

4.5 Australia's 'National Policy on Match-Fixing in Sport'

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Prior to 2011 Australia had been lulled into a false sense of security that it was immune from the more rapacious forms of corruption so prevalent in sport elsewhere. With online betting and organised crime ignoring borders, however, times have changed. Subsequent national inquiries made it increasingly clear that Australia needed to change as well.²

Actions taken

Australia is a federation, and the national government does not have the power to introduce national laws to address match-fixing in sport. Through its Council of Australian Governments framework, however, relevant ministers in the Commonwealth of Australia and all the state and territory governments negotiated, and reached an agreement to introduce reforms in each state and territory to expressly address sport, match-fixing and gambling.

The outcome of the negotiations was the 'National Policy on Match-Fixing in Sport', agreed in June 2011 and published in a report with the same title.³ The National Policy is underpinned by the following principles:

- a nationally consistent approach to deterring and dealing with match-fixing in Australia;
- information sharing and highly efficient networks between governments, major sports, betting operators and law enforcers;
- a consistent national code of conduct principles for sport; and
- active participation in international efforts to combat corruption in sport, including an international code of conduct and an international body.

Relevant to match-fixing, the National Policy specifies the conduct that all governments agreed must be prohibited, the contravention of which attracts a maximum penalty of 10 years' imprisonment:

- engaging in conduct that corrupts or would corrupt a betting outcome;
- facilitating conduct that corrupts or would corrupt a betting outcome;
- concealing such conduct, agreements or arrangements; and
- using corrupt information for betting purposes.

The governments also agreed to implement nationally consistent legislative arrangements, pursuant to which:

- a Sport Controlling Body for each sport or competition is identified, recognised in each jurisdiction, and registered by an appropriate regulator;
- the Sport Controlling Body is to deal with those betting agencies that are licensed on behalf of their sport; and
- the Sport Controlling Body is to register all events subject to betting with the relevant regulator.

The governments also agreed that it was necessary to adopt a national approach to governing the implementation of the National Policy, to ensure cooperation and collaboration across all relevant agencies and governments, their gaming commissions, sporting organisations and betting agencies. The National Integrity of Sport Unit provides this oversight, monitoring and coordinating role.⁴

Laws prohibiting match-fixing include the following:

- Crimes Amendment (Cheating at Gambling) Act 2012 (New South Wales);

- Crimes Amendment (Integrity in Sports) Act 2013 (Victoria);
- Criminal Law Consolidation (Cheating at Gambling) Amendment Act 2013 (South Australia);
- Criminal Code (Cheating at Gambling) Amendment Act 2013 (Australian Capital Territory);
- Criminal Code (Cheating at Gambling) Amendment Act 2013 (Queensland); and
- Criminal Code Amendment (Cheating at Gambling) Act 2013 (Northern Territory).

The sporting sector is also implementing its own procedures to ensure that integrity in sport is not compromised. The Coalition of Major Professional and Participation Sports (COMPPS) shares information on sports gaming integrity education, sports gaming disciplinary and code of conduct processes, and integrity processes.⁵

More to be done

Most states and both territories have now introduced laws prohibiting match-fixing and other objectives of the National Policy. Some states, Victoria in particular, are vigorously enforcing this law. For example, in 2013 Victoria Police arrested nine European soccer players and one coach who had allegedly been recruited by a match-fixing syndicate and were playing professionally in Australia.⁶ In July 2014 Victoria Police arrested six men for allegedly participating in a tennis match-fixing syndicate, involving players and linked to national and international matches.⁷

The action agreed and adopted by governments is commendable. Rigorous enforcement by all authorities is essential, however. Victoria is unlikely to be the only state in which match-fixing occurs. Concerns continue to be raised about the increasing risks of match-fixing across Australia,⁸ particularly in soccer and cricket.⁹ Enforcement alone is insufficient to address the problem of match-fixing, though. Many sporting codes continue to have poor governance structures that lack

transparency and accountability. This means that there is a greater likelihood of any potential abuses not being identified and quickly and robustly addressed, or even potentially being suppressed by players, coaches and/or sports administrators.

Notes

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² The 2011 Australian Government Joint Select Committee conducted an inquiry into interactive and online gambling and gambling advertising, highlighting the dangers of Australian sport being corrupted; see www.aph.gov.au/Parliamentary_Business/Committees/Joint/Former_Committees/gamblingreform/completed_inquires/2010-13/interactiveonlinegamblingadvertising/index#. An August 2011 report by the New South Wales Law Reform Commission, entitled *Cheating at Gambling*, made similar observations; see www.lawreform.justice.nsw.gov.au/agdbasev7wr/lrc/documents/pdf/r130.pdf. The Australian Crime Commission's report *Organised Crime and Drugs in Sport*, from February 2013, detailed how organised crime has become involved in sport, that clubs rarely questioned the source of money offered to them and that athletes who took illicit drugs were exposed to co-opted into corrupt conduct by organised crime; see www.crimecommission.gov.au/sites/default/files/organised-crime-and-drugs-in-sports-feb2013.pdf.

³ See

[www.health.gov.au/internet/main/publishing.nsf/Content/F6DB8637F05C9643CA257C310021CCE9/\\$File/National%20Policy%20on%20Match-Fixing%20in%20Sport%20%28FINAL%29.pdf](http://www.health.gov.au/internet/main/publishing.nsf/Content/F6DB8637F05C9643CA257C310021CCE9/$File/National%20Policy%20on%20Match-Fixing%20in%20Sport%20%28FINAL%29.pdf).

⁴ The National Integrity of Sport Unit, located in the Commonwealth Department of Health, provides national oversight, monitoring and coordination of governments' efforts to protect the integrity of sport in Australia from the threats of doping, match-fixing and other forms of corruption. It provides integrity tools for sporting organisations (including an anti-match-fixing policy template), conducts anti-match-fixing education programmes and provides guidance to sports betting agencies. Its profile continues to be developed. See www.health.gov.au/internet/main/publishing.nsf/Content/national-integrity-of-sport-unit.

⁵ COMPPS includes the Australian Football League, Australian Rugby Union, Cricket Australia, Football Federation Australia, National Rugby League, Netball Australia and Tennis Australia; see www.compps.com.au/index.html.

⁶ Football Federation Australia, 'Victoria Police make arrests into alleged match-fixing', 15 September 2013, <http://www.footballaustralia.com.au/article/victoria-police-make-arrests-into-alleged-match-fixing/168hht90cmc0r137n9p4vcb5el>

⁷ *The Age* (Australia), 'Gangland police arrest six men on tennis match fixing allegations', 18 July 2014, www.theage.com.au/victoria/gangland-police-arrest-six-men-on-tennis-match-fixing-allegations-20140718-zucky.html.

⁸ See, for example, *Sydney Morning Herald* (Australia), 'Match-fixing fears as Malaysian team joins Queensland football league', 16 February 2014, www.smh.com.au/sport/soccer/matchfixing-fears-as-malaysian-team-joins-queensland-football-league-20140215-32sdz.html.

⁹ Australia and New Zealand are joint hosts of the International Cricket Council cricket World Cup in 2015.