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To Whom It May Concern

### **National Anti-Corruption Plan**

I refer to the discussion paper released by The Hon. Nicola Roxon MP, Attorney -General, regarding the Commonwealth's approach to Anti-Corruption.

Netball welcomes the Gillard Government consulting with the community, along with its commitment to develop the National Anti-Corruption Plan in consultation with Commonwealth, State and Territory agencies and other interested stakeholders.

Netball accepts that the corruption in sport is not a significant threat to the Commonwealth in comparison to other threats, many of which have a wide range of devastating impacts. Nonetheless, we must not be complacent given sport plays an important national, social, cultural, health and wellbeing role in Australia.

### **Background**

As Australia's leading female sport, netball strives to deliver fair, safe, inclusive, respectful and supportive environments for all Australians. We believe that netball offers the enjoyment of participation, a sense of belonging and life-long involvement – no matter whether that's as a player, coach, official, administrator, volunteer or fan.

Netball in Australia (Netball Australia and the State/Territory Netball Associations) is committed to leading social change, strengthening and building capacity and capability in communities and providing innovative and sustainable netball programs to empower women and girls. Netball can make a real difference in the lives of women and girls. Netball is more than a game!

Netball is ranked as the leading women's participation team sport and the top team based sport in Australia for 15 to 24 year olds. Over 1.2 million participants enjoy the game nationally and Australia has been dominant on the international stage since 1963. Netball Australia has more than 330,000 registered members; 5,000 clubs nationally; 570 Associations; and eight member organisations.

Netball Australia is committed to advancing the sport of netball internationally. Australia has an obligation, as a world leader in netball, to share our knowledge and expertise to support international harmony, enhance integrity, and build capacity within other nations.



## Context

1. The Australian Crime Commission (ACC) in its Crime Profile Series - Organised Crime in Professional Sport<sup>1</sup> - summarised the threats to the integrity of professional sport in Australia. The ACC's main comments focused on the Australian wagering industry and sport, its extent, impact, high risk individuals and current governmental responses. The ACC noted that:

*Organised criminal groups currently have a limited presence in professional sports in Australia. However, there are vulnerabilities within the sector, with the principal threat to the integrity of professional sports being the use of inside information. There are also associations between professional athletes and organised crime groups and individuals in Australia. While the vulnerabilities are yet to be systematically exploited, organised crime groups will increasingly target professional sports as the sports wagering market continues to grow.*

2. The globalisation of sport, both on and off the field; advances in technology; and commercialisation of sport presents opportunities and threats. A 2007 European Union White Paper<sup>2</sup> on Sport stated:

*Sport is confronted with new threats and challenges such as commercial pressure, exploitation of young players, doping, corruption, racism, illegal gambling, violence, money laundering and other activities detrimental to the sport.*

3. Transparency International UK launched the major findings from a series of studies which examined the levels of corruption in 23 UK sectors and institutions, including sport<sup>3</sup>. The following sport typology was put forward:

Systemic Corruption	Gambling Corruption	Competition Corruption
Vote Rigging Bribery Gifts and hospitality Organised crime	Match-fixing Sport-fixing (match influencing)	Use of illegal drugs (including performance enhancing) Cheating

Transparency International UK noted that:

- Of all 23 UK sectors and institutions they looked at, none was more challenging (and perhaps none more controversial) than sport. Sport corruption has a profound impact in terms of culture and public trust.
- The diverse range of sport corruption cases demonstrated three common risk factors: (1) the problem of self-regulation in sport; (2) the difficulty of regulating against international corruption; and (3) links with organised crime.
- There have been a number of responses to these problems by the UK gambling industry and sporting bodies. Perhaps the most significant is the creation of the Sports Betting Integrity Unit.
- Nearly all types of sport corruption identified had an international dimension that made detection and regulation very difficult.
- Future research must be conducted to better chart the impacts (economic; cultural; professional) of specific types of corruption in different sports. In particular, there needs to be a much more systematic approach in recording corruption cases.

4. A study prepared by Transparency International – Czech Republic <sup>4</sup> noted that the main areas where corruption in sport can occur include:

*Match fixing, embezzlement or misusing of sport funds, corruption in hosting of games, corruption in changing sport results, corruption in transfers of players, corrupted elections in sporting bodies. We can also mention situations where high sport officials were convicted of corruption in their non-sport activities which is not corruption in sport itself but it certainly influences the sport life. We also keep aside a role of politics in sport which might be very close to political corruption of sport. It represents another very interesting and controversial issue of sport closely related to the issue of corruption in sport.*

The study concluded that possible corruption in sport does not mean acknowledgement that sport is deeply corrupt but acknowledgement that conditions for corruption are embedded in sport and that it requires urgent and internationally coordinated action. Preventative measures could include:

- Acknowledgement of a problem.
  - Discussion and research.
  - Education, training and guidance.
  - Strict enforcement of existing laws.
  - Promotion of transparency.
  - Opening of sport family.
  - Considering establishing a permanent forum on discussion and coordination of corruption in sport.
  - Support of concrete measures at different sports.
5. Economist Wolfgang Maening <sup>5</sup> noted that the problem of corruption in sport should not be interpreted as a particularly great one, going beyond the dimensions of corruption in other areas of human endeavour. The causes of corruption and their social costs vary from nation to nation, sport to sport, attitudes of society, and so on. Notwithstanding, Maening found that the anti-corruption measures that are particularly meaningful from an economic point of view include the following:
- The creation of clear codes of conduct, with unambiguous definitions of undesirable (and punishable) behavior.
  - Reducing surpluses accrued by host cities from hosting major sporting events by allowing the sporting family a greater share of the financial advantages. This surplus reduction should be carried out until the number of applicants drops significantly. Applicant cities from poorer countries could be targeted for subsidy by the international sporting family.
  - Making the procedure for the selection of sporting venues more transparent, as well as introducing freedom of information acts in sport.
  - Creating financial incentive mechanisms for athletes and officials which have the effect of increasing the opportunity costs of corruption and which provide them with official recompense for their actions at a level greater than the usual market wage for comparable activities.
  - Increasing controls and introducing tougher penalties.

## **Comments**

Netball does not purport to be an expert on corruption, and as such the following comments are more general in nature:

- There is limited evidence of systemic and institutionalised corruption in Australian sport, and we seem to be of relatively low risk compared to other countries. Notwithstanding, protecting the integrity of sport is paramount. As such, contemplation of any anti-corruption measures will need to be cognisant of the Australian sport industry; globalisation; sport specific requirements and so on. Key factors include the degree of risk, the nature of the sport, democratic and governance culture, size of the market (commercial and other benefits), polices of the sport (internationally and domestically), ability of the sport, and if appropriate law enforcement agencies, to deter, detect and enforce anti-corruption measures, and so on.

### **Democratic and Governance Culture**

- Netball welcomed the Australian Charities and Not-For-Profits Commission (ACNC) consulting on what the core organisational governance principles applying to registered Not-for-Profits (NFP) should be. The issues of transparency, accountability and efficiency must be at the core to reduce the risk of malfeasance.
- Netball supports the proposal that the law require all NFPs under the ACNC jurisdiction to abide by a conflict of interest policy.
- NFP should provide sufficient information to allow its members, and if relevant the broader community, to understand and interpret how successful the NFP is (has been) and to offer a broader insight into how effective resources allocation has been.
- NFP financial statements should be reviewed by at least an independent reviewer, and comprehensive notes provided to facilitate understanding of financial reports.
- NFP Boards must be accountable and transparent to their members. Members should be involved in the development of the strategic plan; well informed and regularly provided with timely and accurate information regarding governance and the performance of the organisation.
- Netball supports the recently revised Australian Sports Commission (ASC) set of sport governance principles for Australia's National Sporting Organisations. The ASC recognises that effective sports governance requires leadership, integrity and good judgment. Additionally, effective governance will ensure more effective decision making, with the organisation demonstrating transparency, accountability and responsibility in the activities undertaken and resources expended <sup>6</sup>.

### **Gambling Corruption**

- Netball welcomed the Australian Parliament's wide ranging inquiries into gambling, sports betting, corruption, advertising and related matters.
- Netball welcomed the announcement of 10 June 2011 by the Sport and Recreation Minister's Council of a National Policy on Match-Fixing in Sport to provide the foundation for all Australian governments to work with sports and betting companies to deter and deal with corruption in sport. A critical aspect of the National Policy is the agreement to pursue nationally consistent legislative arrangements.

- Netball supports the principle that the current Victorian Sports Betting Act be used as a guide for nationally consistent Legislation.
- Netball welcomed the work of the Standing Committee of Attorneys-General agreement to pursue a nationally consistent approach to criminal offences relating to match fixing, along with the agreed set of match-fixing behaviours that legislative arrangements in each State and Territory should cover.
- Netball supports the recent formation of the Sports Integrity Unit as part of the Office for Sport, in the Federal Department of Regional Australia, Local Government, Arts & Sport.
- In March 2012, the Netball Australia Board approved a National Policy on Match Fixing in Netball. An application for recognition as a Sports Controlling Body under the Victorian Legislation has been drafted, and discussions with Sports Betting Operators to enter into Integrity Agreements have commenced.
- Netball supports the suggestion that the current prohibition on online in-the-run betting be removed (review of the Interactive Gambling Act 2001). This form of betting is being driven offshore by the current prohibition. Australian sports and regulators have no access to suspicious betting data and have no means of tracking illegal activity and protecting the integrity of sport.
- At a forum convened by Victoria Police in December 2011 to discuss the growing threat from illegal offshore gambling and organised crime in sport, attendees from select sports (including netball), the ACC, Interpol and law enforcement agencies discussed the need for greater cooperation between law enforcement agencies and sporting bodies, including the need for all jurisdictions to have a dedicated area to assist sports to bring matters to the attention of law enforcement agencies and enable cross jurisdiction collaboration and multi-agency approaches.

### **Competition Corruption**

- Netball strongly supports the Australian Government's international leadership role with the World Anti-Doping Agency, along with the work of the Australian Sports Anti-Doping Authority in regards to performance enhancing substances and methods, including investigations into matters such as trafficking; and engagement with domestic and international law enforcement agencies and overseas anti-doping organisations.

Netball appreciates the opportunity to provide comment and looks forward to ongoing involvement.

If you require further information, please contact me on phone (03) 8621 86009, or email [infonet@netball.asn.au](mailto:infonet@netball.asn.au).

Yours sincerely

Nadine Cohen  
Head of Strategy & Government Liaison

20 April 2012

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**End Notes:**

- <sup>1</sup> Threats to the integrity of professional sport in Australia, Australian Crime Commission.  
<http://www.crimecommission.gov.au/publications/crime-profile-series-fact-sheet/threats-to-integrity-professional-sport-australia>
- <sup>2</sup> European Commission, 2007, White Paper on Sport, Brussels, viewed 18 February 2011.  
[http://ec.europa.eu/sport/white-paper/the-2007-white-paper-on-sport\\_en.htm](http://ec.europa.eu/sport/white-paper/the-2007-white-paper-on-sport_en.htm)
- <sup>3</sup> Corruption in the UK, Part Two, Assessment of key sectors, Sport pages 40 – 45.  
<http://www.transparency.org.uk/ti-uk-programmes/corruption-in-the-uk>
- <sup>4</sup> Why sport is not immune to corruption? Study prepared by Transparency International – Czech Republic. Compiled by Radim Bureš, December, 2008.  
[http://www.coe.int/t/dg4/epas/Source/Ressources/EPAS\\_INFO\\_Bures\\_en.pdf](http://www.coe.int/t/dg4/epas/Source/Ressources/EPAS_INFO_Bures_en.pdf)
- <sup>5</sup> Corruption in international sports and how it may be combated. IASE/NAASE Working Paper Series, Paper No. 08-13, Wolfgang Maennig, August 2008. [http://college.holycross.edu/RePEc/spe/Maennig\\_Corruption.pdf](http://college.holycross.edu/RePEc/spe/Maennig_Corruption.pdf)
- <sup>6</sup> [http://www.ausport.gov.au/\\_data/assets/pdf\\_file/0018/482022/ASC\\_Governance\\_Principles.pdf](http://www.ausport.gov.au/_data/assets/pdf_file/0018/482022/ASC_Governance_Principles.pdf)