me that this was a “oath on oath” issue. I agree.
472. The allegation has not been proved to my comfortable satisfaction.

11. Ms Wallace forced a child to continue to play when they were injured.

473. Netball Australia asserts that on [REDACTED] 2024 Ms Wallace directed Child 5 to return to the court when she suffered an [REDACTED] injury and thereby breached the 2024 Safeguarding Children and Young People Policy and particular clauses 3.1.2.1 and Section 3 of the Child Safe Practices.
474. It is common ground that on [REDACTED] 2024 Child 5 suffered a [REDACTED] injury. Child 5 was playing in an open team which was coached by Ms Wallace. In the second quarter she [REDACTED]. Child 5 was in pain and crying. She was assisted to the bench and received treatment from [REDACTED].



the first aid attendants. Parent 1 was present and said that Child 5 had suffered an injury to her [REDACTED]. Later in the same game, Child 5 returned to the court but, within 30 seconds, [REDACTED]. It was subsequently diagnosed that she had suffered an [REDACTED] and required a [REDACTED] reconstruction.

475. The dispute between the parties relates to whether Ms Wallace directed or ordered Child 5 to return to the court.
476. Netball Victoria relies upon the evidence of Child 5 as set out in paragraphs 101--112 of the Child 5 Affidavit. Child 5 also gave evidence (Transcript Day 1 pages 210-212). During cross-examination she deposed that Ms Wallace had said she wanted her back on court and that she was pressured by Ms Wallace to do so.
477. Ms Wallace relies upon her evidence and in particular paragraph 47 of her affidavit. In summary, she deposes Parent 1 said she thought Child 5 had injured her [REDACTED]. She did not ask Child 5 to go back on court and she did not put any pressure on her to do so. She stressed that she did not need Child 5 to play for the balance of the game. During her cross-examination, Ms Wallace acknowledged that she wanted Child 5 to go back on court, that she was responsible for the health of the players and that she got it wrong (Transcript Day 7 page 203).
478. Ms Wallace also relied upon the evidence of Parent 20. At paragraph 7 of the Parent 1 Affidavit, Parent 1 gives a detailed description of what happened. She confirms that she immediately told

Ms Wallace that Child 5 had suffered an [REDACTED] injury and not to put her back on court. Ms Wallace subsequently told Parent 1 that *"she was not happy to put Child 5 back on, but that Child 5 had insisted she wanted to continue playing"*.

479. At the hearing Parent 1 gave evidence concerning this incident. During cross-examination she deposed that it was ultimately the responsibility of the coach as to which players are substituted into and out of a game and she would not think that any coach would send a player back on court if the coach believed the player had ruptured an [REDACTED]. She agreed that irrespective of the wishes of the parent or player, a coach should not have allowed the player to return to court when the player had suffered a [REDACTED] injury, which was probably an [REDACTED] (Transcript Day 5 pages 163-166). The evidence of Parent 1 corroborates the evidence given by Child 5.
480. Having considered all the evidence I am satisfied that Child 5 had suffered what appeared to be a serious knee injury and wanted to return to the court. Regrettably these injuries are all too prevalent in netball. Ms Wallace was aware that a knee injury had occurred. An experienced coach, Parent 1, had told her that she believed the injury was an [REDACTED]. Notwithstanding this advice, Ms Wallace decided to allow Child 5 to return to the court. That substitution could not have occurred without her direction.
481. It was reckless to substitute a child who had suffered a serious knee injury back into the game. It exposed the child to a heightened risk of serious injury. I reject the evidence of Ms Wallace that she did not need the player to return to the court. I find that Ms Wallace believed that it would give the team the best chance of winning. Ms Wallace placed her desire to win over the physical well-being of the child. That was totally unacceptable.
482. Ultimately Ms Wallace accepted responsibility for this contravention. That admission was not made until 15 December 2025, during submissions by her counsel.



483. I am comfortably satisfied that Ms Wallace breached the 2024 Safeguarding Children and Young People Policy by substituting Child 5 into the game after she had apparently suffered a serious knee injury. Ms Wallace failed to have any regard to the physical well-being of the child.

12. Ms Wallace filmed a child who exposed their buttocks in training and shared the images with third parties

484. Netball Victoria makes the following allegations against Ms Wallace:

- (a) on 3 May 2021 Ms Wallace recorded and circulated a video of a girl exposing her buttocks. She then yelled at the girls calling them “disgusting trash” and “bush pigs”;
- (b) Ms Wallace then sent the video to Child 18, another coach; and
- (c) Ms Wallace later showed the video to Child 19 stated to Child 19, “*Look what your f*&!ing stupid friends did*” and showed her the video.

485. Netball Victoria relies upon the evidence of Ms Jade Fisher and Child 19, the complaint lodged by Parent 4 and Parent 24 dated 6 May 2025 (Exhibit 25) and the complaint lodged by Parent 22 (Exhibit 29 Court Book 669).

486. At paragraphs 58-62 of the Ms Jade Fisher Affidavit (Exhibit 5) she deposes:

“58. During a training session on a Monday night at Keilor on 3 May 2022 (sic), there were two girls who Tracy said weren't doing their warm-up properly. Based on previous conversations I had with Tracy, I knew she didn't like these girls. Tracy started recording the two girls and their friend. The girls were [REDACTED] at the time. The girls started to notice that they were being filmed and one of the girls pulled her pants down, exposing her buttocks to Tracy. Tracy continued to record.

59. Once Tracy had ended the video, she screamed at the girls and there was a big confrontation between them. Tracy was yelling at the girls, calling them "disgusting trash" and "bush pigs". The mother of one of the girls confronted Tracy about the incident after training.

60. I can't recall whether I gave Tracy a lift home that night, but either in the car on the way home or during a phone call from her on the way home, I recall that Tracy was laughing about the incident, saying, "I have their bums on video".

61. The next evening, while I was coaching at Parkville, Child 18, who was under 18 at the time, asked me whether I had seen the video. She said, "I have the video" and proceeded to show me footage of the girl exposing her buttocks at training. I could hear Tracy's voice in the video. Child 18 told me that Tracy had sent it to her. In this respect, I note that during the training session at which the video was taken I did not observe any other person have their phones out recording the girls in question.

62. Approximately 2 weeks after this incident, Tracy forwarded me an email she had received from Netball Victoria advising her that the parents of the young girls in the incident outlined above, had lodged a formal complaint regarding her behaviour. I assisted Tracy in formulating her reply to this complaint.”



487. At the hearing Ms Jade Fisher gave evidence about this matter (Transcript Day 2 page 6). She was cross-examined about these paragraphs (Transcript page 144). In summary, she deposed:

- (a) the event happened in 2021 that the two girls involved were Child 4 and Ms Child 24 were misbehaving and disrupting training;
- (b) Ms Wallace was not filming a drill. Ms Wallace took her phone out and commenced filming the girls;
- (c) one girl showed her buttocks. It was completely unexpected;
- (d) Ms Wallace called them trash and bush pigs; and
- (e) Child 18 showed the video to her and she saw some “zooming in” on the video.

488. At paragraphs 45-48 of the Child 19 Affidavit (Exhibit 12) she deposes:

“45. In 2021, I encouraged and got two of my friends, Child 4 and Child 24, to join Westside from Firetails.

46. In around 2021, I had heard girls in my team talking about Child 24 and Child 24’s mum getting into a big argument with Tracy after a training session. The girls said that Tracy was yelling and filming Child 4 and Child 24 and one (sic) the girls exposed her bum to the Tracy. I heard Tracy had called one of the girls something to the effect of a “pig”.

47. About a week or so after I was told this, Tracy approached me during a training session at Keilor and said words to the effect of “look at what your f!ing stupid friends did”, and then showed me a video on her phone of Child 24 and Child 4, and one of them exposing their bum (I can’t recall which girl it was). In the video recorded by Tracy, she zooms in on the bum as it is being exposed.*

48. I know it was Tracy’s phone because:

(a) firstly, I didn’t see anyone give Tracy a phone to show me the video; and

(b) secondly, the phone had a pink case which I recognised to be the same case that was on the phone that was always in Tracy’s possession.”

489. At the hearing Child 19 gave evidence about this incident (Transcript Day 2 page 208). In her evidence in chief, she deposes that she saw a copy of the video and it was shown to her by Tracy. She stated that Tracy zoomed in on the video (Transcript page 213).

490. On day 3 of the hearing Child 19 was recalled to continue her cross-examination (Transcript Day 3 page 104). She was specifically asked about the video and deposed:

- (a) that Ms Wallace showed it to her on her phone. Her mother was present when this occurred;
- (b) that the video zoomed in on one of the girls for about 5 to 10 seconds it showed one of the girls bending over, she was far away and it zoomed in on her. (Transcript page 105) She agreed with the suggestion that the girl was “mooning”; and



(c) that she was certain the zooming had occurred.

491. During cross-examination, it was put to Child 19:

- (a) that Ms Wallace never showed the video to her. She answered “*she did*”; and
- (b) that Ms Wallace never said “look at what your stupid friends do”. She answered “*She did say that*”.

492. Netball Victoria tendered an email from Parent 4 and Parent 24 to Westside and Netball Victoria (Exhibit 18 Court Book 667). In that email Parent 4 and Parent 24 lodged a complaint about the conduct of Ms Wallace which occurred on the previous Monday. It states in part:

“Coach Tracey Wallace abused, embarrassed and degraded my daughters and another girl, breaking nearly every rule in your code of conduct. The incident occurred after training when she called the girls over after training and told them not to bother showing up to the game the next night, they asked why and she unloaded on them. The words she used toward them were you are f%!ing feral, your trash, you have no respect for elders and also asked them what sort of people raised them. She yelled this at them in front of about 15 of their peers, didn’t even have the decency to speak to them in private.”*

“From the moment they walked into training she was filming them, for some reason and making them feel uncomfortable, so they retaliated by waving and being silly. Now I’m not sure what prompted her to record them, probably just a part of her bullying that has been going on for weeks, but I want these recordings deleted.”

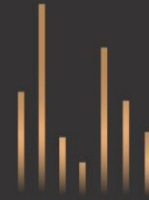
“After training the girls came outside quite upset, hurt and angry and I went to speak to Tracey as how dare she speak to teens like this.

I walked in and she took two steps away from her little group of sheep, and I said to her what happened what’s going on?

She responded with a mouthful of abuse telling me that I’m sure the girls told you, and they told me to go f%! myself to which I responded how dare you call them f*%!ing feral and trash after telling me she didn’t swear cause she doesn’t swear at kids, she then said yes I did call them feral, and the apple doesn’t fall far from the tree so your (sic) feral also. She then went on to say they don’t respect their elders and are trash and I must be so proud of the horrible kids I raised. As expected I saw red as how dare she speak to me and my kids like that, once again what bullies do.”*

493. Parent 22, the mother of another child present when the incident occurred, also lodged a complaint (Exhibit 29 Court Book 670). The complaint states, in part:

“During the training session, Ms Wallace proceeded to video record the girls frolicking (without consent) so she could show Mr Darren Abela (Head coach) afterwards. For a period of time, my daughter separated herself from the sisters and continued with her training. At the end of the session, as the three girls were exiting the facility, Ms Wallace called them back and shouted “Get the f%! out of here and don’t bother coming back to this club” to the girls in front of all their peers. These peers began laughing at the girls.*



The girls were stunned and in response one of the sisters cried, “You should not talk to 15 year olds like that and she swore back at Ms Wallace. Ms Wallace called the girls ‘feral’ and stated ‘they have been brought up badly’. Whilst this verbal abuse was occurring, my daughter walked out as she was overwhelmed by fear and humiliation!

My daughter was left completely distraught by Ms Wallace’s torrent of foul language, her tone and abuse. She has never been spoken to like that by anyone let alone an adult she looked up to. It took considerable time and effort afterwards to calm her emotions.”

“On Wednesday, I received a phone call from Ms Wallace who explained her version of events. Ms Wallace did not dispute my daughter’s aforementioned version. She claimed that her remarks to the girls (tirade of abuse) were more directed at the two sisters. In my conversation with Ms Wallace, she spoke about the disrespectful behaviour from the sisters, which I said I do not condone. I asked whether my daughter was involved which she replied ‘No’. I then said to Ms Wallace, “So apart from giggling and being silly what else did my daughter do?” Ms Wallace stated that my daughter had lied to her when she asked, “What were the sisters doing?” and my daughter replied “they were not doing anything”. Ms Wallace asked my daughter in front of the sisters rather than talking to her privately.”

“My daughter has played netball for a number of different clubs since she was 8 years of age. She has been popular and valued by all of her previous coaches and peers. She has shown the utmost respect to all of her coaches, including Ms Wallace. But she has been left psychologically and emotionally scarred by Ms Wallace’s outburst and no longer feels welcome, comfortable or safe playing at the Westside Saints Netball Club. As such, we have decided that she will not return to the club. It is bitterly disappointing that her time has ended in such circumstances.”

494. Ms Wallace relies upon her evidence and the evidence of Ms Jan Shultz (Exhibit 27).

495. At 23-26 of the Ms Wallace Affidavit, she deposes:

“23. On or about May 2022, I did take a video at training at the Keilor Netball Centre of the players engaging in drills with other coaches. I took this video with consent of the players parents. This consent is provided when players sign up to play with Westside as part of our terms and conditions. I can say that in more recent years there was a form that was signed by the parents but at the time I cannot recall if one existed, but it was always known that we would film drills at training and never done in secret.

24. On the same night I sent the video to another coach, Child 18, who told me that the video captured some of the players pulling their pants down and exposing their buttocks. I was not aware that the video depicted this at the time of sharing the video. Once I became aware of this, I spoke to the girls and said this behaviour was unacceptable. The girls then started accusing me of picking on them and the discussion became heightened. I told the girls Westside was not the club for them as they had been mucking around and not taking training seriously. After they left, their mother came into the stadium and abused me. I contacted Jan Schulz, President of the SACSNA at the time, by telephone to confirm what had happened. In the days that followed, I was advised by both Jan and Netball Victoria, that the mother of the girls, Parent 4, had lodged a formal complaint. I understand an investigation occurred and I was spoken to as to my role in the incident. I was asked to delete the video, which I did. I can’t say exactly when this occurred, but it would have been



no more than 48 hours after I took the video. I was also required to do an Online Safety Course, which I did.

25. I never showed the video to Child 19 nor said to her "look at what your f&!ing stupid friends did". Child 18, as a fellow Coach, was the only person I sent the video to, and I sent it before I became aware of the girls exposing their buttocks. I did not zoom in on the girls exposing their buttocks.*

26. I can't recall laughing about the video with Jade Fisher. I can only say that if said "I have their bums on video" it would simply have been a joke made between two adults after a difficult night at training."

496. During her evidence at the hearing Ms Wallace was asked questions about this incident. She was extensively cross-examined on this issue. She maintained the denials made in the Ms Wallace Affidavit. She also disputed the event as set out in the complaints lodged by Parent 4 and 24 and Parent 22. Ms Wallace does not recall the telephone conversation with Parent 22, which is referred to in her complaint.

497. At paragraph 6 of the Ms Jan Shultz Affidavit (Exhibit 27) she deposes that she became aware of this incident in or around June 2021 and that subsequently she received a complaint from Parent 4. She conducted an investigation and ultimately reported to Netball Victoria about the incident (Exhibit 30 Court Book 665).

498. Ms Jan Shultz gave evidence about her investigation at the hearing (Transcript Day 5 page 45). In summary she deposed that she conducted the investigation by interviewing the two girls and sent her report to Netball Victoria (Transcript 45). She stated that she had never done any investigation before. During cross-examination she was asked many questions concerning the investigation. She deposed:

"I've asked Tracy about her language and she said she was so upset at the heat of the moment she can't even remember anything that she was saying. She was just so angry with the girls that they would disrespect everybody and do what they did." (Transcript page 91).

499. It appears that she had not interviewed Ms Jade Fisher or any other coach or parent who was present. None of the other children were interviewed.

500. I have carefully reviewed all of the evidence given by the witnesses about this issue. I am comfortably satisfied that Ms Wallace used her phone to make a video of Child 4 and Child 24 because of their poor behaviour. There is no evidence to suggest that the parents had consented to the video. She wanted to show the video to the head coach. Whilst she was videoing the girls, one of the children "mooned" her. Ms Wallace took this as a sign of disrespect and a challenge to her authority. She flew into a rage and abused the girls in front of the other children at training. She called them *"disgusting trash and bush pigs"* She sacked them from the club, effective immediately. Her anger and rage were also directed at Child 22, who had the temerity to ask Ms Wallace what the children had done. Child 22 was also summarily sacked from Westside.

501. That abuse was witnessed by Ms Jade Fisher. Ms Wallace sent that video to Child 18, who was also a coach. Ms Wallace discussed the video with Ms Jade Fisher that night. Insofar as there may be a conflict of evidence about this conversation, I have no hesitation in accepting the version given by Ms Jade Fisher. It provides compelling evidence that Ms Wallace did not think



she had done anything wrong by recording the video. When the conversation occurred, she was aware that it displayed the “moonling”. I also accept the uncontradicted evidence of Ms Jade Fisher that Child 18 showed her the video the next evening. I am satisfied that Ms Wallace circulated the video to Child 18. There is no evidence that the video was shown by Child 18 to anyone else. Child 18 and Mr Darren Abela were not called to give evidence at the hearing.

502. Child 19 gave compelling evidence that she had no involvement about the issue until she was shown the video by Ms Wallace. I accept her evidence that Ms Wallace showed it to her and told her how stupid her friends were. She gave a detailed description of what she saw. She identified that it was Ms Wallace’s phone. In particular, she gave evidence that the video showed a “zooming in” to reveal one girl, not two, mooned Ms Wallace. She described that the video commenced with a body standing far away and zoomed into a close-up of the “moonling”. It is unclear when Ms Wallace deleted the video. What is clear is that it was shown to Child 19 before it was deleted. I have no hesitation in accepting Child 19’s evidence on this matter. I reject the evidence given by Ms Wallace that she did not show the video to Child 19.

503. I am comfortably satisfied that Ms Wallace breached the 2017 Code of Conduct by:

- (a) videoing a child who had “moonling” her. The child had exposed her anal or genital regions contrary to the Crimes Amendment (Sexual Offences) Act 2016;
- (b) taking and distributing the video without the consent of the parents;
- (c) shouting at, abusing and belittling children in an inappropriate manner and in the presence of other children;
- (d) showing the video to Child 19 and telling her *“Look what your f*&ling stupid friends did”*;
- (e) circulating the video to Child 18; and
- (f) not deleting the video as soon as she became aware that it depicted a partially naked child.

13. Ms Wallace encouraged and assisted a child to take medication in the form of the morning after pill without the knowledge of her parents

504. Netball Victoria asserts that in March 2024, after inquiring about and being told that Child 5 had had sex, Ms Wallace persuaded her to take the morning after pill and arranged for Child 18 to acquire it for her.

505. Netball Victoria asserts that this conduct breached the 2024 Safeguarding Children and Young People Policy by supplying a medication to Child 5 and by failing to maintain professional boundaries.

506. Netball Victoria relies upon the evidence of Child 5 at paragraphs 76-82 of the Child 5 Affidavit and her evidence at the hearing.

507. In summary Child 5 deposes:

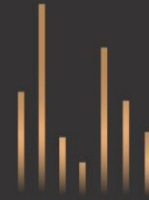
- (a) in March 2024 during a conversation at Keilor Stadium Ms Wallace asked if Child 5 had had sex;



- (b) Ms Wallace then said that she needed to take the morning after pill. Ms Wallace said she would arrange it and that she should not tell her mother;
 - (c) another coach, Child 18, gave her a morning after pill and she took it; and
 - (d) she took the pill because Ms Wallace had sway over her and manipulated her into doing what she was told.
508. Child 5 gave evidence at the hearing (Transcript Day 1). In evidence in chief, she stated that Ms Wallace told her not to tell her mum because her mum would not allow the boyfriend over any more. During cross-examination she denied that she had “skipped” into training and told Ms Wallace she had had sex the night before. She stated that Ms Wallace said “Don’t tell your father”. Child 5 stated that she did not tell her mother until February 2025 and that when the mother heard about it, she became very angry.
509. Ms Wallace relies upon her evidence set out at paragraphs 16 and 27 of the Ms Wallace Affidavit. She asserts that on the day Child 5 came to training and was excited and told Ms Wallace that she had sex. There was discussion about whether the sex was safe and she told Ms Wallace she had not used any protection. She asserts that Child 5 asked her if she could get the morning after pill for her and she made those arrangements. Ms Wallace denies that she told Child 5 not to tell her mother about taking the pill.
510. Ms Wallace was cross-examined about this incident (Transcript Day 7 page 41). She stated:
- “I did. I asked her whether she was on the pill and she replied yes, but I don’t take it very often. I’m very irresponsible. I then asked her whether she had used a condom and she said no. And then I said, so you’ve had unsafe sex. And she said yes. And I said, oh, dear, she said, don’t worry, it’ll be OK. My friends at school said I’ll be OK. I’ll be safe. And I said that’s not entirely true. You don’t know that. She said, oh, her face dropped and I said you may need to get the after pill. And she said, oh, how do I do that? I don’t have a car. I said I can call Child 18 to arrange that. Who hadn’t left home yet for training one of the older coaches called Child 18. And then while that was happening, I explained to her the seriousness of not having safe sex. Child 18 arrived at training and Child 5 went to the bathroom with her. After that, when Child 5 came back in, I’d said to her, you need to speak to your parents about this. She begged me not to say anything to her mum and I’d said to her as long as you promised me that you will speak to mum in the next couple of days and she agreed”.*
511. Ms Wallace disputed the evidence given by Child 5. She stated she had the conversation because she had a “very close relationship with the family”
512. I have carefully reviewed all of the evidence concerning this allegation. Insofar as the evidence given by Ms Wallace contradicts the evidence given by Child 5, I accept the evidence of Child 5. In particular I accept that Ms Wallace told Child 5 not to tell her mother.
513. During oral submissions, counsel for Ms Wallace conceded that her conduct breached the 2024 Policy. This was an appropriate concession.
514. The evidence clearly demonstrates:



- (a) the willingness of Ms Wallace to engage in conversations about any aspect of a child's personal and social life;
 - (b) the failure by Ms Wallace to shut down an inappropriate conversation, even if it was raised by the child;
 - (c) that Ms Wallace took it upon herself to arrange for a medication to be supplied to and taken by a child;
 - (d) Ms Wallace did not seek the parents' consent about providing a medication to the child;
 - (e) Ms Wallace did not advise the parents that she had provided the medication to the child;
 - (f) Ms Wallace did not report the conversation to anyone at SACSNA or Westside; and
 - (g) Ms Wallace had failed to maintain any professional boundaries as required by the 2023 Child Safeguarding Policy.
515. I am satisfied that Ms Wallace knew of the general terms of the 2023 Child Safeguarding Policy but was unaware of its precise terms. Had she known, she would have been aware that the Policy expressly prohibited her from supplying any medicine to a child unless she had the consent of the parent (see Section 3.1.2.9 the 2023 Child Safeguarding Policy).
516. Ms Wallace asserted that she had the conversations and supplied the pill to Child 5 because she believed there was a close family relationship and she was like a "second mother" to Child 5. Whilst there was some relationship between Child 5's father and Ms Wallace's partner, that relationship did not involve Ms Wallace. Her involvement with Child 5 only commenced in 2022, when Child 5 was a child. Any perceived relationship did not relieve Ms Wallace of the professional boundary obligations under the 2023 or the 2024 Policies.
517. I find that Ms Wallace pursued an inappropriate friendship with Child 5 and saw herself as a second mother figure, a view which was not held by Child 5 or her mother, Parent 5.
518. I am comfortably satisfied that Ms Wallace breached the 2024 Safeguarding Children and Young People Policy by:
- (a) supplying medication to a child;
 - (b) engaging in conversations about the child's personal and social life;
 - (c) telling the child not to discuss these matters with her mother; and
 - (d) failing to maintain professional boundaries.



16. Ms Wallace arranged for a child to sell spare tickets to an event at [location A] in their swimwear to maximise sales and subsequently commented on their breasts to that effect.

519. Netball Victoria makes the following allegations against Ms Wallace:

- (a) in December 2024, Ms Wallace arranged for Child 5 and Child 1 to sell spare tickets to an event at [a location] in their swimwear to maximise sales, which resulted in an older man making sexualised comments towards them; and
- (b) Ms Wallace commented on Child 5's breasts.

520. Netball Victoria asserts that the conduct is a breach of clause 4(b) of 2024 Safeguarding Children and Young People Policy which requires Ms Wallace to ensure the supervision of the children and to prioritise their safety and well-being.

521. These allegations relate to an end of year celebration at [location A]. It is common ground that coaches, parents and children purchased tickets for the event in advance, but some parents could not attend. Parent 1 and Parent 5 were present at the park. Ms Wallace attempted to resell the unwanted tickets and arranged for Child 5 and Child 1 to go out the front of [location A] and try to resell the tickets. At the time Child 5 was dressed in a bikini. Whilst the girls were attempting to sell the tickets they were approached by an older man who sought details of Child 5's Snapchat account. All of the unwanted tickets were sold. When the girls went back inside [location A], Child 5 told Ms Wallace and some parents what had happened.

522. At paragraph 96-97 of the Child 5 Affidavit, she deposes that Ms Wallace said words to the effect *"that's exactly why I sent out there, I knew people would buy tickets of (sic) you with your boobs out"* and she felt objectified and used by the comment.

523. At paragraphs 20 and 21 of Ms Wallace Affidavit she denies saying that comment but states that there was a conversation where she said *"that wouldn't have happened if I went out"* and the mothers present all laughed.

524. During the hearing Ms Wallace was cross-examined about this issue. It was put to her that she made the comment about the "boobs out" in a poor attempt at humour. She stated she did not make the comment but agrees that there was some light-hearted conversation concerning her body: *"And that was me saying, you know, I'm 55 years of age in my track pants."*

525. At paragraphs 8 and 9 of the Parent 1 Affidavit, she deposes:

- (a) that she was aware that the girls were going outside to sell the tickets as her daughter had asked her if it was okay;
- (b) after the girls returned for the second time, Child 5 was boasting about how successful she had been and mentioned the conversation with the older man. Parent 1 described the conversation with the man about the Snapchat account as gross and Child 5 said she would delete the account. This conversation happened in the presence of Parent 5, Child 5's mother, and other parents;
- (c) she said that she told the girls they should stop selling the tickets; and
- (d) she does not recall any conversation concerning Child 5's body.



526. Parent 1 gave evidence about this matter (Transcript Day 5 page 155). During cross-examination she deposed that her daughter had approached her and asked permission to sell the tickets outside.
527. The Parent 5 Affidavit does not refer to [location A]. At the hearing Parent 5 gave evidence about it (Transcript Day 3 page 141.) She deposed that she was at [location A] and was in the vicinity when Child 5 returned but did not hear the conversations. She states that she became aware of the conversations in the car on the way home.
528. In relation to the first allegation, I am satisfied that Ms Wallace acted appropriately in recruiting the girls to sell the unwanted tickets. The girls were to be paid from the proceeds. The girls were at a waterpark. It is hardly surprising that they were dressed in swimwear.
529. The mothers of both girls were responsible for the supervision of their children whilst they were at [location A]. They were aware that their children were dressed in swimwear, and that was perfectly acceptable. Child 1 spoke to her mother and got her approval to sell the tickets. Obviously, she knew what her daughter was wearing and did not raise any objection.
530. I am satisfied that Ms Wallace gave no direction about what clothing Child 5 should or should not have worn while selling tickets. Child 5 does not give any evidence that Ms Wallace gave any direction about what she should, or should not wear when trying to sell tickets.
531. It is unfortunate that Child 5 had the unwanted conversation with the older man. But that behaviour could have occurred at any time at [location A]. Ms Wallace was not responsible for that conversation.
532. I am satisfied that this allegation should be dismissed.
533. The second allegation relates to comments attributed to Ms Wallace when the children returned on the second occasion.
534. Having considered all of the evidence I am not comfortably satisfied that Ms Wallace commented about Child 5's body. It is common ground that after the girls returned, there was a conversation about the success at selling the tickets and the approach by the older man. I accept that this conversation was a light-hearted conversation which was mainly directed to the success the girls had achieved in selling the tickets. Ms Wallace denies making the comment but admits to making a self-deprecating comment about her own body. Child 5 did not make any contemporaneous complaint about the comment. Parent 1 was present during this conversation but does not recall the comment.
535. I am not comfortably satisfied that Ms Wallace commented on Child 5's breasts. Even if the comment as asserted by Child 5 was made, I am not satisfied there has been any breach of 4(b) of the 2024 Safeguarding Children and Young People Policy.



17. Ms Wallace threatened to negatively impact a child's netball pathway if they did not meet her expectations in terms of playing and non-playing reasons.

536. This allegation canvasses Ms Wallace's interactions with players and parents between 2017 and

2025. Netball Victoria asserts that the conduct alleged is in breach of the 2017 Netball Victoria Child Safety in Netball Code of Conduct, the 2023 Child Safeguarding Policy and 2024 Safeguarding Children and Young People Policy.

537. A substantial amount of the affidavits and evidence relates to the events surrounding this allegation. It is necessary to analyse the evidence submitted by the parties about each event and provide detailed reasons.

538. There are two overlapping elements to this allegation:

- (a) a general allegation that Ms Wallace frequently said that she would take actions and jeopardise a child's netball pathway if they did not meet her expectations including, in general terms, loyalty, parental involvement, competing for teams outside Westside, stating a desire to leave or leaving Westside and failing to respond to Ms Wallace's excessive phone calls; and
- (b) specific events and statements made by Ms Wallace between 28 May 2017 and June 2024.

539. Netball Victoria relies upon the evidence of Parent 21, Ms Jade Fisher, Child 19, Child 5 and Parent 14.

540. At paragraphs 19-22 of the Parent 21 Affidavit (Exhibit 4) he deposes (in summary):

- (a) that Ms Wallace would often say she was going to ruin a girl's opportunity to get onto a Netball Victoria Pathway program if they left the club,
- (b) that Ms Wallace would talk poorly about players who she felt were not being loyal to her or had left the club and she could do something about it,
- (c) on a number of occasions Ms Wallace said "I'll speak to my mates at Netty Vic",
- (d) Ms Wallace intervened on a player's representative pathway and cited 2 examples:
 - (i) in 2022 Ms Wallace contacted a State coach, Ms Stacey Gannon to tell her that his daughter, Child 3 would not be available for a state team training event
 - (ii) in 2021 a player (subsequently identified as Child 33) approached him advising Ms Wallace had told the VNL coach not to play her because it would mean she was not available for the Championships.

541. Parent 21 gave evidence at the hearing (Transcript Day 1 page 296). During cross-examination about these issues he deposed:

- (a) that Ms Wallace would talk to her friends at "Netty Vic" about impacting player pathways, including Talent Identification Pathways and VNL pathways (Transcript page 337);



- (b) that it was common for coaches to talk about availability of a player between various teams;
- (c) that in relation to Child 3, he disputed that it was appropriate Ms Wallace approach the State Coach to tell her that Child 3 could not attend;

“It was to be at the event on time, which also included a team presentation, so it was deemed to be quite significant event for that State team and we’ve given plenty of full warning and at no point in giving Tracy any sort of authority to contact the coach on Child 3’s behalf” (Transcript page 342).

542. At paragraphs 65-78 of the Ms Jade Fisher Affidavit (Exhibit 5) she deposes, in summary:

- (a) Ms Wallace would frequently threaten players’ netball pathway if they or their parents did or said anything which she didn’t agree with or that upset her (paragraph 65);
- (b) Ms Wallace would threaten a player’s pathway when the player said they wanted to leave Westside *“if you leave in (sic) think you’re going anywhere, I’ve got connections, I am going to tell people what you’re like, no one wants a troublemaker, no one wants the drama associated with you”* (paragraph 66) and that similar threats were made when the player wanted to apply for a transfer;
- (c) in May 2017 a parent argued with Ms Jade Fisher about the daughter’s court time. Ms Wallace said that she would *“f*! up her pathway”* and *“teach [REDACTED] a lesson”* (paragraph 68);
- (d) in February 2023 Ms Wallace stated that she was going to get the transfer for Child 45 blocked so that the child could not compete against Westside the following week (paragraph 69);
- (e) Ms Wallace stated that she knew persons of influence in the Talent Identification Program and would use her influence to get players to selection trials and, on several occasions, affect the selection process (paragraphs 70-71); and
- (f) that on several occasions Ms Wallace would tell players that they needed to choose Westside commitments over the VNL or State commitments.

543. Ms Jade Fisher gave evidence at the hearing (Transcript Day 2 page 6). During cross-examination about these issues, she deposed, in summary:

- (a) that she specifically recalled the incident involving Child 25 because she was abused by her mother and Ms Wallace said that she was going to ruin her pathway (Transcript page 99);
- (b) that Ms Jade Fisher prioritised representative and State training over domestic matches;
- (c) it would be normal for conversations to occur between Westside coaches and the VNL club coaches when a player was still eligible to play with Westside (Transcript page 111); and
- (d) that at Westside player transfers were made by Pam who asked Ms Wallace who had the ability to delay the transfer for 7 days. On a number of occasions Ms Wallace delayed transfers so that the player could not compete against Westside (Transcript page 96).



544. At paragraphs 38-44 of the Child 19 Affidavit (Exhibit 12) she deposed, in summary:

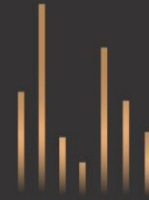
- (a) that it was common for Ms Wallace to speak poorly about opposition players particularly those who had left Westside;
- (b) in 2022 Ms Wallace made comments about a former player, Child 27 that she was a dirty player, a b!%h that you should stay away from her and *"I'm going to make sure she doesn't make it I have the connections at Netty Vic"* (paragraphs 40-42); and
- (c) that in 2022 Ms Wallace said to her *"I hope you know you'll never make it at the VNL if you leave"* and she took that to mean she would speak to her connections or friends at Netball Victoria (paragraphs 43-44).

545. Child 19 gave evidence at the hearing. (Transcript Day 2 page 208) During cross-examination about these issues she deposed, in summary:

- (a) that she was unaware of allegations about her friend Child 27;
- (b) Ms Wallace had told her that Child 27 was a b!%h and to stay away from her;
- (c) that the term "dirty player" is used in sport to refer to an unfair player;
- (d) that Ms Wallace said she was going to affect Child 27's pathway;
- (e) she did not know of the connections that Ms Wallace may have had at Netball Victoria;
- (f) she had been told by others about one girl who had been affected but had no direct knowledge herself;
- (g) that Ms Wallace had told her when she started trolling for VNL clubs "multiple times" that *"I hope you know you'll never make it at the VNL if you leave"*; and
- (h) she spoke to her friend Child 34 about this who told her that the best place to be was with Ms Wallace.

546. At paragraphs 56-57 of the Child 5 Affidavit (Exhibit 1) she deposes, in summary:

- (a) it was a recurring theme during her conversations about loyalty and about how Ms Wallace felt betrayed by a number of girls who had left her;
- (b) that Ms Wallace would say that she would speak to her contacts at Netball Victoria to make sure they didn't get talent identified;
- (c) she gave 2 examples, Child 3 and Child 42;
- (d) she was told by Ms Wallace that if she played for her school, she would not be coaching the under ■■■s team at Westside and *"that if you play for the school, you are not loyal to me,"*;
- (e) she gave another example involving a player Child 43; and



- (f) in October 2024 Ms Wallace threatened to fire Child 5 if she did not answer her calls “*you can’t coach at Westside*”.
547. Child 5 gave evidence at the hearing (Transcript Day 1 page 25). During cross-examination about these issues, she deposed, in summary:
- (a) she didn’t have any concerns about her pathway as she ruptured her [REDACTED] in 2024 (Transcript page 138); and
 - (b) she admitted she had told other people that she wasn’t playing netball at her school because she didn’t want to play for that coach, but that was not the reason why she gave up school netball. The real reason was that Ms Wallace had said that if she played netball at school, she wouldn’t have a job at Westside (Transcript page 155).
548. At paragraphs 32-52 of the Parent 14 Affidavit (Exhibit 13) she deposes (in summary):
- (a) that between 2015 and 2019 Ms Wallace regularly said that she would destroy players ability to get onto the pathway programs;
 - (b) in 2017 Ms Wallace said “*I’m going to f*&! Child 25’s pathway*” and “*I know everyone at Netball Victoria*” (paragraph 38-40);
 - (c) in late 2018 early 2019 Ms Wallace told her about Child 44, who was [REDACTED] years old. Ms Wallace said “*I am going to wreck her pathway, I’m going to tell Darren*”;
 - (d) that on a few occasions Ms Wallace explained her connections at Netball Victoria, including with Ms Stacey O’Neill, Sue and Shane, “*Love me and you’ll do anything for me*”, and that she is the leading trainer and gets all the school clinics;
 - (e) Ms Wallace told her that “*you need to learn to play the game. If you don’t play the game, your daughter’s not going anywhere*”; and
 - (f) Ms Wallace told Parent 14 that she was not happy with her daughter playing State Titles because it would impact upon her ability to play at Westside. When Parent 14 said the daughter was playing at the State Titles, Ms Wallace told her daughter that: “*I told you not to participate at States, now you’re not training*” and “*you should be putting Westside first.*”
549. Parent 14 gave evidence at the hearing (Transcript Day 3 page 1). During cross-examination about these issues, she deposed, in summary:
- (a) Ms Wallace would frequently say about her contacts at Netball Victoria:

“So she she (sic) would say that I have contacts within Netball Vic. Some of those contacts included Stacey O’Neill, who I knew from, I don’t know her personally, but I knew that she was indeed involved with the pathway because my daughter had progressed a fair way along the pathway. So she told me that she was, I can’t remember the specific words that she used, but words to the effect of that she was their number one trainer and that’s why she got all the training clinics in the school holidays with all the kids. That’s why she was preferenced (sic) to go to all the school programme clinics. And. She would say to me often: “These people f&! with me; I’ll f*&! with them.” (Transcript page 54);*



- (b) she did not know whether Ms Wallace had spoken to Ms Stacey O'Neill about pathways; and
- (c) that she maintained her allegations concerning netball pathways.

550. Ms Wallace relies upon her evidence. At paragraphs 55-64 of the Ms Wallace Affidavit (Exhibit 44) she deposes, in summary:

- (a) that the only time she contacted Netball Victoria to stop a clearance would be because of outstanding money and/or uniforms;
- (b) she has never threatened to negatively impact a child's netball pathway and denies the allegations made by Parent 21, Ms Jade Fisher and Parent 14;
- (c) she did not block Child 45's transfer;
- (d) she did communicate with State Coaches but not to impact on a player's pathway;
- (e) she doesn't recall talking to Child 19 about Child 27 in 2022;
- (f) she denies speaking or negatively threatening to impact Child 25's pathway;
- (g) she denies she told Child 5 that if she played school netball, she would lose her coaching position at Westside; and
- (h) she denies ever threatening to ruin a player's pathway or telling any player or parent that she had the power to influence Netball Victoria.

551. Ms Wallace gave evidence at the hearing about these issues (Transcript Day 6 page 139 and Day 7). During her evidence in chief, she deposed that she did have a conversation with the VNL coach of Child 46 *"it was very common to have a chat with VNL coaches"* (Transcript Day 6 page 153). She also denied that she told anyone that she was going to f*&! up Child 25's pathway (page 147).

552. During cross-examination about these issues Ms Wallace deposed, in summary:

- (a) that she did tell people that she knew people at Netball Victoria, but denied getting the clinics through those contacts (Transcript Day 7 page 223);
- (b) that she recalls after the parent complained in 2017 and she went to McDonalds with Parent 14 and Ms Jade Fisher, but denied saying she would f@!% up the child's pathway to treat the mother a lesson. *"Absolutely not. I've done the opposite"*. She states that the conversation did not happen (pages 225-6);
- (c) that a conversation with Child 19 about Child 27 occurred, but denies she told Child 19 she would make sure Child 27 did not make it;
- (d) that she did not tell Child 19 in 2022 that she would not make it (page 229); and
- (e) that she did not have the conversations with Child 5 concerning her pathways.



553. Netball Victoria relies upon specific allegations. The evidence supporting most of these allegations is summarised above.
554. In relation to the allegation concerning Child 2, Netball Victoria relies on the Parent 2 Affidavit (Exhibit 16). At paragraphs 19-22 of the affidavit she deposes, in summary, because of Ms Wallace's bad behaviour she decided to take her daughter out of Westside and sent a pleasant and thankful text to Ms Wallace to avoid retribution. At a game in September 2023 at Parkville, she *"saw Tracy clap in front of the Child 2's face right after this happened, so as to clap her mistake in her face."* (Paragraph 22).
555. Parent 2 gave evidence about this issue at hearing (Transcript Day 3 page 207). She was cross-examined and maintained that the event occurred (Transcript page 241-242). Netball Victoria submits that Ms Wallace:
- (a) pre-emptively sought to instil a culture of fear and compliance in order to dissuade the players from considering leaving Westside at all (Respondent's Submissions Paragraph 131); and
 - (b) created a wide-ranging and pervasive culture of fear and intimidation amongst the teams and players that she coached (Respondent's Submissions paragraph 136).
556. I have already made findings about the culture adopted and embraced by Ms Wallace and the manner in which Ms Wallace spoke to parents and children (see for example my findings concerning Allegation 2). It is unnecessary to recite those findings. I have considered those findings in reaching my findings on this allegation.
557. I have already made findings concerning the inappropriate contact with Child 5. It is unnecessary to recite those findings. I have considered those findings in reaching my findings on this allegation.
558. The allegations against Ms Wallace are that she told others that she would affect the pathways and had the contacts at Netball Victoria to make that happen. I am comfortably satisfied that those statements were made. I am not required to make findings as to whether Ms Wallace actually had the contacts within Netball Victoria to make good on her threats.
559. I prefer the evidence of Parent 21, Ms Jade Fisher, Child 19, Child 5 and Parent 14 in relation to the specific allegations. Ms Wallace wanted to instil loyalty and respect to Westside and to Ms Wallace as the head coach. I find that Ms Wallace made those statements to intimidate the parents and instil the culture of unqualified compliance to the demands of the coaches. She wanted the parents and children to be scared of her. The statements as set out in the specific allegations were made to coaches, parents and children as a mechanism to achieve that goal.
- Ms Wallace denies making most of the statements set out in the specific allegations. I reject those denials.
560. It may be appropriate for a head coach to talk to coaches in Netball Victoria about players. There may be regular discussion about the strengths and weaknesses of an individual player. The mere fact that Ms Wallace may have discussed a player in these terms does not establish that she has negatively impacted a child's netball pathway. That is not what is alleged against Ms Wallace. For example, Parent 21 alleges specific matters concerning his daughter and her availability to



attend State training. The conversation with Ms Stacey Gannon should not have occurred without his consent.

561. I am comfortably satisfied that between 2017 and 2024 Ms Wallace threatened to negatively impact a child's netball pathway if they did not meet her expectations in terms of playing and nonplaying reasons.

562. I am not satisfied that the conduct alleged by Parent 2 constitutes a breach of the 2023 Child Safeguarding Policy. Child 2 had left Westside. I accept the uncontradicted evidence of Parent 2 that Ms Wallace clapped in the face of Child 2 when she made a mistake on the court. I treat this conduct as a form of sledging. It might be generally improper, but I am not satisfied it is a breach of the 2023 Child Safeguarding Policy or the 2023 Member Protection Policy.

20. Ms Wallace punished four children for behaviour on a 2025 pre-season camp by using inappropriate language, forcing them to swim underwater in a swimming pool in front of their peers, causing them to be humiliated.

21. That during the alleged 2025 camp punishment, Ms Wallace forced one of the 4 children to change their clothes in front of their peers.

563. Netball Victoria asserts that on [REDACTED] 2025 a pre-season training camp was held at Glenmore (the **Training Camp**). Whilst at the Training Camp Ms Wallace breached the 2024 Safeguarding Children and Young People Policy by:

- (a) punishing four girls – Child 6, Child 23, Child 36 and Child 30 – by forcing them to get changed in front of the other girls and swim with their heads underwater (in circumstances where the pool appeared to have a significant algae problem). The girls were uncomfortable and humiliated (Allegation 20); and
- (b) requiring all girls to get changed in front of the other girls in the open and, in particular, this meant that Child 30 was required to cover herself as best as possible to avoid exposing her breasts (Allegation 21).

On 8 February 2025 Parent 23 lodged a complaint about what happened at the Training Camp (Court Book 405).

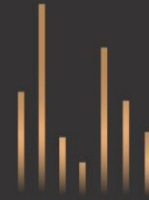
564. Netball Victoria relies on the evidence of Child 30, Child 5, Child 36 and Parent 23.

565. Netball Victoria relies upon the Child 30 Affidavit. She was not required to attend for cross-examination. In the affidavit, she deposes:

- (a) at the time of the Training Camp, she was [REDACTED];
- (b) she attended the Training Camp after having minor foot surgery;
- (c) Ms Wallace told her to go and get changed and to meet outside the cabin. She started talking to another coach, Parent 1, and was late getting to the pool;
- (d) that when they arrived at the pool Ms Wallace “*was angry and started screaming at us saying words to the effect you girls never listen*” and told them to get into the pool;



- (e) Ms Wallace was so angry she was afraid to tell her that she couldn't get her foot wet. Initially she did not get in the pool but Ms Wallace pointed at her and screamed "*get in the pool now, stop pretending you're not one of them*";
 - (f) she was still dressed in her running gear and she tried to change into a sports bra at the side at the pool. She had to try and hide her breasts in front all the other girls at the camp and was embarrassed;
 - (g) when she got into the water Ms Wallace continued yelling and saying words to the effect "*start swimming*" and "*you need to put your hair underwater*"; and
 - (h) her friends and in particular Child 23 and Child 6 were really upset and crying quite a bit.
566. Child 36 swore an affidavit 20 June 2025 (Exhibit 14 Court Book 470). In the affidavit she deposes:
- (a) at the time of the Training Camp, she was ■ years old;
 - (b) the first day of the camp was very hot and she was required to do a lot of running activities;
 - (c) that she and her friends were late getting to the pool. As soon as the girls arrived at the pool Ms Wallace angry and started yelling:
 - "(a) 'you girls never listen';*
 - "(b) 'you're just making up excuses';*
 - "(c) 'I'm going to take your phones and call your parents';*
 - "(d) 'I'm the only coach you should be listening to';*
 - "(e) 'get into the pool ',"*
 - (d) she was shocked and jumped into the pool wearing the same running clothes. Ms Wallace then said:
 - "(a) 'get your hair wet'; and*
 - "(b) 'put you head under the water'."*
 - (e) whilst she was swimming Ms Wallace shouted "*you're going to get your phones taken off you*";
 - (f) she felt targeted and humiliated by Ms Wallace's "*attack*"; and
 - (g) After she got out of the pool Ms Wallace said something like "*you have to meet at the dining area before dinner, hand in your phones and set up dinner.*"
567. Child 36 gave evidence at the hearing (Transcript Day 3 page 114). In her evidence in chief, she deposed that the swimming was a punishment. She admitted that she was not required to hand in her phone and dinner. During cross-examination she deposed:



- (a) that she had been in a group led by Child 34;
- (b) that at the ropes course she had been mucking around;
- (c) that after the girls had been asked to change, she became involved in a conversation with Parent 1, another coach;
- (d) that she arrived at the pool 10 to 15 minutes later than the other girls;
- (e) that when she got into the pool there were only 2 junior players in the pool;
- (f) she did not recall whether Child 34 or Child 10 were in the water; and
- (g) that the other girls were sitting around the edge of the pool (Transcript page 126).

I asked Child 36 about the activities. She deposed that the pool was pretty shallow and “*she was crawling up and down the pool*”. She described it as “*it was kinda just a free swim*” and “*there was no set activity*” (Transcript page 129-130).

568. Paragraphs 113-126 of the Child 5 Affidavit relate to the Training Camp. In the affidavit she deposes:

- (a) that she did not get into the pool herself as the pool looked disgusting, green and murky;
- (b) the other girls had been splashing around the pool because it was hot, but none of them were required to put their heads underwater;
- (c) when Child 6, Child 23, Child 36 and Child 30 arrived at the pool they were dressed in their running activity clothing. The rest of the girls were “*sitting around the pool*”;
- (d) Ms Wallace seemed “*incredibly frustrated and angry*” when these girls arrived;
- (e) the girls were ordered into the pool and were told to “*start swimming*”, “*get your hair wet*” and “*put your head underwater*”; and
- (f) initially Child 30 did not get into the water and tried to change her clothing in front of all of the other girls. She looked “*distressed and embarrassed*”. Ms Wallace said to her “get into the pool, don’t act like you aren’t one of them.”

569. During her evidence at the hearing (Transcript Day 1 page 25 -244), Child 5 gave evidence consistent with her evidence at paragraphs 113-126 of the Child 5 Affidavit. She also deposed that the girls were made to swim as a punishment.

570. Child 5 deposes that when was driving home from the camp Ms Wallace rang her and:

“...told me that I had to come back to the camp right now because I didn’t say goodbye to her, even though I had. And she told me that if I didn’t come back right now, then I’d be out of the club. It wasn’t a safe place for me to turn around. I was going 100Ks down the freeway. So, I said no, I’m not coming back. And I hung up the phone. She then called me possibly eight times after that. On my way home, she called me another three or four times in the morning and then messaged me saying, hey, Child 5, you need sorry (sic). You need to call me back when you can. Sorry. And then I was on the phone to her for about 40



minutes. I told her that I wanted to leave. She became really upset, telling me she loves me just as much as she loved her own son and would I please reconsider leaving” (Transcript page 56).

571. Child 5 was cross-examined about the Training Camp. In summary, she deposed:

- (a) Child 6, Child 23, Child 36 and Child 30 had been off doing their own thing, but otherwise had participated in the activities (Transcript page 224);
- (b) the pool activity was optional and there was no defined activity;
- (c) the girls were screamed at and told to get into the pool. The girls were terrified. They were forced to get into the pool;
- (d) the other girls were *“just splashing around, piggybacking each other around in the pool.”* Most of the girls were sitting on the edge of the pool; and
- (e) that the events of that day were the final straw in terms of her relationship with Ms Wallace.

572. Parent 23 is the mother of Child 23. At paragraphs 5-15 of the Parent 23 Affidavit, she deposes to what her daughter had told her on the Sunday evening, when she returned from the camp.

She deposes Child 23 was *“crying uncontrollably for about an hour in front of me and Parent 8.”* As a result of this conversation, on 20 January she sent a text message to Ms Wallace removing Child 23 from Westside. The text is Annexure A to the Parent 23 Affidavit (Court Book 452). It states:

“Hi Tracy

This message is to confirm that Child 23 will no longer be part of Westside effective immediately. The bullying and humiliation she endured whilst in camp was disgraceful and after 10+ yrs of being part of Westside we are absolutely appalled.

The fact that we have had so many people reach out to see how Child 23 is confirms we are not the only ones that feel this way it really is a shame to end our relationship this way after all these years. I trust you will arrange for a full refund of Child 23’s fees.

Parent 23”

573. Parent 23 gave evidence at the hearing (Transcript Day 2 page 163). She was cross-examined about her affidavit and admitted that she solely relied upon what her daughter told her (Transcript page 172). She admitted that she had spoken to other parents about what happened at the pool and had decided to lodge a complaint (Court Book 452).

574. Ms Wallace relies upon her evidence as well as the evidence of Parent 1, Child 34 and Child 10.

575. At paragraphs 48-54 of the Ms Wallace Affidavit, she deposes to the events that happened at the Training Camp. In summary, she deposes:

- (a) when she arrived at the camp some of the girls expressed concern about the water in the pool;



- (b) she had received reports that the four girls were not taking the training seriously;
 - (c) during the afternoon on [REDACTED] 2025 the players were sent to the cabins to change before heading to the pool. The four girls were late;
 - (d) she rang Parent 1 who told her the girls were in the dining area;
 - (e) when the 4 girls arrived, they did not apologise for being late;
 - (f) She was *“annoyed with the girls for the disrespect they were displaying at the camp”*;
 - (g) she told the girls *“You are disrespecting your coaches and fellow team members get in the pool and swim and actually swim properly”*;
 - (h) she did not witness any of the girls getting changed and does not recall any of the girls giving a reason for not wanting to get into the water; and
 - (i) the four girls swam about 2 laps and the session was over.
576. The Ms Wallace Affidavit was filed after the witness statements of Child 30, Child 5, Child 36 and Parent 23 had been filed. Other than what is set out in paragraphs 48-54 of the Ms Wallace affidavit, she does not address the allegations made in these affidavits about the Training Camp.
577. At the hearing, Ms Wallace gave evidence about the Training Camp. In summary, during her evidence in chief (Transcript Day 6 pages 183-185) she deposed:
- (a) it was a hot day. The swimming activity was meant to cool them down, some swimming and some jogging;
 - (b) that she told four girls to get into the pool and get their hair wet because earlier in the day the girls told her they did not want to go swimming and wanted to sunbake. Ms Wallace said no and required the girls to do what everyone else did;
 - (c) she did tell the girls to get their hair wet, as they had to follow the routine;
 - (d) it was not punishment *“and I believe they wanted to sunbake and they knew they weren’t allowed to”*;
 - (e) that she did tell the girls that she was going to take their phones *“I’ll take your phones off you and put them away. If you are not going to do the activities properly”*; and
 - (f) that she did not need to take the phones from the girls to reach their parents as she had their numbers.
578. Ms Wallace was cross-examined about the Training Camp (Transcript Day 7 pages 204-222). In summary, Ms Wallace deposed:
- (a) that the use of the pool was an activity and not recreation. After the activity was completed, the girls could use it for fun time. Ms Wallace was then shown the written response she gave to the independent investigator:



1. *"This allegation is misinterpreted. TW did not intend to humiliate the girls who were punished. It was discipline for their behaviour that they displayed over the entire weekend. It was a hot day and the girls were using the pool to cool down and have some fun time";*

- (b) when the four girls arrived, she was "extremely disappointed" and "frightened". She raised her voice at them;
- (c) she told the girls "You never listen", that the girls may have said they were down with Parent 1 and she may have said "and you're just making up excuses";
- (d) that she did say that she may take their phones off them because they were using them;
- (e) that she did say that she would ring their parents, but at a different stage of the conversation;
- (f) the reason why there was a need for the girls to get their hair wet was:

1. *"Most of indeed (sic). But they made it clear to me during the day when they asked if they could sunbake. As I mentioned yesterday that they didn't want their hair to get messed up and wet. So, I said get your hair wet because I'd said to them throughout the day, you're going to be doing the activity and they wanted to sunbake instead";*

- (g) that she did not see Child 30 attempting to change into a sports bra:

1. *"Well, if she did get changed, it was very quick within the matter of a couple of seconds because she was probably only about 10 seconds behind the rest getting in the pool.";*

- (h) that she acknowledged receiving the text from Parent 23 and the events at the Training Camp had caused a breakdown with Child 6's mother;
- (i) she offered to resign because her father had suffered in a medical emergency and she was not in a good headspace;
- (j) that she did not bully or humiliate the children; and
- (k) that she "felt disappointed in myself that I didn't go with my gut instinct and ring their parents to come and get them".

579. I asked Ms Wallace a series of questions about the offer to resign:

"Well, the question which started all of this was sometime is why did you offer to resign?

I was not in a good headspace.

Yeah. Was it a reflection of your behaviour on the day with the hindsight, you realise you've done the wrong thing?

No, no. I was emotionally drained. I've been away for a couple of days on the camp. I'd given so much of my time to these kids and I'd had so many complaints from other parents



about the four kids. And their behaviour? It was just a lot with Dad then on top of that having cancer, I was exhausted to tell the truth, mentally exhausted.

So just to be clear, and I'm about to make a note of what you tell me, the reason you offered your resignation was not related to your behaviour on that day.

Yes. No.

Because you thought you'd done nothing wrong.

No.”

580. Parent 1 gave evidence concerning the Training Camp. (Transcript Day 5 page 106). There is no reference to the Training Camp in the Parent 1 Affidavit (Exhibit 31). Parent 1 is a [REDACTED]. During her evidence in chief she deposed, in summary:

- (a) she volunteered to help organise a trivia night at the Training Camp;
- (b) she was not present at the pool and did not hear or see what happened;
- (c) she was talking to the girls and received a telephone call from Ms Wallace wanting to know where they were. She sent them down to the pool;
- (d) she spoke to the girls later. They said that Ms Wallace made them swim and that she had told them that they needed to bring their phones and things to her (Transcript page 129). The girls told her that they were upset and they were pretty animated. They were speaking fast and very loud and talking over one another (Transcript page 131). She told the girls that they did not need to give their phones to Ms Wallace and she would speak to Ms Wallace; and
- (e) she deposed that she needed to step in because the girls needed their phones to contact their parents and she stressed the importance of that to Ms Wallace.

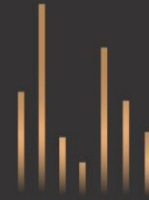
581. Parent 1 spoke to Ms Wallace that day. She deposed:

“She was pretty angry, she'd said that they'd been not cooperating all day, and that she'd had enough and that she was about to call their parents to come and get them, and that she'd asked for their phones. And I informed her that I said I don't think that you should be taking their phones off them.”

582. She also gave evidence about her concerns about forcing the girls to swim:

“None (sic). I did. It didn't sit comfortably with me that these, that these kids didn't want to get into the pool. And I told Tracy at the time and after the fact we have spoken. We had spoken about that and I said I think she might have overstepped.”

“None (sic). Well, I think because I had said to the girls, they had said to me that they didn't want to go to go to the pool and I said, well, she, she's looking for you, so you need to be up there. That's where you're supposed to be. And one of the girls that said, I don't want to swim. And I said, that's OK, just tell her that she can't make you get in the pool.”



"I told them that no one can make you get in that pool if you don't want to. Is what I told them."

583. Parent 1 was cross-examined about these matters (Transcript page 167-176). In particular she was asked whether she had conversations with Tracy after the Training Camp. She stated that Ms Wallace was upset and frustrated that people have thought she'd done the wrong thing (Transcript page 169). Parent 1 agreed that Ms Wallace was angry *"because they'd been misbehaving all day"*. She stated that she thought Ms Wallace *"thought that there was nothing wrong with what had happened."* When asked about the effect on the children she stated *"Yes, because I don't think that she thought that the children were upset"* (Transcript page 176).
584. Ms Wallace also relies on paragraphs 11-16 of the Child 34 Affidavit and paragraphs 6-10 of the Child 10 Affidavit. I have considered the evidence of these two witnesses. It is unnecessary for me to summarise their evidence in these findings.
585. I am satisfied that Ms Wallace had been made aware of the behaviour of the four girls and had spoken to them about it. During that conversation the girls said that they did not want to go into the pool and would prefer to sunbake. Ms Wallace was upset and angry by the conduct of the four girls on that day. She was disappointed that they had not taken the camp seriously and their conduct was disrespectful to Ms Wallace. Their conduct was a direct challenge to Ms Wallace's authority.
586. As Parent 1 correctly told the girls, before they went down to the pool, the girls could not be forced to go into the pool.
587. When the girls failed to come to the pool, Ms Wallace contacted Parent 1 and arranged for them to attend. Ms Wallace decided to discipline the girls by making them do the thing that they had told Ms Wallace they did not want to do – go into the pool. In the presence of all of the children, Ms Wallace made the decision to punish them for their perceived bad behaviour on that day. She yelled at them and angrily demanded that they get into the pool as a punishment.
588. During cross-examination Ms Wallace either agreed that she had said or done most of the things alleged by the girls, or that did not recall saying or doing them. By way of example, she agreed that she demanded that the girls hand over their phones. This was another attempt by Ms Wallace to punish the girls. Subsequently, the girls were not required to do so, as Parent 1 told Ms Wallace that she should not do that.
589. I am comfortably satisfied that the four girls were the target of unnecessary discipline designed to humiliate them. The issue to be considered is not the behaviour of the children. It is Ms Wallace's conduct by yelling at and disciplining the four girls in the presence of all of the younger girls at the pool and making the girls do exactly what she knew they did not want to do.
590. Her demand that the girls get their hair wet reinforces my opinion that Ms Wallace wanted to embarrass and punish the girls. Even if the girls required to get into the water to cool down, there was no reason to force them to get their hair wet.
591. Ms Wallace's behaviour at the Training Camp bears a striking similarity to the conduct associated with the facts in Allegation 12. On each occasion the children had behaved improperly, Ms Wallace treated that as a sign of disrespect and, in her rage, yelled at, demeaned, humiliated and abused the children in the presence of other children. On each occasion she had little recollection of what she had said or done because she was so angry.



592. I accept the evidence of Parent 1 that shortly after the four girls left the pool, they were in an excited state when they spoke to her. I accept that on that night Parent 23 received text and telephone calls from her daughter as to what had happened. The parents were rightly upset by the conduct of Ms Wallace. The parents of the children complained to SACSNA about the events at the pool. Those complaints provide compelling evidence of the psychological effect the Training Camp had on their children.

593. I am comfortably satisfied that on [REDACTED] 2025 at the Training Camp; Ms Wallace breached the 2024 Safeguarding Children and Young People Policy by:

- (a) humiliating, demeaning, abusing, yelling and screaming at Child 6, Child 23, Child 36 and Child 30 in the presence of children;
- (b) punishing these girls by forcing them to swim when Ms Wallace knew that the girls did not want to swim;
- (c) forcing these girls to get their hair wet; and
- (d) telling these girls that Ms Wallace would take their phones.

This conduct was to punish these girls for their perceived bad behaviour earlier in the day and to reinforce Ms Wallace's authority over the children at the Training Camp. It did not create an effective and positive environment for the well-being of the children.

594. I am comfortably satisfied that on [REDACTED] 2025 Ms Wallace breached the 2024 Safeguarding Children and Young People Policy at Training Camp by forcing Child 30 to change into a sports bra at poolside. I accept the evidence given by Child 30 that when she arrived at the pool, she was still dressed in her running gear and she tried to change into a sports bra at the side at the pool. She had to try and hide her breasts in front all the other girls at the camp and was embarrassed. Ms Wallace says that she did not see the incident occur. I reject Ms Wallace's evidence.

25. Ms Wallace victimised or fabricated stories about a child after they had left her team with the intention to harm them.

595. Netball Victoria makes the following allegations against Ms Wallace:

- (a) in 2019 Ms Wallace told Parent 14 that she maintained a file with "dirt" on parents or players that she could use if they were disloyal to her or they left Westside;
- (b) on [REDACTED] 2022 Ms Wallace said that a player who had left Westside "stunk of BO";
- (c) in July 2022, the Applicant had in her possession, and showed or distributed, a sexually explicit video of Child 35 (who was a former player at Westside) and called Child A a "sk+ #k" and "s@ \$t"; and
- (d) on [REDACTED] 2022 at Parkville, the Applicant abused Child 19 for inviting some girls – who were former Westside players – to her party but not her existing team members, and called Child 19 "disloyal" and stating other girls were "lying b!%;hes" and "disgusting". I have referred to this allegation as the *Party Invitation Event*.



596. I have previously considered the allegation concerning the “dirt file”. See Allegation 3 (c). It is unnecessary for me to repeat my reasons.
597. I am comfortably satisfied that Ms Wallace told Parent 14 she maintained a dirt file on parents and players. There is insufficient evidence for me to be comfortably satisfied that Ms Wallace actually had a physical file. Parent 14 gave cogent evidence that Wallace used social media to find out information about the private lives of players and their parents.
598. The allegation concerning Ms Wallace’s statement about a former player who “stunk of BO” arise out of the Knox Tournament. In the submissions filed on 19 December 2025 Ms Wallace admits this contravention. In summary, at paragraph 23 of the Ms Jade Fisher Affidavit she deposes that Ms Wallace was upset about Child 11 who had left Westside and that she would often state that this girl “stunk of BO”. Ms Jade Fisher gave evidence about this at the hearing (Transcript Day 3 page 23.) She stated that Ms Wallace made the comments to the under [REDACTED] team at the Knox Tournament and that Ms Wallace also stated “*Generally, she would say it to whoever was around and whoever was listening*” and that the child had left Westside and was now playing for a rival club.
599. During her cross-examination, Ms Wallace admitted that she did say that Child 11 stunk of BO but she could not remember when she said it. When asked further she stated “*No, she came over and hugged me. And I did say that she smelled of BO and the girls often commented, but probably wasn’t acceptable. No, probably not. Kind (sic) at all.*” (Transcript Day 7 page 128).
600. I am comfortably satisfied that Ms Wallace made a comment about a former Westside player to the [REDACTED] team at Knox. Ms Wallace did not provide any satisfactory explanation as to why she thought it was appropriate to make this comment to 13 and 14-year-old children. The comment was intended to belittle and denigrate Child 11, who was a former Westside player. Ms Wallace breached the 2017 Netball Victoria Child Safety in Netball Policy and the 2017 Netball Victoria Child Safety in Netball Code of Conduct.
601. I have already considered the allegation concerning the possession and distribution of the sexually explicit video. It is unnecessary for me to recite my findings. I am required to consider whether Ms Wallace used the words “sk+##k” and “s@t” and other derogatory words to describe Child 35.
602. Netball Victoria relies upon the evidence of Ms Jade Fisher and Parent 5. At paragraph 53 of the Ms Jade Fisher Affidavit she states: “*oh, so you can actually see her doing that? That’s disgusting what a s@t*”.
603. At paragraphs 15-17 of the Parent 5 Affidavit, she deposes:

“15. In June 2023, I took Child 5 to [REDACTED] Stadium for the [REDACTED] tournament.

16. As I was walking into the courts, we could see Parkville under [REDACTED]’s were playing.

17. Tracy and I were walking past the court where Parkville were playing and she nudged me and said “see that [REDACTED] girl over there? She’s a dirty b!%,h I will show you a video of her later”.



604. During her evidence at the hearing Parent 5 was cross-examined about her affidavit. It was put to her that the conversation never occurred. She deposed:

“It’s absolutely the conversation I had with (sic) at that time, and that is typical behaviour that Tracy would demonstrate when she’d point a girl out and say some random piece of information about her on that day. That is what she said to me” (Transcript Day 3 page 177).

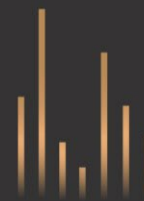
605. Ms Wallace relies upon her evidence. At paragraph 10 of the Ms Wallace Affidavit deposes that she did not show the video to Ms Jade Fisher or tell her that the child was a “s@t”. During her evidence she denied that she had described Child 35 as a s@t (Transcript Day 7 page 180). She also denied having the conversation with Parent 5 (Transcript Day 7 page 184).
606. The allegation that Ms Wallace used the expression “sk*#k” to describe Child 35 was made by Confidential Witness A. Netball Victoria does not rely upon that affidavit.
607. I am comfortably satisfied that Ms Wallace did call Child 35 a “s@t” and a “dirty b!%;h”. I find that Ms Wallace told Ms Jade Fisher, then an assistant coach, that Child 35 was a “s@t”. That conversation was a private conversation, but Ms Wallace should not have described the child in such a manner. I find that Ms Wallace told Parent 5, a parent of a child, that Child 35 was a “dirty b!%;h.” Once again this was a private conversation, but Ms Wallace should not have demeaned and denigrated the child in such a manner.
608. I have set out my findings concerning the Party Invitation Event earlier. It is unnecessary for me to repeat them in any detail.
609. I am comfortably satisfied that the events as described by Ms Jade Fisher and Child 19 occurred. Ms Wallace became angry when she found out only two members of the team had been invited to the party by Child 19. I find that Ms Wallace called Child 19 disloyal and that described the other girls as lying b!%;hes and disgusting. In doing so, she demeaned and denigrated Child 19, Child 27 and Child 21.
610. Ms Wallace thereby breached the 2017 Netball Victoria Child Safety in Netball Policy and the 2017 Netball Victoria Child Safety in Netball Code of Conduct.

27. Ms Wallace forced children to take part in punishments consisting of being required to run excessively with arms aloft the whole time.

611. Netball Victoria asserts that Ms Wallace breached the 2017 Code of Conduct by forcing children in the under ■■■’s team to run 3 laps of the courts for making mistakes at training and made them run with their arms in the air.
612. Netball Victoria relies upon the evidence of Child 19. At paragraphs 35-37 of the Child 19 Affidavit (Exhibit 12 Court Book 457) she deposes that Ms Wallace made the team run about 3 laps of the netball courts after making a mistake on the game court. Prior to starting the match simulation Ms Wallace said words to the effect “you’re going to run laps for every ball that is dropped”. She deposes that the players were required to run with their arms in the air.
613. Child 19 gave evidence about this incident during her evidence. During cross-examination she agreed that running with your arms above your head can be a training drill. She insisted that it was used by Ms Wallace as a punishment (Transcript Day 3 pages 99-100).



614. Ms Wallace relies upon the evidence of Child 34, Child 10 and her own evidence.
615. At paragraph 42 of the Ms Wallace Affidavit, she deposes that the players would run laps with arms in the air or holding a rope as a training drill. She described it was an exercise for “core strength and teamwork”. She deposes it was never done excessively. Ms Wallace was cross-examined about this issue at the hearing. She explained that:
- “So we often made it a bit of fun. What we did do with running around the courts with arms up was a lot of the time with balls, sometimes for core strength they would run around holding their arms up. We used when I was probably too lazy to get the rope out. We had a very big, long, thick, heavy rope and we’d often do a lot of stuff with hands above your head.”*
- So if players made mistakes, you would make them run around with their hands in the air. Did I understand that correctly?
- “Sometimes. No, no, they would run if. Yeah, it’s not uncommon that we would, like I said, we’d have a bit of banter sometimes. And then sometimes if they really were not doing what they were told, I’d say, right, go and run a lap, and then they’d come back, get a drink and start again. And you see that worked. They switched on again and focused.”*
616. The Child 34 Affidavit does not deal with this issue. Child 34 gave evidence at the hearing. During cross-examination she was asked about people running with their arms in the air. She responded that was a training exercise. She admitted that, if a drill was not carried out, then the players would be asked to run, but did not recall ever being asked to run with their hands in the air (Transcript Day 5 page 235).
617. At paragraph 4 of the Child 10 Affidavit, she states:
- “Tracy never withheld water from me or other players as punishment, nor did she subject me or other players to excessive punishment in any way”.*
618. Child 10 gave evidence at the hearing. During cross-examination she deposed that Ms Wallace did not expose the players to excessive punishment. When pressed, she explained it depended upon the use of the word excessive. She explained that if everyone was not doing the right thing then they may be required to run a lap of the 3-court stadium and that could be described as punishment. She agreed that in the training court the players may be asked to run with their arms in the air. She stated she treated this as a training drill, not punishment. She deposed that the players were never made to run with their hands above their head as a punishment (Transcript Day 6 pages 94-97).
619. I am not satisfied that the allegation made by Netball Victoria has been proved. It is a legitimate training technique to require athletes to engage in running. It is central part of any conditioning program. It is also legitimate to require the athletes to run with their hands in the air as part of a training program.
620. I accept Ms Wallace’s evidence that on occasions she would use running at a way to refocus the players. Netball Victoria does not claim that this is excessive or punishment. The element which is asserted to make the running “excessive” is that the player’s hands may have been in the air for a lap of the 3 courts. Netball Victoria has produced no evidence to assert that it is excessive.



In the circumstances I am not satisfied that the conduct, if it occurred, was excessive or a punishment.

621. The allegation is not sustained.

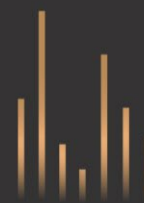
SUMMARY OF FINDINGS

622. Using the list of Allegations set out in the Breach Offer, I make the following findings:

Allegation	Finding
1 That you possessed, shared or encouraged the sharing of images of a child engaging in a sexual activity or depicted in an indecent sexual manner or context.	Not Comfortably Satisfied Allegation Proved
2 That you engaged in aggressive language and tone of voice in the presence of a child, including shouting, swearing and/or belittling them,	Comfortably Satisfied Allegation Proved
3 That you engaged in inappropriate contact with a child in the form of telephone calls, texts or messages made or sent in a volume and/or at a time of day that exceeded your professional boundaries.	Comfortably Satisfied Allegation Proved
4 That you engaged in inappropriate contact with a child in the form of telephone calls, texts or messages made or sent directly to a child, rather than their parents, that exceeded your professional boundaries.	Comfortably Satisfied Allegation Proved
5 That you encouraged and engaged in conversations of a sexual nature with a child.	Comfortably Satisfied Allegation Proved
6 That you made inappropriate comments about or in the presence of a child regarding weight.	Not Comfortably Satisfied Allegation Proved
7 Allegation Withdrawn	
8 That you denied access to water during training and/or games where a child didn't meet your playing expectations	Not Comfortably Satisfied Allegation Proved
9 Allegation Withdrawn	



10 Allegation Withdrawn	
11 That you forced a child to continue to play when they were injured.	Comfortably Satisfied Allegation Proved
12 That you filmed a child who exposed their buttocks in training and shared the images with third parties.	Comfortably Satisfied Allegation Proved
13 That you encouraged and assisted a child to take medication in the form of the morning after pill without the knowledge of her parents.	Comfortably Satisfied Allegation Proved
14 Allegation Withdrawn.	
15 Allegation Withdrawn	
16 That you arranged for a child to sell spare tickets to an event at [location A] in their swimwear to maximise sales and subsequently commented on their breasts to that effect.	Not Comfortably Satisfied Allegation Proved
17 That you threatened to negatively impact a child's netball pathway if they did not meet your expectations in terms of playing and non-playing reasons.	Comfortably Satisfied Allegation Proved
18 That you arranged for a child to attend a medical procedure (fillers) with you	Comfortably Satisfied Allegation Proved
19 Allegation Withdrawn	
20 That you punished four children for behaviour on a 2025 pre-season camp by using inappropriate language, forcing them to swim underwater in a swimming pool in front of their peers, causing them to be humiliated.	Comfortably Satisfied Allegation Proved
21 That during the alleged 2025 camp punishment, you forced one of the 4 children to change their clothes in front of their peers.	Comfortably Satisfied Allegation Proved
22 Allegation Withdrawn	
23 Allegation Withdrawn.	
24 Allegation Withdrawn	



25 That you victimised or fabricated stories about a child after they had left your team with the intention to harm them	Not Comfortably Satisfied Allegation Proved
26 Allegation Withdrawn	
27 That you forced a child to take part in punishments consisting of being required to run excessively with arms aloft the whole time.	Not Comfortably Satisfied Allegation Proved

SANCTIONS

Legal issues

623. The Disciplinary Policy dictates that the Hearing Tribunal has “absolute discretion” to determine an appropriate sanction:

“Sanctions

12.7.1 Where a Respondent is found to have committed a breach of an Eligible Policy, the Decision Maker, NST and Hearing Tribunal have absolute discretion to determine the appropriate Sanction imposed on a Respondent, including as to whether a combination of measures is to be imposed, and the terms and period of any measures. The Decision Maker, NST or Hearing Tribunal (as the case may be) may refer to the Sport Integrity Australia Case Categorisation & Guidance for Sanctions booklet in determining an appropriate Sanction.”

624. It also provides some guidance of the matters I may take into account when imposing any sanction.

“12.7.3 Without limiting the discretion afforded in clause 12.7.1, the person imposing the sanction may, but is not required to, consider the following factors:

12.7.3.1 the nature and seriousness of the behaviour or incidents;

12.7.3.2 the considerations (if any) of the Complainant;

12.7.3.3 the contrition, or lack thereof, of the Respondent;

12.7.3.4 any Provisional Action taken in relation to the Alleged Breach;

12.7.3.5 the effect of the Sanction on the Respondent including any personal, professional or financial consequences;

12.7.3.6 if there have been relevant prior warnings or disciplinary action against the Respondent;



12.7.3.7 *if there are any aggravating or mitigating circumstances.”*

625. The Policies adopted by Netball Victoria and Netball Australia have straightforward aims:

- (a) to have a zero-tolerance policy to child abuse and neglect in any form; and
- (b) to safeguard and promote the welfare of children in Netball by providing a safe and inclusive environment and by ensuring that everyone involved in Netball is educated and informed of their responsibilities to protect and look after children.

626. The primary role of any sanction is to protect the community and the welfare and reputation of the sport. Any sanction should not be retributive or punitive in character. The civil courts in Australia have endorsed these principles. See, for example, *Clyne v NSW Bar Association* (1960) 104 CLR 186 at 201-202 and *NSW Bar Association v Evatt* (1968) 117 CLR 177. The legal position in Australia is summarised by Professor Forbes in *Justice in Tribunals* (6th edition 2024) at pages 191-192:

“Nevertheless, the interests of the community or an association may justify a sanction more severe in any criminal penalty for the same conduct. Civil negligence on the part of a medical practitioner may be professional misconduct for disciplinary purposes; exposing a patient to danger may warrant a severe sanction although the conduct was neither deliberate or reckless, and the consequences are less serious than they might have been. On the other hand, an excessive sanction is liable to be characterised as “punitive” and hence misconceived. The protective function of sanctions in professional discipline is more important than their deterrent effect but, even if that effect seems greater than necessary, the decision may be upheld on protective grounds. Indefinite suspension of a police officer without pay was not excessive or unreasonable in the circumstances of Hurley v Stewart. “The object of protection of the public also includes deterring [a practitioner] from repeating the conduct, and deterring others who might be tempted to fall short of the high standards of the practice required of them”. According to Samuels JA in Buttsworth v Walton emotional stress suffered by a person before a professional Tribunal is irrelevant to the protective function, as is damage to reputation; the likelihood of repetition of the misconduct is a most important consideration”.

627. These principles have been incorporated into the Sport Integrity Australia Guidance for Complaint Management and Sanctioning (January 2024) (**“the Guide”**). It states:

“Rather than seeking to punish, imposing a sanction/s or Prohibited Conduct is primarily aimed at protecting an individual from harm with the secondary aim of protecting the integrity of sport. Sanctions are also designed to provide a clear message that the behaviour was unacceptable, thereby acting as a deterrent.” (Page 10)

628. The Guide also establishes a “Case Categorisation System” to provide a “transparent, objective and consistent basis for evaluating allegations of Prohibited Conduct”. It also sets out “principles that are intended to serve as a guidance to Sporting Organisation and sporting club sanctions and other resolution measures may be appropriate following a potential or substantiated integrity breach”. The aim of the Guide on Sanctions is to achieve consistent and “proportionate decisions” throughout sport.

629. The Guide has been considered by numerous NST panels. In *Member v Sporting Body* NSTE23-375291 Member Heath KC used the Guide to identify the factors a panel should take into account



when exercising its discretion to impose a sanction. In *Coach v Member* (with Australian Weightlifting Federation) NST-E23-32204 the Panel, chaired by Member Kenny KC, stated that the Guide should be considered as a relevant guide to the imposition of sanctions, “*where they are plainly relevant*”.

Submissions

630. On 4 April 2025 Netball Victoria issued the Breach Offer (Court Book 14). The offer was based on an acceptance by Ms Wallace of 19 breaches. The Breach Offer sanctions were:

- (a) a 20-year ban from all Netball activities in Victoria, ending in 2045, with the condition of being permitted to obtain a role with adults exclusively, provided there is no access to or interaction with children;
- (b) a lifetime ban from all child related Netball activities in Victoria; and
- (c) removal of Netball Victoria membership and inability to obtain membership until 1 January 2045.

631. On 25 June 2025 Netball Victoria made written submissions concerning sanctions (Court Book 360). In summary Netball Victoria submits the Tribunal should “*at least uphold, if not increase*” the Breach Offer sanctions and I should have regard to the following matters:

- (a) the Guide;
- (b) the need to deter future persons in a person of authority from committing such predatory and harmful behaviour;
- (c) the need to protect future generations from Ms Wallace’s behaviour;
- (d) the need to punish Ms Wallace for the “*systematic and ongoing malefactions against children and young people over whom she held authority and influence*”;
- (e) Ms Wallace possessed and distributed sexually explicit material of a child to children (Paragraph 158(a)) (this matter relates to allegation 1 which I have found not to be proved to my comfortable satisfaction);
- (f) Ms Wallace engaged in “*prolonged and deliberate abuse of children under her authority.*” (Paragraph 158(b));
- (g) the allegations proved against Ms Wallace establish that she had “*engaged in what we submit should be properly described as sustained emotional abuse and cruelty towards the players she coached*” (Paragraph 163);
- (h) Ms Wallace engaged in “*frequent, age-inappropriate and sexually intrusive conduct towards children, reflective of grooming risk factors and a total disregard for professional boundaries.*” It is submitted that the allegations “*reveal a proclivity of the Applicant to completely ignore any professional, or indeed moral, boundaries...*” (Paragraph 164);



- (i) that aggravating circumstances included:
 - (i) the vulnerability of children involved in Ms Wallace's conduct;
 - (ii) the recurring nature of Ms Wallace's behaviour; and
 - (iii) the conduct was engaged in from a position of trust and confidence; and
 - (j) Ms Wallace's lack of contrition or regard to the impact of her behaviour suggest that rehabilitation or education is not possible (Paragraph 167).
632. After the hearing concluded and I delivered my written findings on each allegation, I requested the parties make further submissions on sanctions.
633. On 10 February 2026 Netball Victoria made further written submissions on sanctions. Netball Victoria submits:
- (a) the Tribunal should impose a lifetime ban from all Netball related activities;
 - (b) the Guide may provide some guidance, but is of little use because of the number of offences;
 - (c) Netball Victoria does not seek individual sanctions for each offence and a more appropriate sanction is likely to be reached if a global approach is taken; and
 - (d) Ms Wallace has demonstrated a lack of remorse and there is no "meaningful prospect of Ms Wallace changing her ways".
634. On 30 September 2025 Ms Wallace made written submissions concerning sanctions (Court Book 536). These submissions are based on admissions that Allegations 5 and 13 were substantiated. In summary, Ms Wallace submits that *"the appropriate sanction is a formal warning, a requirement for the Applicant to complete mandatory education and to be placed on a good behaviour period"* (Court Book 537). Ms Wallace also relies upon the numerous character references (Court Book 622-650).
635. On 13 February 2026 Ms Wallace made further written submissions on sanctions. Ms Wallace submits:
- (a) that she should be suspended from all activities (except spectating) in Victoria for 2 years from 11 February 2025, that her return to Netball be subject to the completion of various education courses and Ms Wallace being subject to good behaviour for a period of 2 years (Paragraph 28);
 - (b) that the purpose of in imposing sanctions is to protect an individual from harm, protect the integrity of the sport and to send a clear message that behaviour was unacceptable (Paragraph 3);
 - (c) that the Tribunal should impose a global sanction rather than individual sanctions for each contravention (Paragraph 4);
 - (d) that the Tribunal should take into account Ms Wallace's involvement Netball for over 40 years and her coaching record over the past 15-20 years;

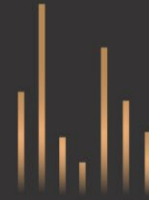


- (e) any sanction would deprive her of her ability to make income as a professional coach (Paragraphs 15-20);
- (f) the Tribunal should take into account the following aggravating factors:
 - (i) the behaviour was sustained over a period of time;
 - (ii) the behaviour involved vulnerable people being children;
 - (iii) the behaviour impacted multiple parties; and
 - (iv) the behaviour involved a breach of a position of trust as a coach and head coach;
- (g) the Tribunal should take into account the following mitigating factors (Paragraph 22):
 - (i) the pre-existing culture at Westside;
 - (ii) Ms Wallace's cooperation with the process;
 - (iii) Ms Wallace abided with the Provisional Action;
 - (iv) the loss of her employment for the previous 12 months;
 - (v) her inability to attend games of players;
 - (vi) the infliction of significant reputational damage;
 - (vii) some of the contraventions were isolated events;
 - (viii) Ms Wallace was not grooming children but engaged by a misguided view that she was a mother figure;
 - (ix) Ms Wallace was a coach for a total of 20 years;
 - (x) the evidence given by Ms Wallace that she would never engage in these kinds of contact with children again;
 - (xi) Ms Wallace is not beyond rehabilitation (Paragraph 24); and
 - (xii) the exclusion from any Netball related activity since February 2025.

Discussion

636. The Disciplinary Policy enables me to impose global sanctions rather than individual sanctions for each breach or specific event.

"12.7.4 If there is more than one breach of an Eligible Policy, where appropriate, the Sanction may be imposed having regard to all of the breaches considered together, and the seriousness of the overall conduct in question."



637. Netball Victoria and Ms Wallace submit that I should impose a global sanction.
638. The Allegations canvass events which occurred over a seven-year period. For example, Allegation 2 includes general allegation and 16 specific events when it is alleged that aggressive language and tone was used which included shouting at, swearing at and/or belittling the children. It is impractical to impose a penalty for each of these events. Further some of the Allegations relate to the same incident. It is inappropriate to impose a different sanction for 2 Allegations arising out of the same event.
639. In the circumstances I have determined to impose global sanctions having regard to all of the breaches considered together.
640. I have taken the following matters into account when deciding what are appropriate sanctions.

12.7.3.1 The Nature and Seriousness of the Behaviour or Incidents

641. I regard the conduct proven against Ms Wallace to be very serious. The most serious allegations are Allegations 2, 3, 4, 5, 13 and 20 and 21.
642. The conduct described in the findings made against Ms Wallace in Allegations 2, 20 and 21 is very serious. The verbal abuse of the children occurred between 2018 and 2025. What Ms Wallace describes as “constructive criticism” was, in reality, a blatant breach of the various Policies adopted by Netball Victoria to provide a safe and inclusive environment for all children. I have found that Ms Wallace yelled at, abused, swore at, bullied, humiliated and belittled children, contrary to the various Child Safety Policies. This conduct constitutes child abuse.
643. Of particular concern is that this conduct occurred over a seven-year period. All of the witnesses called by Netball Victoria stated that the conduct occurred when the team was not performing well or was losing. Ms Wallace also engaged in this conduct when her authority was challenged in any way.
644. The findings made against Ms Wallace in Allegations 3 and 4 are equally troubling. The Child Safety in Netball Code of Conduct Ms Wallace required to adhere to role boundaries. This included not engaging in conversations with the children which exceeded appropriate boundaries. It appears that Ms Wallace wanted to be friends with some of the children she coached or who were junior coaches. The prohibited conduct included engaging in conversations about children’s private and social lives. An example of is Ms Wallace’s attempt to control who was invited to a child’s party. It is unnecessary for me to recite my findings on this issue. The reasons proffered by Ms Wallace for this type of conduct are not creditable. In particular, her assertion that she decided to talk to Child 19 about the birthday party invitation matter because it was affecting the team performance was incredulous. It remains a mystery to me why a mature woman would want to establish friendships with these teenage children. These attempts to control the social, domestic and private lives of the children is totally unacceptable and constitute emotional or psychological abuse as defined by the Policies.
645. The findings concerning Allegation 5 involving conversations of a sexual nature with children are particularly egregious. The Child Safety Policies make it clear that these conversations should never occur. When the conversations were instigated by the child, they should have been immediately shut down. The proven allegations occurred on numerous occasions. Since 1



January 2023 this conduct is defined as harassment under the 2023 Member Protection Policy (see clause 3.1.5).

646. Equally outrageous is Ms Wallace's proven conduct relating to Allegation 13. I made findings that the evidence demonstrates:

- (a) the willingness of Ms Wallace to engage in conversations about any and every aspect of a child's personal and social life;
- (b) the failure by Ms Wallace to shut down an inappropriate conversation, even if it was raised by the child;
- (c) that Ms Wallace took it upon herself to arrange for a medication to be supplied to and taken by a child;
- (d) Ms Wallace did not seek the parents' consent about providing a medication to the child;
- (e) Ms Wallace did not advise the parents that she had provided the medication to the child;
- (f) Ms Wallace did not report the conversation to anyone at SACSNA or Westside; and
- (g) Ms Wallace had failed to maintain any professional boundaries as required by the 2023 Child Safeguarding Policy.

12.7.3.3 The contrition, or lack thereof, of Ms Wallace

647. I find that Ms Wallace has shown little, if any, contrition or remorse for her conduct.

648. At paragraph 158 of this Determination, I found that between 2018 and 2025 various written complaints were made about the treatment of children by Ms Wallace. Each of these complaints provided Ms Wallace the opportunity to reflect on her interactions with the children. Ms Wallace ignored those complaints and continued the child abuse.

649. As recently as January 2025 at the Training Camp Ms Wallace engaged in child abuse which included physical abuse. During the Training Camp she discussed the matter with Parent 1, a [REDACTED], who advised her that her conduct was inappropriate by making the girls swim and threatening to take their phones from them.

650. Netball Victoria filed its affidavits in June 2025. Ms Wallace filed the Ms Wallace Affidavit on 16 September 2025. This gave Ms Wallace ample opportunity to reflect on the allegations made in the Netball Victoria Affidavits. Ms Wallace chose to file her affidavit which challenges almost all the allegations set out in the Netball Victoria Affidavits. The Ms Wallace Affidavit demonstrates that she believes she did not do anything wrong. That position was maintained during the hearing. All of the Netball Victoria witnesses (other than Child 30) were required to attend for cross-examination and were challenged on the many allegations of child abuse. Of course, Ms Wallace is entitled to defend the allegations in any way she sees fit. By challenging the evidence given by these witnesses Ms Wallace has shown a total lack of contrition or remorse for her conduct.

651. Ms Wallace had the benefit of hearing the evidence of Parent 1 before Ms Wallace gave her evidence. During cross-examination, I asked Ms Wallace whether the proposed resignation,



which was discussed with Parent 1, was a reflection of her behaviour on the day and the realisation, with hindsight, she had done something wrong. Ms Wallace thought she had done nothing wrong.

652. I find that Ms Wallace has not shown any contrition or remorse that suggests her behaviour would change if she was permitted to coach children in the foreseeable future. I find that this is an aggravating circumstance.

12.7.3.4 Any Provisional Action taken in relation to the Alleged Breach.

653. On 11 February 2025, Netball Victoria issued provisional action against Ms Wallace pursuant to clause 11.5 of the Disciplinary Policy. (the **Provisional Action**). Ms Wallace was prohibited from participating in all Netball Victoria affiliated activities. On 28 February 2025 Ms Wallace made an application to the NST to arbitrate the Provisional Action. On 28 March 2025 the NST upheld the Provisional Action. As a result, Ms Wallace has been prohibited from participating in any Netball Victoria affiliated activities since 11 February 2025. She has lost her employment as a full-time netball coach and is currently unemployed.

654. Any sanction imposed on Ms Wallace will commence 11 February 2025.

The Guide

655. The Case Categorisation System set out in the Guide is of general assistance to me when considering what factors I should take into account when determining sanctions. I agree with the submissions made by Netball Victoria *“the Guide is of limited use because it assumes that those offences are singular or “one off” offences.”* As previously stated, one of the aims of the Guide is to provide proportionate sanctions over many sports. My research has revealed that this case is unique as the Allegations span 7 years and canvass many diverse matters. The Guide provides no assistance to me in considering fair and proportionate sanctions.

The Breach Offer Sanctions

656. Ordinarily a tribunal may take into account a sanction which has been imposed by a sport. I have considered the sanctions proposed in the Breach Offer. That offer was based upon 19 Allegations. Prior to the hearing two Allegations were withdrawn. The hearing then related to the 17 Allegations. I found that 11 Allegations were proved to my comfortable satisfaction. It is obvious that the Breach Offer proposes a sanction based on Allegations which have now not been pursued or sustained, including Allegation 1. Had this allegation been proved, it is likely that a lifetime ban would have been imposed.

657. Therefore, the Breach Offer Sanctions do not provide me with any guidance as to length of any proposed sanction for the proved breaches.



Aggravating and mitigating factors

658. Netball Victoria and Ms Wallace have submitted various aggravating and mitigating factors. In relation to the mitigating factors, Ms Wallace submits that the following mitigating factors favour of Ms Wallace:

(a) The pre-existing culture at Westside:

In my findings I referred to a “results driven” “win at all costs” culture that permeated SACSNA. This culture was established by Ms Schultz and Mr Abela and implemented by Ms Wallace. I determined that Ms Wallace, as head coach, adopted and embraced this culture. This culture enabled Ms Wallace to inflict the abuse on the children with immunity. But it does not diminish her responsibility for own actions. I find that this is not a mitigating factor and have not taken it into account when considering the length of any sanction.

(b) Ms Wallace’s cooperation with the process:

Under the various Policies and the Disciplinary Policy Ms Wallace was required to cooperate with the process, including the independent investigation. I give some weight to her cooperation.

(c) Ms Wallace abided with the Provisional Action:

Ms Wallace was required to abide by the Provisional Action. A failure to do so would have been a breach of the Disciplinary Policy. I find this is not a mitigating factor and have not taken it into account.

(d) The loss of her employment for the previous 12 months:

I accept that Ms Wallace is a full-time netball coach and netball is her life and passion. I also accept that the Provisional Action has had a significant impact on her life, including her mental health. Ms Wallace has lost the ability to be gainfully employed as a netball coach:

“Personal matters such as shame, personal ordeal, and financial difficulty likely to be occasioned by a determination are of little relevance except insofar as they contribute to the specific deterrence of the practitioner.” See Psychology Board of

Australia v Garcia (Review and Regulation) [2015] VCAT 128 citing Buttsworth v Walton [1991] NSWCA 40 per Samuels JA.

I give some weight to Ms Wallace’s personal circumstances when considering the length of any sanction, as this is relevant to the principle of specific deterrence.

(e) The inability to attend games of players:

I find that this is not a mitigating factor and have not taken it into account.

(f) The infliction of significant reputational damage:

I accept that any sanction is likely to cause significant reputational damage. “Grooming” is defined by the 2023 Code of Conduct Policy:



“Grooming refers to the process by which an adult establishes a trusting relationship with a child and those associated with the child’s care and wellbeing, to create an environment in which abuse can occur.”

My findings relate to breaches of the various Policies which include abuse. It has never been asserted by Netball Victoria that Ms Wallace was involved in Sexual Misconduct or any Sexual Offence with a child as defined by the 2023 Code of Conduct. There is no allegation that Ms Wallace was involved in any form of paedophilia. It has never been asserted that Ms Wallace was grooming children for any element of paedophilia. I take into account that Ms Wallace was not involved in these matters.

I give some weight to Ms Wallace’s personal circumstances as it is relevant to the principle of the specific deterrence. Regrettably I cannot control false rumours circulated in the community or on the internet.

- (g) Some of the contraventions were isolated events:

Any sanction will be a global sanction which will take into account the specific Allegations and events. I find this is not a mitigating factor and have not taken it into account.

- (h) Ms Wallace was not grooming children but engaged by a misguided view that she was a mother figure:

I find this is not a mitigating factor and have not taken it into account. It is not appropriate for me to consider non-existent allegations on the basis that things could have been worse.

- (i) Ms Wallace was a coach for a total of 20 years:

I find that this is a mitigating factor and have given it some weight. However, that weight is not great given the conduct occurred over 7 years.

- (j) The evidence given by Ms Wallace that she would never engage in these kinds of contact with children again:

I attach no weight to this evidence. As previously stated, Ms Wallace had shown little, if any contrition or remorse. I assess the prospect of her changing her ways is low. I find that this is not a mitigating factor.

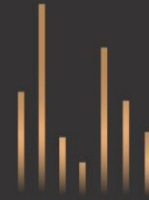
- (k) Ms Wallace is not beyond rehabilitation (Paragraph 24):

I attach some minor weight to the prospects of rehabilitation.

- (l) The exclusion from any netball related activity since February 2025:

That exclusion was caused by the Provisional Action. Any sanction will commence on 10 February 2025.

- (m) The “*ample character references*” and evidence from witnesses called at the hearing demonstrate Ms Wallace’s positive influence as a coach for approximately 20 years (Paragraph 17):



These references were submitted in late February or March 2025. The Breach Offer was not issued until 4 April 2025. Whilst I accept that the referees have submitted their truthful opinion of Ms Wallace's character, it is unlikely that the referees were aware of the number and seriousness of the allegations against Ms Wallace when the references were provided.

The referees form one side of the toxic division of the parents and children who accepted that the price of success was the total and unqualified loyalty for the coaches, including Ms Wallace.

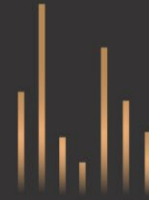
I accept that Ms Wallace may have had a positive influence on numerous children during her coaching career. That must be weighed against the negative influence on the other children and their families who gave sworn evidence in this matter. The breaches of the Policies and the effect of those breaches on some children cannot be minimised because other children were not subject to and affected by those breaches. The Policies are there to protect all children from abuse.

I attach some weight to the character references and have considered them when assessing sanctions. I attach no weight to the references, in so far as the statements are in conflict with my findings, which are based upon my assessment of the sworn evidence in this arbitration.

I attach no weight to the reference provided by Ms Sabrina Taylor (Court Book 635). Ms Taylor is the President of SACSNA and has been referred to in the evidence on numerous occasions. She did not give evidence in this matter.

DECISION

659. Any sanction must protect the children, the netball community, the welfare and reputation of the sport and send a strong message to the netball community that the conduct is unacceptable.
660. Pursuant to clause 12.7.4 of the Disciplinary Policy I determine that it is appropriate that I impose a sanction for all of the breaches. In doing so I have had regard to all of the breaches considered together, and the seriousness of the overall conduct in question. Had I decided to consider the allegations in isolation, it is likely that I would have imposed a substantial suspension for each allegation.
661. Ms Wallace has not demonstrated any understanding of her obligations under the various Policies or any perception that her conduct constitutes child abuse. During her evidence she stated she was aware of the Policies. Her conduct tells a different story. I have been unable to determine whether her conduct was reckless or intentional. Either way, her conduct was in contumelious disregard of the Policies and her obligation as a coach and head coach to protect the welfare of children and prevent child abuse. The children and the netball community require protection from this conduct.
662. Netball Victoria submits that this protection can only be achieved if a lifetime ban is imposed from all netball related activities conducted by or under the auspices of Netball Victoria, Netball Australia or any of their member associations, Ms Wallace's Netball Australia Coach Accreditation and Netball Victoria membership are cancelled. I reject that a life time ban is necessary. It would be punitive in character.



663. Ms Wallace submits that the children and community would be protected if Ms Wallace was suspended for 2 years from 11 February 2025 with a further good behaviour period of 2 years. Ms Wallace also submits that she should be allowed to attend netball events as a spectator.
664. I have considered all the evidence and submissions made by the parties. I have particular regard to the effect, nature and seriousness of the behaviour or incidents and the need for general deterrence.
665. I determine that an appropriate period of suspension is a ban from all activities for 10 years commencing 11 February 2025. I determine that it is necessary to cancel Ms Wallace's Netball Australia Coach Accreditation and her Netball Victoria membership.
666. I agree with the submissions made by Ms Wallace that the ban should not extend to all forms of the netball. Ms Wallace should not be permitted to attend junior games or events. There is no valid reason why Ms Wallace should not be permitted to attend senior or open netball events as a spectator. It is difficult to imagine her attendance as a spectator at senior or open events pose any risk to children. If her conduct is deemed unacceptable, the supervisors have the right to remove her.

OTHER MATTERS

667. This arbitration was conducted in accordance with the NST Determination. On 16 May 2025 the parties executed an arbitration agreement and agreed to the confidentiality of the proceedings. On 28 July 2025 Member Graham also made directions pursuant to section 41 of the NST Determination that the arbitration proceedings are confidential and that all witnesses must be informed that the arbitration proceedings are confidential.
668. The hearing is also confidential. The identity of the children and their parents was protected by that confidentiality. It would have been practically impossible to conduct a hearing without reference to the names of the children or their parents.
669. I published my written findings, which included the names of the children and the parents. That document remains confidential.
670. I made a direction pursuant to section 41 of the NST Determination that I would publish this award and "de-identify" every child referred to in the affidavits filed by Netball Victoria and Ms Wallace or at the hearing and to use a pseudonym for each of them. If the parents are identified by name, the child would be easily identified. It is necessary to use a pseudonym for each parent. There was no need to de-identify other adult witnesses or Ms Wallace.
671. The NST Registry has prepared a spreadsheet identifying the child or parent and the allocated pseudonym. That spreadsheet remains confidential.
672. Counsel for Netball Victoria requested that Netball Victoria be released from its confidentiality obligations to advise the witnesses of the findings. I advised the hearing that the parties were bound by the confidentiality and under no circumstances were the written findings to be released. Those findings have been incorporated in this determination, which has deidentified all the children and their parents.



673. I direct that pursuant to section 41 of the NST Determination the parties are able to advise the witnesses and such other appropriate persons of the outcome of this arbitration. The parties are not otherwise permitted to publish or disseminate this determination, my written finding or the spreadsheet.
674. Section 56(2) of the NST Determination enables the NST CEO to publish this determination. The decision to publish a determination rests with the CEO, who must give the parties an opportunity to make submissions on whether any parts of the determination should be redacted before publication
675. I am of the opinion that this determination should be published in its current form because the issues considered in the dispute are of such precedential value and that it is in the public interest to publish the determination of the dispute. The redactions made are necessary to protect the identity and privacy of the children and their parents.

THE TRIBUNAL THEREFORE DETERMINES:

1. The Applicant is banned from all netball related activities including any junior or child's netball games or events conducted by or under the auspices of Netball Victoria, Netball Australia or any member associations of Netball Victoria for a period of 10 years commencing 11 February 2025.
2. The Applicant is entitled to attend senior netball events or games as a spectator.
3. Any Netball Australia Coach Accreditation held by the Applicant is cancelled and the Applicant is prohibited from making any application for reaccreditation for a period of 10 years commencing 11 February 2025.
4. Any Netball Victoria Membership held by the Applicant is cancelled the Applicant is prohibited from making any application for reaccreditation for a period of 10 years commencing 11 February 2025.

Dated: 10 March 2026



Anthony Nolan KC