



SPORT INTEGRITY  
AUSTRALIA

PROTECTING  
SPORT TOGETHER

# SPORT INTEGRITY MATTERS

ISSUE 05

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05

ISSUE

AS A NEW AGENCY,  
THE CONVERSATIONS WE  
ARE HAVING WITH SPORTS  
ARE POSITIVELY INFLUENCING  
SPORT INTEGRITY AUSTRALIA'S  
APPROACH AND DIRECTION.

# EXECUTIVE MESSAGE

Australian sport finds itself at a crossroads. The financial and social upheaval caused by the COVID-19 pandemic coincides with an increased threat environment to sport integrity. Sport Integrity Australia will help sports make the right decisions to protect against these threats now and into the future.

Although these are challenging times, it has been inspiring to see sporting organisations rising to the challenge with sports adapting to the conditions and returning to competition, planning to return or finding innovative ways to keep athletes and fans engaged and participating through virtual events, challenges and competitions.

At Sport Integrity Australia we are keenly aware of the different pressures faced by sports. We have been, and will continue to, reach out to sports to listen and offer support where we can. We will, by working with the industry, ensure sport remains protected at a time when athletes, support personnel and competitions find themselves more susceptible to integrity threats. As a new agency, the conversations we are having with sports are positively influencing Sport Integrity Australia's approach and direction.

The pandemic has forced us to revisit our own work and I have asked my staff to consider three key principles in everything they do: listen and learn from sports, simplify our policies and procedures whilst ensuring consistency, and understanding the power of partnerships as we cannot do this alone.

In partnership with sports, we aim to become a single point of contact for all sport integrity related matters. This will be critical for Sport Integrity Australia to produce intelligence which will inform every aspect of our work and interactions with sports. We will work in partnership and use intelligence to:

- develop targeted education interventions based on moments when athletes are most receptive to information or more susceptible to integrity treats
- better target people working to undermine sport
- help sports identify and manage points of vulnerability
- help inform government policy on sport integrity and health.

I am proud and inspired by the way sporting organisations have risen to this challenge with flexibility, resilience, courage and innovation. Let me add a personal note. Along with everyone else at Sport Integrity Australia, I am working hard to assist sports cope with both this crisis and the ongoing threats to sport integrity. We will be with you every step of the way.



DAVID SHARPE APM OAM  
CEO SPORT INTEGRITY AUSTRALIA



# SPORT INTEGRITY AUSTRALIA ABOUT US

Sport Integrity Australia has brought together the functions of the Australian Sports Anti-Doping Authority (ASADA), the National Integrity of Sport Unit (NISU), and the nationally focused integrity functions of Sport Australia. Now we are together, here is a summary of the different areas of Sport Integrity Australia tasked to assist sports to protect themselves from the various integrity threats.

## EDUCATION, LEGAL & ENGAGEMENT DIVISION EDUCATION

Education plays a critical role in protecting athletes and preventing integrity threats in Australian sport. To that end, Sport Integrity Australia will provide a range of education resources and interventions for everyone who participates in sport, from grassroots to elite level athletes, their parents, teachers, coaches, National Sporting Organisation (NSO) staff and support personnel.

In the early stages of Sport Integrity Australia, the Education team's focus will be on consolidating existing education resources and interventions from ASADA, NISU and Sport Australia into a single platform. Already, the agency's online learning platform now includes multiple courses on anti-doping, competition manipulation (match-fixing), and integrity values, with online modules on other threats to follow in the coming months. The ASADA Clean Sport app, downloaded by more than 30,000 sportspeople to date, will be upgraded to fit Sport Integrity Australia's new remit, as will our other award-winning resources including ASADA's Virtual Reality testing experience and Augmented Reality Health Effects of Doping app.

Over the course of the next 12 months, the team will also expand its successful anti-doping face-to-face and outreach program to also deliver sessions on other integrity threats such as competition manipulation, gambling and illicit drugs. These sessions will be tailored and targeted based on the integrity threats relevant to each sport, based on Sport Integrity Australia intelligence and risk assessment models.

Where sports are already delivering integrity education, Sport Integrity Australia will provide support by offering intelligence to help NSOs guide and target their education programs, as well as continuing to provide resources such as mobile apps, virtual reality programs and eLearning free of charge.

In addition, the team will help contribute to the strategic direction and content of Play By the Rules – the online platform to help grassroots sports administrators keep sport fair, safe and inclusive.

The end result will be a holistic, nationally coordinated and targeted integrity education environment, which works across all threats in all sports, to best protect athletes and sports alike.

## SPORT OPERATIONS

Sport Operations priority focus is to develop, allocate and plan anti-doping testing in order to best align with Sport Integrity Australia's strategic objectives, and to ensure Sport Integrity Australia's compliance with the World Anti-Doping Code. Through the use of Sport Integrity Australia's intelligence, science and investigative resources, we aim to plan testing in a way which maximises the agency's ability to detect and deter doping, protecting the rights of clean athletes.

During 2020-21, a major focus will be to protect the integrity of the Australian teams to compete at the Tokyo Olympic and Paralympic Games (2021) and future Winter and Commonwealth Games (2022).

With the assistance of our external stakeholders and anti-doping partners, Sport Operations seeks to meet or exceed World Anti-Doping Code compliance requirements. We continue to work closely with all sports and Sport Integrity Australia's partners to provide anti-doping testing services and assistance that aligns with the Code.

## FIELD OPERATIONS

The Field Operations team's primary role, conducting testing of athletes according to the testing plans developed with the Sport Operations team, remains unchanged after transitioning to Sport Integrity Australia. To enable this testing to be undertaken Australia-wide Sport Integrity Australia maintains a casual workforce of experienced Doping Control Officers (DCO) and Chaperones. Significant additional investment has been made in this area in the past 12 months to improve the training and management of our field staff. This ensures we deliver the best possible testing services to Australian athletes through the use of technology and revised training and accreditation processes for our staff.

The team have had seven DCOs selected to work at the Tokyo Olympics and Paralympics which is both a reflection of the high regard our DCOs are held in and also provides a level of comfort to our Australian athletes when they see a familiar face in the Doping Control Station at the Games.

**SPORT INTEGRITY AUSTRALIA HAS BROUGHT TOGETHER THE FUNCTIONS OF THE AUSTRALIAN SPORTS ANTI-DOPING AUTHORITY (ASADA), THE NATIONAL INTEGRITY OF SPORT UNIT (NISU), AND THE NATIONALLY FOCUSED INTEGRITY FUNCTIONS OF SPORT AUSTRALIA.**





**SPORTS ENGAGEMENT  
AND COMMUNICATIONS**

The Sports Engagement and Communications team is committed to ensuring that sports have the information and resources they need to run efficient and effective integrity programs as well as meet compliance and best practice standards.

The Sports Engagement side of the team is responsible for coordinating Sport Integrity Australia's engagement with National Sporting Organisations (NSO) across all business units to ensure that contact with the agency is responsive, timely and helpful. The team offers sporting organisations a one-door-in approach and will work directly with sport and appropriate subject matter experts to ensure they receive the necessary advice and support required.

Each year, based on the outcomes of the Sport Risk Assessments, Compliance Assessment and NSO Survey, the Sports Engagement team will lead an annual engagement plan to assist sports to develop and enhance their integrity programs.

Our Communications and Media team works across our communication channels, including social media and our website ([www.sportintegrity.gov.au](http://www.sportintegrity.gov.au)) to deliver the information you need. We work with sports on joint media statements and assist all areas of Sport Integrity Australia to deliver their message. We do this through the production of online content, social media, videos and audio (including our Sport Integrity Australia podcast). Going forward we are also responsible for this very publication!

Over the coming months we are looking forward to working and communicating with sports on the adoption of modified anti-doping policies to account for recent legislative changes, the new National Integrity Framework and the implementation of the 2021 World Anti-Doping Code.

**LEGAL**

The Legal team provides legal advice to all sections of the agency on a range of issues relevant to operations and processes of Sport Integrity Australia. Our lawyers are also responsible for assessing briefs of evidence relating to anti-doping rule violations and making recommendations to the CEO. We also conduct litigation for matters relating to anti-doping.

Sport Integrity Australia lawyers work with legal representatives of athletes, and regularly engage with legal teams of NSOs, International Federations, other National Anti-Doping Organisations and the World Anti-Doping Agency. Going forward, the Legal team welcomes the National Sports Tribunal (NST), a forum wherein an athlete can seek a hearing in relation to an anti-doping violation and other matters. As well as being in-house counsel at Sport Integrity Australia, our lawyers will also represent Sport Integrity Australia in anti-doping matters heard at the NST.

A new World Anti-Doping Code will take effect on 1 January 2021 which incorporates some significant changes including a new anti-doping rule violation and a novel approach to sanction in some areas. Legal will assist with the implementation of the Code, and provide training to relevant sections of the agency.

Our in-house lawyers have backgrounds in litigation, administrative and commercial law, international law, criminal law and advocacy – all areas of law which assist with the diversity of work the Sport Integrity Australia Legal section delivers on.

**STRATEGY AND POLICY DIVISION**

**ANTI-DOPING**

The Anti-Doping Strategy and Policy team provides advice and support to the Minister for Sport in their capacity as a member of the World Anti-Doping Agency (WADA) Foundation Board and Executive Committee. The Foundation Board primarily decides on WADA's long-term strategy, and the Executive Committee decides on day-to-day matters (for example, assertions of non-compliance against the World Anti-Doping Code (Code)). Australia shares responsibility to represent Oceania on the WADA Executive Committee with New Zealand on a two-year, one-year basis. The team supports the Minister by preparing submissions to WADA consultation rounds (e.g. Prohibited List amendments and Code Review submissions), advising on WADA reforms, and votes required of the Executive Committee and Foundation Board.

The team also ensures that Australia remains compliant with its obligation to implement the UNESCO International Convention against Doping in Sport (Convention). The Convention requires Australia to implement anti-doping arrangements that are consistent with the principles of the Code. Australia meets its obligations through the *Sport Integrity Australia Act 2020* and the *Sport Integrity Australia Regulations 2020*. The team develops and progresses amendments to the Act and Regulations to ensure Australia's anti-doping arrangements remain consistent with the principles of the Code. For example, amendments are required to implement the revised Code arrangements due to commence on 1 January 2021.

**SPORTS WAGERING AND MATCH-FIXING**

The Sports Wagering and Match-Fixing Strategy and Policy team identifies potential sports wagering and sport competitions manipulation threats and vulnerabilities to the broader Australian sport environment, and to individual NSOs. This is achieved through relationships with domestic and international law enforcement, regulators, gambling industry, and sporting organisations. A key tool used to identify the threats and vulnerabilities to sports is the Sport Integrity Threat Assessment Methodology (SITAM)

Subsequently, the team aims to drive legislative change and implement policy and programs to enhance the integrity framework for Australian sport and individual sports to mitigate against the enduring threat of manipulation of sports competitions. Currently this includes the following work:

- Pursuing ratification of the Council of Europe Convention on the Manipulation of Sports Competitions (Macolin Convention) - the only multi-lateral treaty specifically aimed at combatting manipulation of sports competitions and other related corruption in sport.
- Establishing Commonwealth offences for the manipulation of sports competitions and related corruption in sport. Such offences would provide a consistent national overlay to address cross-jurisdictional challenges faced by law-enforcement agencies in their investigation and prosecution of offences.
- The development of the Australian Sports Wagering Scheme (ASWS) which aims to provide a clearer, more transparent and consistent regulation of sports wagering to enhance sport integrity responses.
- Coordinating the 'Integrity Outreach' program, whereby after it has been identified that a sport is vulnerable to integrity threats, Sport Integrity Australia embeds appropriately qualified sport integrity consultants within an NSO to develop or enhance elements of their integrity framework and responses.

**SAFEGUARDING**

Participation in sport should be safe for all. Sport Integrity Australia is committed to ensuring that people in sport are treated with respect and dignity and are protected from bullying, discrimination, harassment or abuse.

The Sport Integrity Australia Safeguarding team will work with NSOs to:

- embed safeguarding into their culture
- ensure everyone involved in sport understands that discrimination, harassment, bullying and abuse are unacceptable and will not be tolerated
- enable anyone who has witnessed or experienced discrimination, harassment, bullying and abuse, to report the incident without fear of victimisation or retaliation
- ensure a fair, appropriate and co-ordinated response to any incidents of discrimination, harassment, bullying and abuse within or connected to participation in sport
- minimise the likelihood of incidents of discrimination, harassment, bullying and abuse.



OPERATIONS DIVISION  
INTELLIGENCE

The purpose of intelligence at Sport Integrity Australia is to inform executive and operational decision making by reducing the level of uncertainty. In the context of sport integrity, intelligence refers to the insights into, and understanding of, specific sport integrity issues, gained from the analysis and assessment of available information. The Intelligence team seeks to produce timely, relevant and actionable assessments that may support the agency and relevant stakeholders to prevent, detect and disrupt threats to integrity in sport.

Intelligence assessments are produced to help inform future anti-doping testing missions, education and engagement activities, investigations and many other operational and strategic activities. For instance, a strong focus is to provide insights into areas of integrity risks to our Education team, so as to assist in identifying education opportunities and gaps across different sporting cohorts. We also support our Investigations team through the provision of analytical capabilities.

Information-sharing with partner agencies and other stakeholders is pivotal in gaining a holistic understanding and awareness of the integrity threats in the sporting environment. The Intelligence team facilitates this by collaborating with external partners on projects to identify targeting opportunities, and convergences across different sport integrity threats.

Intelligence-informed executive and operational decision-making enables an efficient and effective response to a wide range of sport integrity related matters, and ensures that Sport Integrity Australia remains agile and responsive, as current sport integrity threats evolve and new ones emerge.

SPORTS BETTING INTEGRITY UNIT

The Sports Betting Integrity Unit (SBIU), a unit within the Australian Criminal Intelligence Commission, is the central hub for the collection, collation, analysis and dissemination of betting related information and intelligence through partnerships with primary stakeholders responsible for the protection of the integrity of Australian sport including Governments, Commonwealth, State and Territory law enforcement agencies, national and state sporting organisations, regulated bookmakers, and state and territory gambling regulators. The SBIU is the key domestic and international contact for all sports betting related issues and is acting as Australia's National Platform under the Macolin Convention. The SBIU will continue this work, while working closely with Sport Integrity Australia to develop a sports betting intelligence operational model for Sport Integrity Australia Stage Two implementation.

Contact the SBIU at [SBIU@acic.gov.au](mailto:SBIU@acic.gov.au)

INVESTIGATIONS

The Investigations team's role is to support Sport Integrity Australia in the protection of the health of athletes and the integrity of Australian sport through investigating possible anti-doping rule violations (ADRV) by athletes and athlete support persons. Traditionally, doping has been detected by testing blood and urine samples to identify the presence of a prohibited substance. However, the presence of a prohibited substance is only one of 10 ADRVs. To prove the remaining nine ADRVs, contemporary investigative methodologies are required. In conducting its work, the Investigations team works closely with other areas of Sport Integrity Australia, Australian regulatory and law enforcement bodies, National Sports Organisations (NSO), National Anti-Doping Organisations and the World Anti-Doping Agency (WADA).

The Investigations team is also responsible for investigating allegations of fraud against Sport Integrity Australia and the Sport Integrity Australia Mobile Digital Forensics capability.

The Sport Integrity Australia Investigations team fulfils its role through:

- ensuring compliance with investigations standards - i.e. the Sport Integrity Australia Investigation Manual, which accords with Australian Government Investigation Standards and WADA's International Standard for Testing and Investigations
- building the collective capability of the anti-doping community
- supporting all areas of Sport Integrity Australia including intelligence, education, testing and awareness-raising functions
- delivering effective investigative functions.

SCIENCE AND MEDICINE

Science and Medicine are integral to the implementation of an effective anti-doping program. Within Sport Integrity Australia, the Science and Medicine team:

- Supports all areas of Sport Integrity Australia to understand and apply Anti-Doping Science and Medicine including Intelligence, Anti-Doping Testing, Investigations, Legal, Education and Communications
- Work closely with WADA Laboratories to understand analysis capabilities and to apply those to Sport Integrity Australia operations
- Manage the athlete biological passport program
- Manage the data entry and results of anti-doping testing
- Manage applications for Therapeutic Use Exemptions and approvals through the Australian Sports Drug Medical Advisory Committee
- Provide advice on the status and health risks of particular substances and products to athletes, support people, sports and other areas of Sport Integrity Australia
- Work with other government agencies to improve the regulation and safety of supplements for the Australian athlete and the general public
- Science and Medicine also contribute to the international development of anti-doping through research involvement, roles on WADA Expert Groups and capability development.

To get in touch with Sport Integrity Australia in relation to any of these sections, please email [engagement@sportintegrity.gov.au](mailto:engagement@sportintegrity.gov.au) or call 13 000 27232. You can also visit the Sport Integrity Australia website to access news, online education and other resources, and keep up to date by following us on Twitter, Facebook, and Instagram.





# ANTI-DOPING

## ENHANCING ANTI-DOPING CAPABILITY

The Government has passed anti-doping reforms that implement commitments in its response to the *Report of the Review of Australia's Sports Integrity Arrangements (Wood Review)*. The reforms streamline the anti-doping rule violation (ADRV) process and ensure Australia is equipped to tackle doping facilitation.

The Government has passed a combination of reforms to the legislation and regulations which:

- streamline the administrative phase of the ADRV process by removing the Anti-Doping Rule Violation Panel, instead having this process managed by the Sport Integrity Australia CEO
- remove the ability of a person to appeal the decision to assert a possible ADRV to the Administrative Appeals Tribunal
- extend statutory protections from civil lawsuits to other persons (such as National Sporting Organisation (NSO) officers) in the good-faith exercise of their ADRV functions, so the same protections afforded to Sport Integrity Australia staff are provided to NSO colleagues
- facilitate better information sharing between Sport Integrity Australia and NSOs by enhancing the statutory protections for information provided to an NSO by Sport Integrity Australia. For example, an NSO may resist a subpoena for a document that is provided to it by Sport Integrity Australia
- strengthen Sport Integrity Australia's disclosure notice regime by removing the privilege against self-incrimination.

These reforms commenced on 10 August 2020.

## A PRAGMATIC APPROACH FOR LOWER LEVEL ATHLETES CAUGHT DOPING

Since 1 July 2020 the Sport Integrity Australia CEO has the discretion to pursue athletes below the national-level for non-presence ADRVs (with the exception of tampering and evasion). To ensure this reform is effective, the definition of a national-level athlete has changed to only include participants in those sporting events and competitions identified on the Sport Integrity Australia [website](#). This guarantees that only those athletes who genuinely compete at the national-level fall into this category. Sport Integrity Australia will work with NSOs to identify the sporting events and competitions where participants should be considered national-level athletes.

In conjunction with this reform, Sport Integrity Australia has worked with NSOs to amend anti-doping policies to provide more flexible sanctions for these athletes, ranging from compulsory education through to lengthy bans. The sanction relief reform commenced from 10 August 2020.

Sport Integrity Australia worked with the World Anti-Doping Agency to ensure the athlete reform is compliant with the World Anti-Doping Code.

If you have any questions on the anti-doping reforms feel free to contact Sport Integrity Australia at [engagement@sportintegrity.gov.au](mailto:engagement@sportintegrity.gov.au)

## TESTING TIMES DURING PANDEMIC

The pandemic has forced Sport Integrity Australia to re-evaluate the way we work, including how we continue to deliver a leading testing program during these difficult times. While testing was slowed due to a reduction of sporting events, this has started to change. As competitions have restarted, our focus has turned to how we can best offer our services while ensuring the health and safety of athletes, support personal and other staff.

Athletes remain subject to testing anytime and anywhere, even during the current pandemic. Athletes on Sport Integrity Australia's Registered Testing Pool are still required to keep their whereabouts information up-to-date.

To protect the health and safety of athletes and testing staff during testing missions Sport Integrity Australia is closely following the Department of Health's advice in relation to managing the risks associated with COVID-19.

We are also working closely with national sporting organisations, international federations and other national anti-doping organisations to identify testing missions posing a higher health risk. Where we are aware that an athlete is in isolation, or has recently travelled to a high-risk location, we will factor this in to our testing plans.

Where an athlete is required to isolate, or has come into contact with someone who has contracted COVID-19, they should advise their national sporting organisation immediately. If they are in the Registered Testing Pool or Domestic Testing Pool, they should notify Sport Integrity Australia via [contactus@sportintegrity.gov.au](mailto:contactus@sportintegrity.gov.au) and include the following information:

- The reason for self-isolation, which could be that the athlete:
  - returned a positive COVID-19 test
  - is awaiting a COVID-19 test result
  - was in close contact with someone with the virus, or
  - has just returned from overseas
- The date self-isolation commenced.

In carrying out testing missions Sport Integrity Australia field staff have been given clear procedures to follow. This maintains the safety of athletes and testing staff, while also safeguarding the integrity of the testing process. These procedures include high levels of hygiene and the use of personal protection equipment. In the event a field staff member displays COVID-19 symptoms, or meets any other high-risk criteria, they will be excluded from participating in testing missions.

Sport Integrity Australia will continue to monitor the situation closely and will update our advice to staff, sports and athletes when new information comes to hand.

If you would like to talk to us about the testing program for your sport, email us on [contactus@sportintegrity.gov.au](mailto:contactus@sportintegrity.gov.au) to arrange a discussion.

## NEW INTERIM UNIFORM

As part of the transition to Sport Integrity Australia our field staff and Clean Sport Educators are sporting a fresh new look. All athletes in the Registered Testing Pool and Domestic Testing Pool have been told of the change and been advised to ask for formal identification if concerned.



**ATHLETES REMAIN  
SUBJECT TO TESTING  
ANYTIME AND ANYWHERE, EVEN  
DURING THE CURRENT PANDEMIC.**



# SPORTS WAGERING AND MATCH-FIXING

## THE AUSTRALIAN SPORTS WAGERING SCHEME

The Wood Review found that implementation of current regulation, through the 'national operational model for sports wagering' agreed under the National Policy, has been insufficient to achieve the nationally consistent regulation envisaged. This means Commonwealth and state and territory regulation of sports wagering remains highly variable and complex, particularly in the areas of betting contingencies approval, information and intelligence sharing, collection, analysis, and reporting. This creates an undue administrative burden on sporting organisations and Wagering Service Providers (WSPs).

In its response to the Wood Review the Government acknowledged that clearer, more transparent and consistent regulation of sports wagering would provide tangible benefits to the wagering, sport and community sectors. The Government also acknowledged that the principles and intent of the **Australian Sports Wagering Scheme (ASWS)**, recommended by the Wood Review to achieve those regulatory outcomes, have significant merit. Sport Integrity Australia's Implementation team, in collaboration with all stakeholders in the sports wagering environment, is developing options for achieving these outcomes.

## WHERE ARE WE UP TO?

With input from an advisory group representing sports, WSPs, and Commonwealth, state, and territory government representatives and other stakeholders, an ASWS discussion paper has been developed to provide a starting point for a collaborative design process for the development of the ASWS. The discussion paper provides a base case for the regulation of sports wagering within Australia, a summary of the current market failures in sports wagering and issues with the current regulatory framework, and the potential design options and benefits for the ASWS (including, if applicable, non-regulatory options).

Key areas of reform outlined within the discussion paper include:

- accreditation of bodies and product fee and integrity agreements
- recognition of markets and contingencies
- information sharing.

The discussion paper was open for public consultation between 25 May and 17 July 2020.

The Implementation team is currently analysing the feedback received and will continue to consult with stakeholders to establish the preferred ASWS regulatory options. Once the preferred options are established, the Implementation team will then seek policy authority from the Government to implement the ASWS.

## THE MACOLIN CONVENTION

The Macolin Convention (the Convention) is an initiative of the Council of Europe with the purpose of galvanising and harmonising a collective response to combat the manipulation of sports competitions. The Convention encourages a consistent application of measures by sporting organisations, sports wagering providers and governments to achieve greater cooperation and coordination in the prevention of match manipulation. It is a legal instrument and the only rule of international law on the manipulation of sports competitions.

In February 2019, the then Minister for Sport, the Hon. Senator Bridget McKenzie, signed the Convention on behalf of Australia. However, while Australia is one of 31 countries to have signed, we now need to ensure we satisfy the obligations of the Convention prior to formally joining the seven other countries already recognised as Parties to the Convention. Sport Integrity Australia is currently in the process of determining Australia's ability to comply with such obligations, including an analysis of the important role state and territory regulatory regimes play in satisfying particular obligations.

One of the obligations of the Convention is to nominate a National Platform, which acts as central hub for information collection and exchange. Currently the Sports Betting Integrity Unit (SBIU), within the Australian Criminal Intelligence Commission (ACIC), performs this role through active participation as a member of the Group of Copenhagen, the network of national platforms established under the Convention. By formally entering an agreement with the ACIC on 1 July 2020, Sport Integrity Australia will play a role, in partnership with the SBIU, in discharging the obligations of Australia's National Platform under the Convention.

Joining the Convention provides Australia greater scope and impetus to implement measures at the Commonwealth level, and to develop enhanced cooperation and the exchange of information across all levels of Australian Government and internationally, regarding the manipulation of sports competitions and related corruption in sport. Our involvement to date places Australia as a key partner in the global movement towards ensuring co-operation against manipulation and other corruption in sport. Given the international nature of many sporting competitions, membership will ensure ongoing close tactical co-operation with other member nations.

## DEVELOPMENT OF COMMONWEALTH MATCH-FIXING OFFENCES

The Wood Review found the partial and inconsistent implementation of the National Policy on Match-Fixing inhibits the ability of law-enforcement agencies to investigate and prosecute offences related to the manipulation of sports competitions and associated corruption in sport. Specifically, the problem arises due to the lack of national criminal legislation and inconsistency across state and territory legislation, noting the manipulation of sports competitions offences tend to be cross-jurisdictional or multi-jurisdictional (due to the national and international nature of major sporting competitions). Additionally, current laws are not able to address transnational criminal activity. This capability is essential given the international nature of sporting competitions (including for Australian athletes and officials training, competing and officiating overseas). In its response, the Government committed to establish laws complementing those introduced by some states and territories, with further effort to be invested in promoting national consistency of approach.

To address these deficiencies, Sport Integrity Australia is working with relevant agencies to establish offences for the manipulation of sports competitions and related corruption in sport. While the Commonwealth offence framework is designed to fill gaps where they exist across and between state and territory legislation, it is not the intention that the investigation and prosecution of all manipulation and related corruption in sport be elevated to the Commonwealth level; indeed, there has been some notable success in jurisdictions where relevant legislation has been implemented.

**THE IMPLEMENTATION TEAM  
WILL CONTINUE TO CONSULT WITH  
STAKEHOLDERS TO ESTABLISH THE  
PREFERRED ASWS REGULATORY OPTIONS.**



ACIC CEO Michael Phelan and Sport Integrity Australia CEO David Sharpe enter into an intelligence partnership on 1 July 2020.



# SAFEGUARDING

Threats to sports integrity in Australia are not limited to doping and competition manipulation. Equally important is the ability of governments and the sport sector to adequately respond to other integrity issues in the sporting sphere including harassment, bullying and discrimination, and member protection (including child protection).

Protecting the most vulnerable participants in sport from bullying, harassment and abuse is an increasing area of responsibility, particularly following the Royal Commission into the Institutional Response to Child Sexual Abuse. National Sporting Organisations (NSO) have legal obligations to prevent and address discrimination and harassment and to protect children from abuse.

Before Sport Integrity Australia, safeguarding and member protection issues fell within the ambit of the Australian Sports Commission (Sport Australia) who developed policy templates and training programs to help sporting organisations meet their responsibilities. Sport Integrity Australia will continue to provide support to sport around member protection and safeguarding issues such as abuse, bullying, harassment, discrimination, dispute resolution and complaint handling. We will now address further policy development in this area and are committed to ensuring that people in sport are treated with respect and dignity.

The establishment of Sport Integrity Australia will allow, through close relationships formed over time with other Commonwealth, state and territory agencies, the operation of an assessment and referral model – triaging matters of varying severity or significance to sports, law enforcement agencies, or specialised agencies (including child protection agencies, the Australian Human Rights Commission or other state and territory agencies regarding discrimination).

In the first instance, Sport Integrity Australia will develop best practice national policies in three key areas, with resources and education to follow:

**MEMBER PROTECTION**

The Member Protection Policy seeks to ensure that everyone involved in sport is treated with respect and dignity and is protected from discrimination, harassment bullying and abuse. It aims to ensure the core values, good reputation, positive behaviours and attitudes of sporting organisations are maintained and enhanced.

The policy ensures that everyone involved in sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

**CHILD SAFEGUARDING**

The Child Safeguarding Policy seeks to create and maintain a child-safe culture in sport. It is part of a proactive and preventative approach to upholding a commitment to the safety, wellbeing, participation and empowerment of all children who participate in sport.

The policy outlines prohibited conduct and imposes obligations on sporting organisations to respond to allegations of prohibited conduct, implement a commitment to child safety and child safe practices, including recruitment and screening.

**COMPLAINTS, DISPUTES AND DISCIPLINE**

The Complaints, Disputes and Disciplinary Policy sets out the framework for resolving complaints, disputes and disciplinary action arising from an individual or organisation breaching an eligible policy of the sport. It works in combination with integrity policies of the sport that set required behaviour or prohibit unacceptable behaviour. The policy provides a number of options to resolve disputes or complaints: Alternative Dispute Resolution, Minor Breach Procedure, Breach Offer or Hearing Tribunal (internal or via the National Sports Tribunal).

**SPORT INTEGRITY AUSTRALIA  
WILL PROVIDE GREATER SUPPORT  
TO SPORT AROUND MEMBER PROTECTION  
AND SAFEGUARDING ISSUES.**





# ILLICIT DRUGS

Illicit drugs have always been mentioned when discussing sport integrity threats. Illicit drug use by participants may leave them particularly vulnerable to exploitation for other criminal purposes, including match fixing and fraud. Additionally, use of illicit drugs also leaves athletes vulnerable to breaching anti-doping policies if those substances are detected 'In-Competition'. Recent cases indicate that this scenario continues to occur.

The intentional misuse of prescription drugs, often with alcohol and possibly as an alternative to illicit drug use, has also featured as an integrity issue in Australian sports in recent years. While the use of prescription drugs in line with recommended dosages and periods of use established by medical practitioners is critical to effective management of athlete health and injury issues, intentional misuse causes similar concerns to those associated with illicit drug use.

The Wood Review identified that the lack of information sharing from sports that run illicit drug testing programs for code of conduct purposes represents a significant missed opportunity for Sport Integrity Australia and law enforcement to integrate with existing intelligence. Consequently, the Wood Review recommended Sport Integrity Australia work closely with sports regarding illicit drugs policies and seek access to results of sample analysis for the purposes of their integration with intelligence and analysis capabilities.

The Government agreed in-principle to this recommendation citing that further consideration is required, noting contractual and privacy sensitivities relating to individual illicit drug testing, and that this is only one element of the sports integrity information flow necessary to protect sports and athletes. Sport Integrity Australia will work with sporting bodies and player representation groups to achieve the overall intent of this recommendation to allow an informed and accurate understanding of the integrity threat environment and for protective and preventive measures to be developed.

## DEVELOPMENT OF ILLICIT DRUGS POLICY TEMPLATE

Sport Integrity Australia is currently updating the Illicit Drugs Policy template previously available to National Sporting Organisations (NSO). NSOs looking to implement or update existing policies must consider many associated factors before doing so. This includes such things as the resources required in terms of expense and staff, whether a testing program should be implemented, disclosures, and any welfare or treatment programs required. Sport Integrity Australia is happy to assist and support sports looking to implement or update existing policies.

**SPORT INTEGRITY  
AUSTRALIA WORKS CLOSELY WITH  
SPORTS REGARDING ILLICIT DRUGS POLICIES**



# STRENGTHENING SPORT

## DEVELOPING A NATIONAL INTEGRITY FRAMEWORK FOR NATIONAL SPORTING ORGANISATIONS

Sport Integrity Australia is completing a project to review and update the National Integrity Framework (the Framework), including all integrity policies that sit within it. This project aims to address the issues raised by sporting organisations and participants around the current member protection policy and complaint handling procedure and to ensure the new system is proportionate to the seriousness of the matter, at the relevant level of the sport. The Framework seeks to take a proactive approach to mitigate the threats to sports integrity and provide a safe, fair and trustworthy environment for participants at all levels of sport.

The Framework will provide National Sporting Organisations (NSO) with a streamlined approach to addressing sport integrity threats and sets out the broad expectations for the conduct of all participants including procedures for managing, reporting, investigating and determining potential breaches of integrity policies.

Best practice policy templates for specific integrity threats are being developed as part of the Framework, which includes the Anti-Competition Manipulation and Sports Gambling Policy, Member Protection Policy and Illicit Drugs Policy.

The Complaints, Disputes and Discipline Policy will provide a single, clear and easy-to-follow process to manage complaints and alleged breaches of integrity policies linked to the National Integrity Framework (except of anti-doping matters), which includes alternative dispute resolution options.

## IMPLEMENTATION

The Integrity Framework will be released shortly. Sport Integrity Australia will work with NSOs to establish an implementation plan and timeline to adopt and implement the National Integrity Framework and Complaints, Disputes and Discipline Policy and will provide direct assistance as required.

## THE IMPORTANCE OF EDUCATION IN TACKLING SPORT INTEGRITY THREATS

At Sport Integrity Australia, we acknowledge that regulations can be complicated, causing confusion amongst even experienced lawyers, let alone young athletes and their coaches who may fall foul of the rules. We also recognise that integrity threats like abuse, discrimination and harassment can thrive in environments where people don't know what to look for, who to turn to, or how to report concerns.

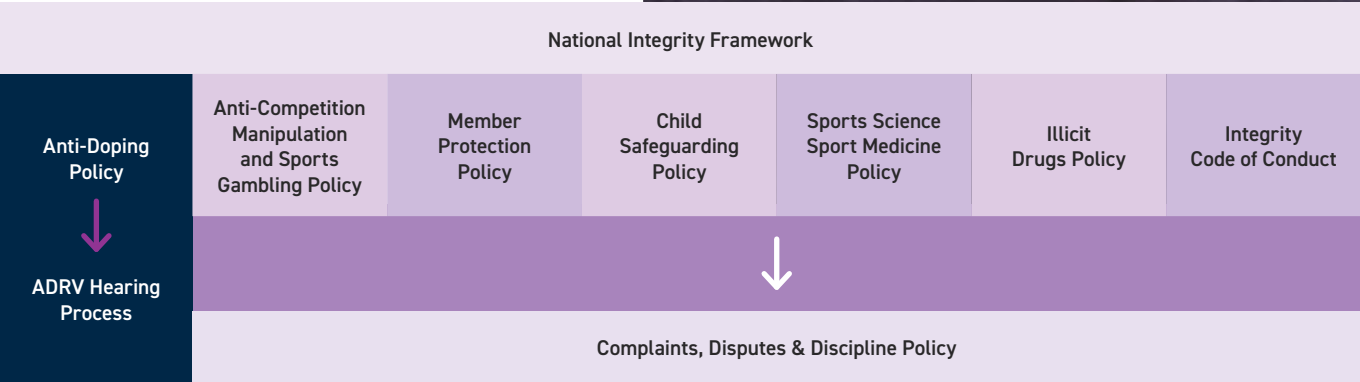
Education and prevention is at the heart of Sport Integrity Australia's mission to protect Australian sport. It is critical that participants, from administrators and athletes to volunteers, are informed and aware of the integrity threats that can infiltrate their sport. It is also critical that we all know how to deal with them to prevent them from causing any harm.

To that end, in the coming months, Sport Integrity Australia will begin working closely with all sports to ensure their athletes, support personnel, parents and NSO staff are aware of the threats facing sport, and how they can prevent them.

In the education space, plans are already underway for a range of new resources and interventions including:

- onboarding modules for NSO staff and other sporting administrators for a range of integrity threats
- education materials for parents to raise awareness of child abuse and how they can work with sports to protect their young athletes
- posters and advertisements on match-fixing to raise awareness of how to report suspicious activity and what types of behaviour to be wary of
- a comprehensive online module to teach athletes and support personnel alike about major changes to the 2021 World Anti-Doping Code
- a new virtual reality experience that lets athletes 'choose their own adventure' through a range of ethically grey issues in sport.

These resources are planned above and beyond the suite of award-winning education materials already available to sports including the Introduction to Match-fixing online course, Health Effects of Doping mobile app and nine anti-doping courses targeted to all levels of the athlete pathway, amongst others.



EDUCATION AND PREVENTION IS AT THE  
HEART OF SPORT INTEGRITY AUSTRALIA'S  
MISSION TO PROTECT AUSTRALIAN SPORT



# FROM THE NATIONAL SPORTS TRIBUNAL

## Q & A WITH CEO JOHN BOULTBEE

The National Sports Tribunal (NST), a key part of the Government's comprehensive sport integrity strategy, opened on 19 March 2020. In this issue of Sport Integrity Matters, we sit down with the CEO of the NST John Boulton and ask him to reflect on the first six months of the NST's operation, and his vision for the future.

**Q: The Tribunal has only been operational since March 2020; what have been the largest challenges that it has faced in its first few months and how has it responded to them? Has COVID-19 added to those challenges?**

The initial challenge is making it known that for the first time, Australia possesses a full-time sports resolution body. So the first few months, where sport was in COVID shut down, have been an opportunity to ensure that all the national sports bodies are aware that this facility is open to them, and to let athletes, and other participants in sport know that they can bring matters to the NST. The COVID situation has forced us to do all of our hearings by virtual means, and this has proved quite successful, and is likely to be an important part of how we will work in the future.

**Q: What do you perceive to be the main types of disputes that will make their way to the Tribunal?**

In the early days, we are seeing a quite a lot of disciplinary matters coming before us, and also "member protection" matters where members have been subject to bullying, discrimination or the like, but I expect that there will be anti-doping and selection cases taking up a lot of our time in the future.

**Q: The NST has the power to make decisions through arbitration, or to assist parties in achieving a mutually agreeable resolution through mediation, conciliation and case appraisal. Have there been early indications of any preference for either forms of dispute resolution?**

The early cases have shown a clear preference for mediation or conciliation, and conciliation in particular. I expect this is because parties welcome the slightly more directive approach the conciliator takes towards a conclusion, whereas mediation may be seen more as facilitating a discussion with the parties which may lead to resolution.

This is a welcome recognition that those methods are best able to retain a workable relationship between the individuals and the bodies involved, whilst getting through the disagreement that has arisen, and a resolution they can live with.

**Q: One of the criticisms of domestic and international sports arbitration, is that it is costly, procedurally complex and too slow. What measures has the NST adopted to address these concerns?**

Sporting disputes tend often to be less multi-dimensional than other matters (I think) and therefore are amenable to fairly simple procedures, which are what are applied in our legislative framework. Other than that, the process of holding a "Preliminary Conference" with the parties in every NST matter where procedural steps are dealt with, and often the issues are defined and contained, has in the early days of the NST been very effective.

**THE PROCESS OF HOLDING A "PRELIMINARY CONFERENCE" WITH THE PARTIES IN EVERY NST MATTER HAS IN THE EARLY DAYS OF THE NST BEEN VERY EFFECTIVE**



**Q: Unlike most sporting tribunals, the NST has legislative-backed coercive powers that can require parties by written notice to, appear and give evidence, and provide information or produce documents and things. A failure to comply may expose a person to a term of imprisonment or the imposition of a civil penalty. How do you anticipate these powers being used?**

I think these powers will be exercised sparingly. The most likely usage of the coercive powers will be in the anti-doping area, where many of the cases will involve the identification of anti-doping rule violations by means other than standard drug testing, so that extracting information from parties or other persons may be necessary to prove the violation. In the more private disputes, these quite powerful tools will be less likely to be appropriate.

**Q: Does the NST have procedures in place to "fast-track" the determination of disputes?**

In sport, a speedy resolution of matters is very often a major concern. For example, in a selection appeal relating to an event which is due to happen very shortly after selection, there is an absolute necessity to resolve the dispute quickly. To that end our procedures include a provision for expedition, to be exercised by the CEO and Members. It also provides for an early Preliminary Conference, early appointment of the Member(s) to hear the dispute, and waiving compliance with procedural requirements.

**Q: If you were granted three wishes for the NST, what would they be and why?**

The government has set us up on a two-year trial basis. My wish would be that it becomes so obvious that we are filling a significant need well that the government will need little time or effort to decide that the trial has been successful. I would also wish that within the space of a year our caseload will justify the appointment of additional Members. Lastly I would wish that the NST be recognised and celebrated as the predominant forum if not the only forum in the country for sports disputes, and that the limits of our jurisdiction be expanded to take in a number of areas which to date are not specified in our rules.

Contact the NST at [www.nationalsporttribunal.gov.au](http://www.nationalsporttribunal.gov.au)



JOHN BOULTBEE, CEO



# FEEDBACK

DO YOU HAVE A STORY ABOUT AN INTEGRITY ISSUE THAT YOU WANT TO SHARE WITH THE SPORTS COMMUNITY THROUGH FUTURE PUBLICATIONS?

DO YOU HAVE IDEAS ON WHAT TOPICS WE MIGHT INCLUDE?

DO YOU WANT TO TALK TO US DIRECTLY ABOUT A TOPIC AND HOW IT MIGHT RELATE TO YOUR SPORT?

DID YOU FIND IT USEFUL OR INFORMATIVE?

ARE THERE WAYS FOR US TO IMPROVE IT?

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