

## Codes balk at government's sports integrity tribunal

Tennis pro Sam Groth in Melbourne. 'Anything that would deter people from doing stuff outside the rules is important.' Picture: Alex Coppel

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Australia's football codes and leading professional sports are threatening to shun a national sports court and use their own tribunals to determine cases involving allegations of doping, match-fixing and corruption.

In a move that risks opening a new rift between Canberra and Australia's biggest sports bodies, the professional sports have told a review chaired by James Wood QC that the government's proposed national sports integrity tribunal is unnecessary, expensive and bureaucratic.

The Coalition of Major Professional and Participation Sports, an industry group representing the AFL, NRL, Australian Rugby Union, Football Federation Australia, Cricket Australia, Tennis Australia and Netball Australia, signalled that its members were unlikely to "opt-in" to the national tribunal.

"The sports value their ability to dispense sporting justice fairly, cheaply, quickly, effectively and efficiently," reads a COMPPS submission to the Wood review obtained by *The Australian*. "They see little benefit to them in the formation of such a tribunal."

The sports also take aim at comments by Sports Minister Greg Hunt questioning the independence of their existing tribunals. In arguing the case for a national, government-funded tribunal, Mr Hunt cited the Essendon drugs case — in which an AFL tribunal decision clearing all players was overturned by the Court of Arbitration for Sport — and declared it time to move beyond "sports sitting in judgment of themselves". In response, the COMPPS submission was blunt: "The sports take exception to those comments. The tribunal members are independent. They value their independence. The sports protect and value the independence of the tribunal members."

"We are not aware of any instance where a tribunal member has been pressured or influenced by a sport to make a decision in a particular way. The calibre and reputations of the people appointed to the tribunals is such that any attempt would be rebuffed."

The case for a national sports integrity tribunal is backed by Mr Hunt, Australian Sports Commission chairman John Wylie, and two former chiefs of the Australian Sports Anti-Doping Authority, Richard Ings and Ben McDevitt.

Britain and New Zealand have national sports tribunals.

A spokesman for Mr Hunt confirmed sports would be invited to opt-in to the proposed system. It is understood discussions are continuing between the government and the heads of individual sports. "The Wood review will consider submissions from all parties, including professional sporting codes, in the process of providing recommendations to government," the spokesman said.

Australian Athletes Association chief executive Jacob Holmes, a former NBL player, said a national tribunal would need to uphold athlete rights, including against self-incrimination, and avoid imposing "blanket penalties" across different sports.

"The feedback we are getting back from our member associations is that the internal tribunals of the professional codes are independent and accessible and give context to the framework of that sport," Mr Holmes said. "There is a fair bit of water to go under the bridge before you establish a catch-all tribunal that covers all sports in Australia."

Sam Groth, a professional tennis player who is nearing the end of his career after 13 years on tour, backed any reform that would improve the integrity of tennis and other sports. "As an athlete, when you go out there, you want a level playing field, whether it's from gambling or doping," he said. "Anything that would deter people from doing stuff outside the rules is important."

In Australia, doping and corruption allegations not involving criminality are determined by tribunals appointed and funded by the sports. Under the World Anti-Doping Code, doping cases can be appealed to the CAS.

The professional sports argue that “maintaining, defending and promoting the integrity of their sport” lies at the heart of their management and governance responsibilities. “They do not wish to subcontract this responsibility to a third person,” their submission reads.

According to the COMPPS submission, Australian sport is well regulated and previous attempts to corrupt matches have been relatively amateurish. The sports claim they are at a “moderate to low risk” of doping.

Mr Wood, a renowned jurist best known as the royal commissioner who exposed corruption in the NSW Police Force, is chairing a three-person review panel alongside former World Anti-Doping Agency director-general David Howman and Ray Murrphy, the former chief steward of Racing NSW. They are considering whether Australia needs national laws to criminalise match-fixing and whether a National Sport Integrity Unit established by the Gillard government should be given ICAC-style powers to detect and expose corruption.

The review is also examining the investigative capacity of ASADA, which came under enormous strain during the Essendon and Cronulla drug scandals.