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Sport Integrity Australia



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NATIONAL INTEGRITY FRAMEWORK

Western Australian
Institute of Sport

Competition Manipulation and
Sport Gambling Policy

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TABLE OF CONTENTS

1.	Policy Intent	3
2.	Definitions	3
3.	Jurisdiction	4
4.	Prohibited Conduct	5
4.1	Prohibited Conduct	5
5.	Reporting and Complaints	6
6.	Other Matters	6
6.1	Education	6
6.2	Information sharing	6
	Appendix A: Examples of Prohibited Conduct	8
	Appendix B: Examples of Direct and Indirect Connections for a Relevant Person	9

1. Policy Intent

The purpose of this Policy is to protect the integrity of the Western Australian Institute of Sport (WAIS) through the prevention, detection, and enforcement of rules relating to the manipulation of WAIS's sports competitions and associated illicit sports betting activity. Through this Policy, WAIS aims to ensure that its core values, good reputation and positive behaviours and attitudes are maintained.

The conduct prohibited under this Policy may also be a criminal offence and/or a breach of other applicable laws. In Western Australia these laws include section 409 of the Western Australia Criminal Code and section 44 of the *Gaming and Wagering Commission Act 1987*. This Policy is intended to supplement such laws. It is not intended, and should not be interpreted, construed, or applied, to prejudice or undermine in any way the application of such laws. Relevant Persons must comply with all applicable laws.

2. Definitions

In this Policy the following words have the corresponding meaning:

Activity means a sporting contest, match, competition, event, or activity (including training and use of specialist support services and competition support), whether on a one-off basis or as part of a series, league, or competition, organised by WAIS.

Affiliate Organisation means either a National Sporting Organisation, State Sporting Association, or National Institute Network organisation that is officially affiliated with WAIS, through affiliation agreements with WAIS or through the administration of an Activity.

Athlete means a person who has a current athlete agreement with WAIS.

Benefit means any advantage and is not limited to property¹.

Complaints, Disputes and Discipline Policy means the policy adopted by WAIS for the handling and resolution of allegations regarding Prohibited Conduct.

Contractor means any person or organisation engaged to provide services for, or on behalf of, WAIS. This includes agents, advisers and subcontractors of WAIS and Employees, officers, Volunteers, and agents of the Contractor or subcontractor.

Employee means a person employed by WAIS.

Inside Information means any information connected to the conduct, management or organisation of a sporting event that is not generally available and if it were generally available, the information, would, or would be likely to, influence a person's decision to bet on the sporting event or in making any other betting decision.

National Institute Network organisation means the organisations that comprise the National Institute Network in Australia, being the Australian Institute of Sport and the eight State and Territory Institutes and Academies of Sport.

National Integrity Framework means the National Integrity Framework as developed by Sport Integrity Australia consisting of the following five policies:

- (a) Safeguarding Children and Young People Policy;
- (b) Competition Manipulation and Sport Gambling Policy;
- (c) Improper Use of Drugs and Medicine Policy;
- (d) Participant Protection Policy; and
- (e) Complaints, Disputes and Discipline Policy.

¹ A benefit can include, but not limited to; profiting from betting; obtaining an easier draw in the next round of competition; prize money; gifts; winning a title; or ranking points.

Participant means:

- (a) Athletes;
- (b) coaches appointed to train an Athlete or Team in an Activity;
- (c) administrators who have a role in the administration or operation or Activity of WAIS, including owners, directors, committee members or other persons;
- (d) officials including referees, umpires, technical officials, or other officials appointed by WAIS;
- (e) support personnel who are appointed in a professional or voluntary capacity by WAIS, including sports science sports medicine personnel, team managers, agents, selectors, and team staff members; and
- (f) any other person who participates in or is involved in running an Activity.

Policy means this Competition Manipulation and Sport Gambling Policy and any appendices.

Prohibited Conduct means the conduct proscribed at clause 4 of this Policy.

Relevant Organisation means any of the following organisations:

- (a) WAIS;
- (b) any organisation that participates in or is involved in the administration of an Activity (including an Affiliate Organisation), in connection with that Activity; or
- (c) any other organisation who has agreed to be bound by the National Integrity Framework and/or the Relevant Policies, to the extent that they have agreed to be bound.

Relevant Person means any of the following persons:

- (a) Participant;
- (b) Employee;
- (c) Contractor;
- (d) Volunteer; and
- (e) any other individual who has agreed to be bound by the National Integrity Framework and/or Relevant Policies.

Team means a collection or squad of Athletes (persons who have a current athlete agreement with WAIS).

Use of Inside Information means using Inside Information for betting purposes.

Volunteer means any person engaged by WAIS or an Affiliate Organisation (to the extent of their involvement in an Activity only) in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, coaches, officials, administrators and team and support personnel.

Wagering Service Provider means any company or other undertaking that promotes, brokers, arranges or conducts any form of wagering activity in relation to WAIS program sports.

Any capitalised term not defined in this Policy has the meaning given to it in the Complaints, Disputes and Discipline Policy.

3. Jurisdiction

This Policy applies to:

- (a) Relevant Persons; and
- (b) Relevant Organisations.

4. Prohibited Conduct

4.1 Prohibited Conduct

A Relevant Person commits a breach of this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct:

- (a) Participate (whether by act or omission) in improperly altering the result or the course of an Activity in order to remove all or part of the unpredictable nature of the Activity to obtain a Benefit for themselves or others including by²:
 - i. the direct, pre-meditated or planned interference with the natural course of an Activity or element of an Activity³;
 - ii. providing modified or false information related to an athlete's identity or personal information;
 - iii. intentionally modifying playing surfaces, equipment or athlete's physiology to improperly influence the natural course of the event⁴;
 - iv. intentionally misrepresenting, either by deed or omission, the existence or extent of their skills and/or the nature of their eligible impairment relevant to a Para-sport (Intentional Misrepresentation)⁵.
- (b) Place, or facilitate or assist with the making of⁶, a bet, or enter into any other form of financial speculation, on any Activity, or on any incident or occurrence in an Activity, which they have a direct or indirect connection to⁷. For the avoidance of doubt:
 - i. any bets placed by a betting syndicate or group, such as a 'punter's club', of which the Relevant Person is a member;
 - ii. an interest in any bet, including having someone else place a bet on their behalf; or
 - iii. allowing another person to place a bet using a Relevant Person's account, shall be treated as if the bet was placed by the Relevant Person as an individual;
- (c) Disclosure of Inside Information or Use of Inside Information, other than as required as part of their official duties;
- (d) Accept, request, seek, offer, or provide a Benefit to incite, cause or contribute to any breach of this Policy, or which might reasonably be expected to bring the Relevant Person or WAIS into disrepute;
- (e) Facilitate, assist, aid, abet, encourage, induce, cover-up or be complicit in any Prohibited Conduct;
- (f) Agree, conspire, plan or attempt to engage in any conduct which would be Prohibited Conduct if successful; or
- (g) Fail to promptly report, to the fullest extent of their knowledge (or of which they ought to have been reasonably aware) to WAIS or responsible Affiliate Organisation if they:

² 'Improperly' in this context means **not** in accordance with standard sets of behaviour accepted in the participant's sport. Some practices in a sport may, when applying a strict interpretation without context, be seen as Prohibited Conduct, however, given the behaviour is culturally acceptable among participants and spectators of the sport, this conduct is, therefore, deemed not 'improper'. Refer to Appendix A: Examples of Prohibited Conduct for examples of acceptable and improper practices.

³ Examples may include, but not limited to, intentionally conceding points, pre-arranging the outcome of a competition, deliberate underperformance (also known as 'tanking') in any manner (through selections or not playing to a person's merits), influencing athlete selections and strategy, or intentional unfair or incorrect officiating. Refer to Appendix A: Examples of Prohibited Conduct for examples.

⁴ For the avoidance of doubt, this does not include any matters dealt with under other relevant policies relating to anti-doping, eligibility, gender identity or selection criteria.

⁵ Intentional Misrepresentation may occur prior to, during athlete evaluation and/or at any point after the allocation of sport class. It may include an athlete or athlete support personnel attempting to deceive or mislead a classifier, classification panel, an International Federation (IF), National Paralympic Committee (NPC) or National Sporting Organisation (NSO).

⁶ Facilitating or assisting includes communicating in any way, including but not limited to in-person communication, using a mobile phone, computer or other electronic device, information that might give another person an unfair advantage if they were to engage in betting related to that information, other than as required as part of their official duties.

⁷ For the purposes of part 4.1(b), the words 'directly or indirectly connected to an Activity' are to be given the broadest possible meaning. Refer to Appendix B: Examples of Direct and Indirect Connections for a Relevant Person for examples of direct and indirect connections.

- (i) are interviewed as a suspect, charged, or arrested by a law enforcement body in respect of conduct that falls within the definition of Prohibited Conduct⁸;
- (ii) have been approached by another person, whether or not that person is bound by this policy, to engage in Prohibited Conduct;
- (iii) know or reasonably suspect, that another person has engaged in Prohibited Conduct, or has been approached to engage in Prohibited Conduct;
- (iv) have, or is aware or reasonably suspects that another person has, received actual or implied threats of any nature in relation to any past or proposed Prohibited Conduct; or
- (v) have or obtain any new knowledge or suspicion regarding any possible Prohibited Conduct under this Policy, even if the Relevant Person's prior knowledge or suspicion has already been reported.

5. Reporting and Complaints

- (a) Allegations of Prohibited Conduct under this Policy should be submitted to WAIS.
- (b) Allegations of Prohibited Conduct under this Policy will be managed in accordance with the WAIS Complaints, Disputes and Discipline Policy.
- (c) Notification by a Relevant Person under clause 4.1(g) may be made verbally or in writing by the Relevant Person and may be made anonymously if there is a genuine concern of reprisal. A Relevant Person who makes a report anonymously is responsible for keeping a record that will allow them to confirm that they have met their obligations under clause 4.1(g).

6. Other Matters

6.1 Education

- (a) In order to prevent breaches of this policy, build positive behaviours in sport and protect participants from competition manipulation and associated sports gambling threats, WAIS is responsible for developing and implementing an education plan addressing the content and subject matter of this Policy.
- (b) WAIS should engage Sport Integrity Australia to assist in the design, implementation, and maintenance of the education plan and to determine priority education groups and associated interventions.
- (c) WAIS may, from time to time, direct certain Participants to undertake education, which will be relevant and proportionate to their level of participation in Activities and the associated integrity risks.
- (d) Sport Integrity Australia has developed a range of education resources and training material to support the National Integrity Framework which can be found [here](#).

6.2 Information sharing

- (a) WAIS may share information (including Personal Information as defined in the *Privacy Act 1988* (Cth)) at any time relating to Relevant Persons with Wagering Service Providers, law enforcement agencies, government agencies or other sporting organisations to prevent, identify and investigate alleged Prohibited Conduct, or to comply with relevant state and territory or national regulation or legislation, subject to the Privacy Act.
- (b) WAIS may share information they receive relating to competition manipulation and sports betting with Sport Integrity Australia to enable Sport Integrity Australia to effectively perform its functions.
- (c) In sharing information, WAIS will remain bound by the legal obligations contained in the *Privacy Act 1988* (Cth) and WAIS's Privacy Policy.
- (d) Relevant Persons must disclose information to WAIS regarding all of their commercial agreements, interests, and connections with Wagering Service Providers to the extent that these are relevant to

⁸ This does not apply if the reporting is not permitted by law.

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Activities. For the avoidance of doubt, this does not include the disclosure of accounts that Relevant Persons may hold with Wagering Service Providers.

- (e) WAIS may request information from Wagering Service Providers to identify incidents of suspicious or prohibited betting transactions (including single or multiple betting transactions or market fluctuations) that may indicate or tend to indicate that Relevant Persons have engaged in Prohibited Conduct under this Policy.
- (f) To enable the Wagering Service Provider to provide such information, WAIS may, from time to time and subject to any terms and conditions imposed by an Affiliate Organisation (including in relation to confidentiality and privacy), provide to Wagering Service Providers details of Relevant Persons who are precluded by this Policy from engaging in Prohibited Conduct.
- (g) All requests for information or provision of information by WAIS or a Wagering Service Provider shall be kept strictly confidential and shall not be divulged to any third party or otherwise made use of, except where required by law or by this Policy, is permitted by WAIS or Wagering Service Provider, or where information is already in the public domain other than because of a breach of this Policy.

Appendix A: Examples of Prohibited Conduct

1. For the purposes of clause 4.1(a)i. of this Policy, examples of Prohibited Conduct whereby a Relevant Person **participates (whether by act or omission) in improperly altering the result or the course of an Activity in order to remove all or part of the unpredictable nature of the Activity to obtain a Benefit for themselves or others** include, but are not limited to:
 - (a) intentionally conceding points;
 - (b) pre-arranging the outcome, or the course of a competition, including through influencing athlete selections and strategy;
 - (c) deliberate underperformance (also known as 'tanking') in any manner (through selections or not playing to a person's merits), including for the intention to progress to an easier draw, or for the intention of benefiting a 'friendly' opponent;
 - (d) intentional unfair or incorrect officiating.

2. However, **'improperly'** in this context means **not** in accordance with standard sets of behaviour accepted in WAIS. Some practices in WAIS may, when applying a strict interpretation without context, be seen as Prohibited Conduct; however, that conduct is in accordance with standard sets of behaviour accepted in WAIS. The following does not constitute Prohibited Conduct, include, but are not limited to:
 - (a) drafting, for example, in an open water swimming race or in a triathlon race;
 - (b) selecting specific athletes for a qualification event to maximise entry quotas of the associated club or representative team/squad;
 - (c) resting players/athletes for a legitimate competitive objective such as the development of the team or other players, or the management of player fatigue or injuries;
 - (d) resting players/athletes from a match or race of a competition to maximise a team performance in the finals; or
 - (e) not selecting a player for an entire series or tour to provide them with an extended rest period in preparation for a future series or tour.

Appendix B: Examples of Direct and Indirect Connections for a Relevant Person

1. A Relevant Person has a direct connection to an Activity if they are:
 - (a) an Athlete participating/competing in the Activity;
 - (b) a coach or support personnel of a Team or Athlete participating in the Activity;
 - (c) a trainer/para-medical of a Team or Athlete participating in the Activity;
 - (d) a referee, umpire, technical official, judge, or official, of the Activity appointed by a Relevant Organisation;
or
 - (e) An Employee, Contractor, or Volunteer involved in the organisation of the Activity.

2. A Relevant Person has an indirect connection to an Activity if (but not limited to):
 - (a) the Activity is a single race, match, or competition the Relevant Person does not directly participate in; however, it is a part of a series, tournament, or season competition, of which the Relevant Person participates in, or is directly connected to. For example, if a Relevant Person's team competes in the state Sport series which involves another nine teams in a 10-round draw, that Relevant Person is prohibited from betting on any match in the entire state Sport series;
 - (b) they are an Employee, Contractor, or Volunteer with a Relevant Organisation organising the Activity. For example, if the Relevant Person is an Employee, Contractor, or Volunteer of a Relevant Organisation and the Relevant Organisation organises the national championships, the Relevant Person is prohibited from betting on **any** competition, match, or race of that national championships; or
 - (c) the Activity includes participants competing on behalf of a Relevant Organisation and the Relevant Person is an Employee, Contractor, or Volunteer of that Relevant Organisation. For example, if a regional representative team is competing at the state championships, an Employee, Contractor, or Volunteer of the relevant regional association is prohibited from betting on **any** Activity at those state championships.