

The Auditor-General
Auditor-General Report No.27 2024–25
Performance Audit

Sport Integrity Australia's Management of the National Anti-Doping Scheme

Sport Integrity Australia

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Canberra ACT
3 March 2025

Dear President
Dear Mr Speaker

In accordance with the authority contained in the *Auditor-General Act 1997*, I have undertaken an independent performance audit in Sport Integrity Australia. The report is titled *Sport Integrity Australia's Management of the National Anti-Doping Scheme*. Pursuant to Senate Standing Order 166 relating to the presentation of documents when the Senate is not sitting, I present the report of this audit to the Parliament.

Following its presentation and receipt, the report will be placed on the Australian National Audit Office's website — <http://www.anao.gov.au>.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Caralee'.

Dr Caralee McLiesh PSM
Auditor-General

The Honourable the President of the Senate
The Honourable the Speaker of the House of Representatives
Parliament House
Canberra ACT

AUDITING FOR AUSTRALIA

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Audit snapshot

Auditor-General Report No.27 2024–25

Sport Integrity Australia's Management of the National Anti-Doping Scheme



Why did we do this audit?

- ▶ Sport Integrity Australia (SIA) was established on 1 July 2020 by the *Sport Integrity Australia Act 2020*.
- ▶ SIA is the national anti-doping organisation for Australia under the United Nations Anti-Doping Convention and the World Anti-Doping Code. It has responsibility for managing a National Anti-Doping Scheme.
- ▶ The government has noted the importance of effective anti-doping measures to protect the integrity of Australian sport.



What did we find?

- ▶ SIA's management of the National Anti-Doping Scheme is partly effective.
- ▶ Governance arrangements for anti-doping are partly fit for purpose.
- ▶ Anti-doping prevention and detection is largely effective for sports that have government funded testing arrangements, and partly effective for sports that have 'user pays' arrangements.
- ▶ SIA's arrangements to investigate and respond to anti-doping rule violations are partly effective.



Key facts

- ▶ In 2023–24, SIA's total resourcing was \$56.5 million, with an average staffing level of 172.
- ▶ 98 sporting organisations in Australia have adopted the National Anti-Doping Policy.
- ▶ As the national anti-doping organisation for Australia, SIA has primary authority and responsibility at the national level to collect and test samples from athletes for the purpose of detecting anti-doping rule violations.



What did we recommend?

- ▶ There were seven recommendations relating to: performance measures; regulatory capture risks; procedures for test distribution planning; evaluation methodology; risk-based planning; investigative procedures; and quality assurance over investigations.
- ▶ Sport Integrity Australia agreed to all seven recommendations.

15,131

Anti-doping samples collected between 1 July 2021 and 30 June 2024

38

Anti-doping rule violation investigations commenced between 1 July 2021 and 30 June 2024

15

Number of sanctions issued to athletes (from 21 investigations commenced and closed between 1 July 2021 and 30 June 2024)

Summary and recommendations

Background

1. On 5 August 2017, the Minister for Health and Aged Care announced a review of Australia's sport integrity arrangements. The *Report of the Review of Australia's Sport Integrity Arrangements* (the Wood Review) was presented to the government in March 2018 and made 52 recommendations, including the establishment of a national sports integrity commission.¹ In its February 2019 response to the Wood Review², the Australian Government agreed, agreed in part, agreed in principle or noted all recommendations. Sport Integrity Australia (SIA) was established on 1 July 2020 by the *Sport Integrity Australia Act 2020* (SIA Act).

2. The object of the SIA Act is to establish SIA to prevent and address threats to sports integrity and to coordinate a national approach to matters relating to sports integrity in Australia. A National Anti-Doping Scheme is required under section 3 of the SIA Act and is set out in Schedule 1 of the Sport Integrity Australia Regulations 2020 (SIA Regulations). The SIA Regulations outline the powers and functions of the SIA Chief Executive Officer, which include having the role and responsibility of a 'national anti-doping organisation' for Australia under the United Nations Educational, Scientific and Cultural Organization's (UNESCO) Anti-Doping Convention and the World Anti-Doping Code.

Rationale for undertaking the audit

3. In its response to the Wood Review, the Australian Government committed to 'comprehensively protecting the integrity of Australian sport for the benefit of the entire Australian community' and to establishing a national sports integrity commission (SIA). The government also noted the importance of effective anti-doping measures to protect the integrity of Australian sport.

4. The audit provides assurance to the Parliament as to whether SIA has established effective governance arrangements for anti-doping and is effectively managing the National Anti-Doping Scheme.

Audit objective and criteria

5. The purpose of the audit was to assess the effectiveness of Sport Integrity Australia's management of the National Anti-doping Scheme.

6. To form a conclusion against the objective, the following high-level criteria were adopted:

- Has Sport Integrity Australia established fit-for-purpose governance arrangements?

1 Australian Government, *Report of the Review of Australia's Sports Integrity Arrangements*, March 2018, available from <https://www.sportintegrity.gov.au/sites/default/files/Report%20of%20the%20review%20of%20Australia%E2%80%99s%20Sports%20Integrity%20Arrangements.pdf> [accessed 5 September 2024].

2 Australian Government, *Safeguarding the Integrity of Sport – The Government Response to the Wood Review*, 12 February 2019, available from <https://www.sportintegrity.gov.au/sites/default/files/Government%20Response%20to%20Wood%20Review.pdf> [accessed 5 September 2024].

- Has Sport Integrity Australia established effective arrangements to prevent and detect anti-doping rule violations?
 - Has Sport Integrity Australia established effective arrangements to investigate and respond to possible anti-doping rule violations?
7. The period covered by the audit is 1 July 2021 to 30 June 2024. Anti-doping matters prior to the establishment of Sport Integrity Australia on 1 July 2020 are not within the scope of this audit.

Conclusion

8. Sport Integrity Australia’s management of the National Anti-Doping Scheme is partly effective. SIA has adopted a different approach to anti-doping regulation, depending on how anti-doping samples and testing are paid for. Regulatory responsibilities are more effectively carried out for sports that receive government funded anti-doping testing. For sports where testing costs are partially recovered from the sport, regulation is not demonstrably risk-based and data driven — a key principle of good regulation. There are deficiencies in anti-doping investigation practices.

9. SIA’s governance arrangements for the National Anti-Doping Scheme are partly fit for purpose. There are largely fit-for-purpose oversight and assurance arrangements. Risk management, including for regulatory capture risks, is not fit for purpose.

10. SIA’s arrangements for preventing and detecting doping are largely effective for sports that have mainly government funded anti-doping sample collection arrangements, and partly effective for the major professional sports that have mainly ‘user pays’ anti-doping sample collection arrangements, due to the way SIA has chosen to administer ‘user pays’ arrangements.

- There is a fit-for-purpose national anti-doping framework, which is supported by a national anti-doping policy that is adopted by 87 national sporting organisations. Another three national sporting organisations have an SIA-approved anti-doping policy.
- SIA has effective arrangements to prevent anti-doping rule violations through anti-doping education plans that are implemented and evaluated.
- For sports that have mainly government funded testing arrangements, test distribution planning is generally risk-based. Transparency could be enhanced through more comprehensive documentation of planning methodology and record keeping.
- For the six major sports that have mainly user pays testing arrangements, test distribution planning is not demonstrably risk-based. The number and distribution of tests are negotiated with national sporting organisations under a service agreement. This is not consistent with World Anti-Doping Code principles or SIA’s responsibilities as a regulator of these sports.

11. SIA’s arrangements to investigate and respond to anti-doping rule violations are partly effective. The procedural framework for investigations is partly fit for purpose, including processes related to quality assurance. There were irregularities in the triage and conduct of 38 investigations commenced in the three years to 30 June 2024, when compared to existing procedures. Investigations did not consistently meet timeliness targets. SIA’s actions in response to proven anti-doping violations were appropriate.

Supporting findings

Governance arrangements

12. SIA has responded to the Minister for Sport's statement of expectations with an appropriate statement of intent. There are management arrangements and governance bodies that give consideration to anti-doping matters. These include advisory bodies that have been established in accordance with the *Sport Integrity Australia Act 2020*. Governance bodies operate in accordance with legislative requirements or terms of reference, except for the declaration of interests on two key advisory bodies. SIA's public performance reporting includes measures related to anti-doping. There is no performance reporting specifically related to anti-doping testing and investigations — a key regulatory function. There is no measure that goes to the effectiveness or efficiency of SIA's anti-doping activities. Performance reporting on anti-doping in 2023–24 was not fully accurate. SIA reports integrity and anti-doping matters of significance to the Minister for Sport. (see paragraphs 2.2 to 2.20)

13. Sport Integrity Australia established a risk management policy in 2021, which was updated in 2023. Risk appetite statements provided in different documents are inconsistent. There is an enterprise risk register, which was last updated in November 2021. Operational risk registers for specific business areas or activities, including for anti-doping, are not maintained. SIA undertook a review of its risk management framework in 2024, which concluded that the risk management framework required 'significant' work to comply with the Commonwealth Risk Management Policy. SIA commenced a body of work to improve SIA's risk management framework. There is a largely fit-for-purpose policy framework for regulatory capture risks, including risks arising from conflicts of interest; external employment; gifts, benefits and hospitality; and sports betting. The policies are poorly implemented. (see paragraphs 2.21 to 2.43)

Anti-doping prevention and detection

14. The Sport Integrity Australia Regulations 2020 establish the SIA CEO's functions and powers in relation to anti-doping, which include sample collection and results management for 'sporting administration bodies', defined as 'national sporting organisations for Australia'. SIA has established an Australian National Anti-Doping Policy (NAD Policy) that aligns with the World Anti-Doping Code and which, as of September 2024 had been adopted by 98 sporting organisations in Australia, including 87 national sporting organisations for Australia. Anti-doping policies for the remaining three national sporting organisations that have adopted alternative policies were not approved by SIA in a timely way using documented criteria.

15. SIA's annual anti-doping activities are supported by approximately 300 full-time equivalent (FTE) and casual employees. Budgeted average staffing levels increased by six per cent for FTE staff and 17 per cent for casual staff between 2022–23 and 2024–25. The total number of anti-doping samples collected by SIA declined by 34 per cent between 2010–11 and 2022–23.

16. SIA provides anti-doping sample collection and analysis under two general funding models: government-funded and user pays. User pays arrangements involve partial cost recovery, an approach which was approved by government in March 2024. Six professional sports (Australian football, cricket, football (soccer), rugby league, rugby union and basketball) have mainly user pays arrangements. There are no documented criteria for when to apply which

funding model, however SIA has advised that it depends in part on the sporting organisation's ability to pay for its own anti-doping testing.

17. The average cost of testing increased in the five years to 2022–23 and decreased in 2023–24. SIA has assessed the value-for-money of its laboratory testing arrangements. (see paragraphs 3.7 to 3.24)

18. SIA has developed national anti-doping education plans in each year between 2021–22 and 2023–24, as required by the World Anti-Doping (WAD) Code and SIA Regulations. SIA's 2023–24 national education plan is consistent with requirements of the WAD Code. Sport specific education plans were developed for all sampled sports except one in 2023–24, following failure to develop sport-specific education plans for one sampled government funded sport and most sampled user pays sports in 2021–22 and 2022–23. SIA has fit for purpose arrangements to evaluate the effectiveness of the national education plan. Evaluations have found that most deliverables and outcomes relating to the national education plan were met. SIA has evaluated sport-specific education plans. (see paragraphs 3.25 to 3.42)

19. SIA undertakes an annual anti-doping test distribution planning process that is consistent with the World Anti-Doping (WAD) Code for sports with mainly government funded testing arrangements. Evaluation of previous years' plans (one component of the WAD Code requirements) to inform improvements to current year planning is not supported by a clear methodology and could be better documented. SIA alters (moderates) the results of the risk-based test planning process using an undocumented methodology.

20. SIA's test distribution planning for sports with mainly user pays testing arrangements is deficient in terms of systematic risk analysis informing the total number and distribution of planned tests. The total number and distribution of tests are negotiated with national sporting organisations representing user pays sports under a service agreement. Testing arrangements for user pays sports do not fully cover the off-season and pre-season.

21. In a sample of 25 government funded and user pays sports/disciplines, SIA's testing activities for 2023–24 were mostly consistent with its planned test distribution planning. The minimum levels of analysis required under the WAD Code were achieved for all but one government funded and one user pays sport. (see paragraphs 3.43 to 3.85)

Anti-doping investigations and response

22. SIA established an investigations manual in 2020, which as of September 2024 had not been updated to align with the Australian Government Investigations Standard 2022. Elements of AGIS requirements related to information and evidence management, investigative personnel and investigative practices could be better reflected in SIA's framework for conducting investigations. Quality assurance processes for investigations have largely not been established.

23. Between 1 July 2021 and 30 June 2024, 144 anti-doping rule violation cases were recorded in SIA's case management system, and 38 proceeded to an investigation or 'administrative' treatment. There is a lack of documented procedures for a type of case (non-analytical findings) and treatment of these cases was inconsistent.

24. Six of 38 investigations commenced between 1 July 2021 and 30 June 2024 lacked investigation plans, with no documented reason for five. SIA does not have a procedure for the

preparation and service of disclosure notices to athletes, and disclosure notice practices were inconsistent. SIA did not follow up using established mechanisms on athlete non-compliance with disclosure notices. A brief of evidence adjudication was appropriately prepared for 19 of 26 investigations involving a brief of evidence. Of the 38 investigations commenced since 1 July 2021, 21 were finalised by 30 June 2024 (15 resulting in a sanction). SIA states that it prepares closure reports only for matters where the decision is 'no further action'. Three of five investigations resulting in 'no further action' had a closure report. Closed investigations did not meet timeliness benchmarks. (see paragraphs 4.2 to 4.54)

25. Anti-doping rule violation sanctions imposed by SIA between 1 July 2021 and 30 June 2024 were largely consistent with WADA requirements. (see paragraphs 4.55 to 4.62)

Recommendations

Recommendation no. 1
Paragraph 2.17 Sport Integrity Australia develop effectiveness and efficiency measures and targets for anti-doping testing and investigations activities, consistent with requirements established in the Commonwealth Performance Framework.

Sport Integrity Australia response: *Agreed.*

Recommendation no. 2
Paragraph 2.44 Sport Integrity Australia improve its controls for identifying and managing potential conflicts of interest, including those arising from gifts and benefits.

Sport Integrity Australia response: *Agreed.*

Recommendation no. 3
Paragraph 3.45 Sport Integrity Australia establish a procedure for the test distribution planning process for user pays sports.

Sport Integrity Australia response: *Agreed.*

Recommendation no. 4
Paragraph 3.50 Sport Integrity Australia establish a documented methodology for evaluating test distribution planning for government and user pay sports, and document outcomes from evaluations.

Sport Integrity Australia response: *Agreed.*

Recommendation no. 5
Paragraph 3.61 Sport Integrity Australia undertake annual risk assessment to inform test distribution planning for all sports subject to regulation, including user pays sports.

Sport Integrity Australia response: *Agreed.*

Recommendation no. 6
Paragraph 4.9 Sport Integrity Australia establish controls to ensure its documented investigative practices and procedures are implemented, or update procedures to reflect current endorsed practice.

Sport Integrity Australia response: *Agreed.*

Recommendation no. 7 Sport Integrity Australia implement a quality assurance process for investigations that captures all types of investigations.
Paragraph 4.16

Sport Integrity Australia response: *Agreed.*

Summary of entity response

26. The proposed audit report was provided to SIA. SIA's summary response is reproduced below. The full response from SIA is at Appendix 1. Improvements observed by the ANAO during the course of this audit are listed at Appendix 2.

Sport Integrity Australia welcomes the findings in the ANAO audit report on Sport Integrity Australia's Management of the National Anti-Doping Scheme and agrees with the recommendations.

These recommendations will further contribute to our continuous improvement along with our obligations to implement and enforce rules and policies relating to anti-doping in Australian sport.

The National Anti-Doping Scheme provides Australia with the legislative basis to implement obligations under the UNESCO International Convention against Doping in Sport, and in turn, the World Anti-Doping Code (the Code). The Code, and its associated mandatory International Standards, create an important, but complex set of global expectations for all National Anti-Doping Organisations.

The World Anti-Doping Agency through its most recent Code Compliance process (2022–2023) found Sport Integrity Australia to be fully compliant with all aspects of the Code. Indeed, this process highlighted the capabilities of Sport Integrity Australia far exceed many other national anti-doping agencies.

The ANAO recommendations (noting the recommendations are limited to a small section of just one of the five relevant International Standards), are valuable as we look to continually improve our program. To this end, we have already begun taking steps to implement all recommendations.

Key messages from this audit for all Australian Government entities

27. Below is a summary of key messages, including instances of good practice, which have been identified in this audit and may be relevant for the operations of other Australian Government entities.

Governance and risk management

- Regulatory capture risks should be identified, assessed and controlled to provide assurance that regulators are acting in accordance with governing legislation.
- Regulatory activities should be risk-based and informed by data and intelligence. Charging models for regulatory activities that involve partial or full cost recovery should not deter regulators from maintaining their focus on this fundamental principle of good regulation.

Performance and impact measurement

- Regulators should establish an appropriate data driven methodology for evaluating the effectiveness of regulatory planning and associated regulatory activities. Performance monitoring should include effectiveness measures to help provide assurance that regulatory activities are achieving their intent.

Audit findings

1. Background

Introduction

Integrity in Australian sport

1.1 On 5 August 2017, the Minister for Health and Aged Care announced a review of Australia's sport integrity arrangements as part of the development of the National Sport Plan.³ The *Report of the Review of Australia's Sport Integrity Arrangements* (the Wood Review) was presented to the government in March 2018.⁴ The Wood Review made 52 recommendations across five key themes, comprising: a stronger national response to match-fixing; Australian sports wagering scheme; enhancing Australia's anti-doping capability; a national sports tribunal; and a national sports integrity commission. The Australian Government released its response to the Wood Review, *Safeguarding the Integrity of Sport*, on 12 February 2019.⁵ The government agreed, agreed in part, agreed in principle or noted all 52 recommendations.

Sport Integrity Australia

1.2 Recommendation 38 of the Wood Review was⁶:

That the Australian Government establish a National Sports Integrity Commission to cohesively draw together and develop existing sports integrity capabilities, knowledge and expertise, and to nationally coordinate all elements of the sports integrity threat response including prevention, monitoring and detection, investigation and enforcement.

3 The Hon Greg Hunt MP, Minister for Sport, 'Review into integrity of Australian sport', media release, 5 August 2017. The National Sport Plan was intended to be a system-wide examination of sport in Australia to strategically position sport into the future, that was developed around the four 'pillars' of participation, performance, preventative health through physical activity, and integrity. Australian Sports Commission, *About the National Sports Plan*, ASC, 2017, available from <https://www.sportaus.gov.au/nationalsportplan/about#:~:text=The%20development%20of%20the%20National,through%20physical%20activity%2C%20and%20integrity>. [accessed 8 September 2024].

4 Australian Government, *Report of the Review of Australia's Sports Integrity Arrangements*, March 2018, available from <https://www.sportintegrity.gov.au/sites/default/files/Report%20of%20the%20review%20of%20Australia%E2%80%99s%20Sports%20Integrity%20Arrangements.pdf> [accessed 5 September 2024]. The terms of reference for the review were to: examine the national and international sports integrity threat environment and foreseeable future challenges; examine the adequacy of Australia's sports integrity capability against this environment; consider options for structural changes to sport integrity arrangements, including the merits of establishing a dedicated national sports integrity commission; consult widely with stakeholders; and make recommendations for government consideration.

5 Australian Government, *Safeguarding the Integrity of Sport – The Government Response to the Wood Review*, 12 February 2019, available from <https://www.sportintegrity.gov.au/sites/default/files/Government%20Response%20to%20Wood%20Review.pdf> [accessed 5 September 2024].

6 Australian Government, *Report of the Review of Australia's Sports Integrity Arrangements*, March 2018, recommendations 38 to 52.

1.3 The Australian Government's response to the Wood Review stated it would establish a national sports integrity commission, which would be called Sport Integrity Australia (SIA).⁷ SIA was established on 1 July 2020 by the *Sport Integrity Australia Act 2020* (SIA Act).⁸

1.4 The object of the SIA Act is to establish SIA to prevent and address threats to sports integrity and to coordinate a national approach to matters relating to sports integrity in Australia, with a view to: achieving fair and honest sporting performances and outcomes; promoting positive conduct by athletes, administrators, officials, supporters and other stakeholders, on and off the sporting arena; achieving a safe, fair and inclusive sporting environment at all levels; and enhancing the reputation and standing of sporting contests and of sport overall.⁹ SIA assumed responsibility for sport integrity functions that were being undertaken by the Department of Health's National Integrity of Sport Unit¹⁰, the Australian Sports Anti-Doping Authority (ASADA)¹¹ and the Australian Sports Commission.¹²

1.5 SIA is a non-corporate Commonwealth entity in the health and aged care portfolio and is a statutory agency. The accountable authority of SIA is the Chief Executive Officer (CEO). In 2023–24, total administered and departmental resourcing was \$56.5 million and the average staffing level was 172 (Figure 1.1).¹³

7 Australian Government, *Safeguarding the Integrity of Sport – The Government Response to the Wood Review*, 12 February 2019, available from <https://www.sportintegrity.gov.au/sites/default/files/Government%20Response%20to%20Wood%20Review.pdf> [accessed 5 September 2024], response to recommendation 38.

8 *Sport Integrity Australia Act 2020*, available from <https://www.legislation.gov.au/C2006A00006/latest/text> [accessed 3 September 2024].

9 *ibid.*, section 3A.

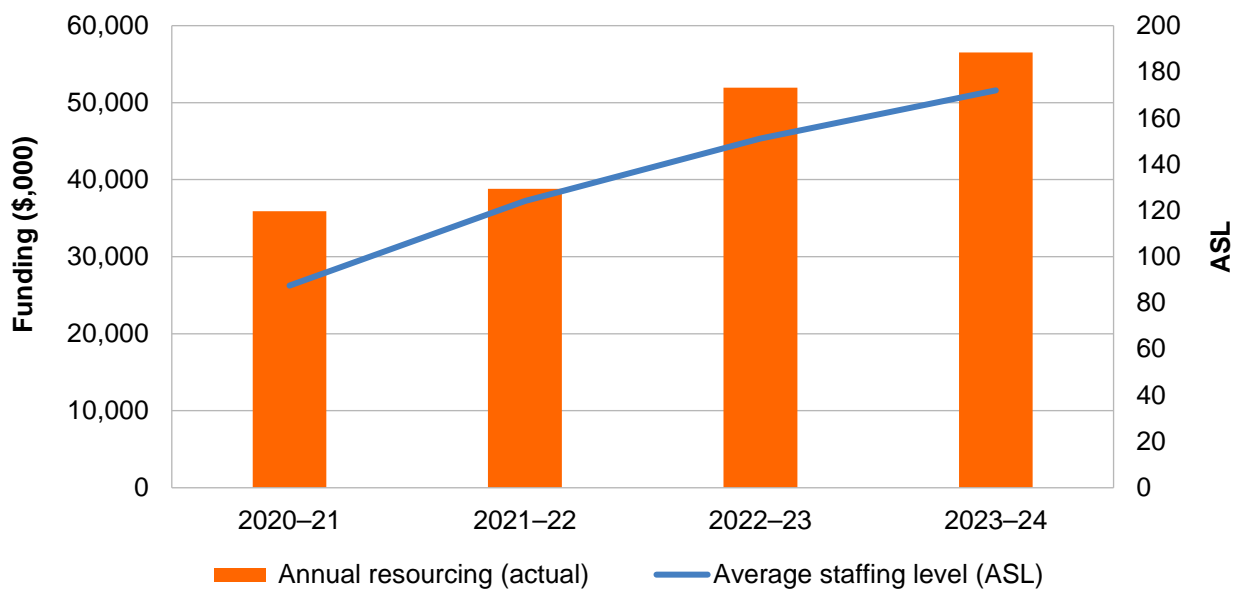
10 The Department of Health and Aged Care since 1 July 2022.

11 ASADA was established under the *ASADA Act 2006* to protect Australia's sporting integrity through the elimination of doping in sport. Part of its role was drug testing Australian athletes who competed at state and national levels, as well as international athletes competing in events held in Australia. ASADA became part of SIA on 1 July 2020 and ceased existence as a separate organisation at that time. The Australian Sports Drug Agency performed this function between 1990 and 2006.

12 The Australian Sports Commission is the Australian Government agency responsible for supporting and investing in sport at all levels. The Australian Sports Commission was established under the *Australian Sports Commission Act 1989*.

13 Average staffing level is a method of counting that adjusts for casual and part-time staff to show the number of full-time equivalent employees averaged over the financial year.

Figure 1.1: Annual resourcing and average staffing level, 2020–21 to 2023–24



Source: ANAO analysis of SIA annual reports.

1.6 SIA is responsible for implementing several components of the government’s response to the Wood Review including: enhanced anti-doping and criminal intelligence capabilities; reforming sports wagering to protect the integrity of sport; and ratifying the Convention on the Manipulation of Sports Competitions (Macolin Convention).¹⁴

National Integrity Framework and National Anti-Doping Scheme

1.7 The National Integrity Framework (NIF) is a set of templated integrity policies that all members of a sport should follow in relation to their behaviour and conduct in sport. The NIF is supported by the Sport Integrity Standards, which set out mandatory policy inclusions for national sporting organisations that do not adopt the NIF-templated integrity policies.¹⁵ SIA states that the NIF was developed in consultation with the Australian Olympic Committee, Paralympics Australia and Commonwealth Games Australia, following a 2020 Australian Human Rights Commission (AHRC) review into integrity issues in gymnastics.¹⁶

1.8 As of September 2024, 94 sporting organisations had signed up to the NIF, including 81 national sporting organisations and national sporting organisations for people with disability and 13 other sporting organisations.¹⁷ As of September 2024, nine national sporting organisations had not

14 Council of Europe, *The Convention on the Manipulation of Sports Competitions (the Macolin Convention)*, 1 September 2019, available from <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016801cd7e> [accessed 5 September 2024].

15 Sport Integrity Australia, *National Integrity Framework*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/national-integrity-framework> [accessed 8 September 2024].

16 Australian Human Rights Commission, *Change the routine: Independent review into gymnastics in Australia*, AHRC, 2021, available from <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-routine-independent-review-gymnastics-australia> [accessed 8 September 2024].

17 Sport Integrity Australia, *Sports signed up to the National Integrity Framework*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/national-integrity-framework/sports-signed-national-integrity-framework> [accessed 13 September 2024].

signed up to the NIF. These nine organisations are the Australian Football League, Basketball Australia, Cricket Australia, Football Australia, National Rugby League, Netball Australia, Rugby Australia, Surf Life Saving Australia, and Tennis Australia.

1.9 A National Anti-Doping Scheme (NAD Scheme) is required under section 3 of the SIA Act and is set out in schedule 1 of the Sport Integrity Australia Regulations 2020 (SIA Regulations).¹⁸ The SIA Regulations outline the powers and functions of the SIA CEO in implementing the NAD Scheme, which include having the role and responsibility of a ‘national anti-doping organisation’ for Australia under the United Nations Educational, Scientific and Cultural Organization’s (UNESCO) Anti-Doping Convention and the World Anti-Doping Code (WAD Code).¹⁹

1.10 The UNESCO *International Convention against Doping in Sport*²⁰ is based upon the WAD Code, which was released by the World Anti-Doping Agency (WADA)²¹ and first adopted in 2003. The WAD Code is the core document that harmonises anti-doping policies, rules and regulations around the world.²² It works in conjunction with eight ‘International Standards’, which aim to foster consistency among anti-doping organisations.²³ The most recent version of the WAD Code was effective as of 1 January 2021.

1.11 SIA’s role as the ‘national anti-doping organisation’ for Australia under the WAD Code means that it is the entity designated within Australia as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of samples, manage test results and conduct results management, at the national level.²⁴ The SIA Regulations state that the functions of the CEO under the NAD Scheme include providing services relating to sports drug and safety matters to a ‘sporting administration body’; and sample collection and undertaking results management for a ‘sporting administration body’, regardless of whether or not the CEO has conducted the sample collection. The SIA Regulations set out the authority for the CEO to exercise certain powers in relation to ‘sporting administration bodies’. The SIA Regulations define a ‘sporting administration body’ as a national sporting organisation for Australia.²⁵

18 Sport Integrity Australia Regulations 2020, available from <https://www.legislation.gov.au/F2006L00765/latest/text> [accessed 3 September 2024].

19 World Anti-Doping Agency, *World Anti-Doping Code*, WADA, January 2021, available from https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf [accessed 5 September 2024].

20 United Nations Educational, Scientific and Cultural Organisation, *International Convention against Doping in Sport*, UNESCO, 2005, available from <https://www.unesco.org/en/legal-affairs/international-convention-against-doping-sport?hub=74450> [accessed 5 September 2024].

21 WADA was established in 1999 as an international independent agency to lead a collaborative worldwide movement for doping-free sport. World Anti-Doping Agency, *Who we are*, WADA, available from <https://www.wada-ama.org/en/who-we-are> [accessed 8 September 2024].

22 World Anti-Doping Authority, *The World Anti-Doping Code*, WADA, available from <https://www.wada-ama.org/en/what-we-do/world-anti-doping-code> [accessed 8 September 2024].

23 The eight areas are: testing and investigations; laboratories; therapeutic use exemptions; prohibited list; protection of privacy and personal information; code compliance by signatories; education; and results management. World Anti-Doping Authority, *International Standards*, WADA, available from <https://www.wada-ama.org/en/what-we-do/international-standards> [accessed 8 September 2024].

24 Sport Integrity Australia Regulations 2020, clause 1.05, p. 12.

25 *ibid.*, clause 2.02, p. 24.

Sporting organisations

1.12 The Australian Sports Commission (ASC) reports on almost 400 different sports and activities in Australia through its continuous AusPlay survey.²⁶ The ASC defines ‘organised sport’ as that which is differentiated by ‘the degree of organisation or institutional structure that surrounds and influences the sport’.²⁷ In Australia, some organised sports are represented by national sporting organisations (NSOs) or national sporting organisations for people with disability (NSODs). NSO and NSODs are organisations that the ASC supports to achieve the Australian Government’s sporting objectives, including through funding.²⁸ NSOs and NSODs are formally ‘recognised’ by the ASC and listed in the Australian Sports Directory.²⁹ Organisations recognised as NSO/NSODs have met certain criteria that assist the ASC in determining whether an organisation is ‘considered the pre-eminent body for the sport they represent in Australia, has sufficient standing within its sport and has adequate governance’.³⁰ As of September 2024, there were 81 recognised NSOs and nine recognised NSODs.³¹

1.13 ASC NSO/NSOD recognition criterion 8 (integrity) includes that the sporting body has adopted, implemented, and enforced an anti-doping policy that has been approved by SIA and that complies with the WAD Code and NAD Scheme.³² NSOs and NSODs have anti-doping functions and responsibilities under the SIA Regulations.

Rationale for undertaking the audit

1.14 In its response to the Wood Review, the Australian Government committed to ‘comprehensively protecting the integrity of Australian sport for the benefit of the entire Australian community’ and to establishing a national sports integrity commission (SIA).³³ The government also noted the importance of effective anti-doping measures to protect the integrity of Australian sport.

1.15 The audit provides assurance to the Parliament as to whether SIA has established effective governance arrangements for anti-doping and is effectively managing the National Anti-Doping Scheme.

26 Australian Sports Commission, *AusPlay results*, ASC, available from <https://www.clearinghouseforsport.gov.au/research/ausplay/results> [accessed 18 September 2024].

27 Clearinghouse for Sport, *What is sport?*, Australian Sports Commission, available from <https://www.clearinghouseforsport.gov.au/kb/what-is-sport> [accessed 14 September 2024].

28 Australian Sports Commission, *Recognition of National Sporting Organisations*, ASC, available from https://www.sportaus.gov.au/recognition_of_national_sporting_organisations [accessed 8 September 2024].

29 Australian Sports Commission, *Australian Sports Directory*, ASC, available from https://www.sportaus.gov.au/australian_sports_directory#:~:text=The%20Australian%20Sports%20Directory%20contains,of%20their%20sport%20in%20Australia. [accessed 8 September 2024].

30 *ibid.*

31 Australian Sports Commission, *Australian Sports Directory*, ASC, available from https://www.sportaus.gov.au/australian_sports_directory [accessed 13 September 2024].

32 Australian Sports Commission, *ASC Recognition Criteria – National Sporting Organisations*, March 2024, ASC, 2024, p.10; and Australian Sports Commission, *ASC Recognition Criteria – National Sporting Organisations for People with Disability*, March 2024, ASC, 2024, p.10.

33 Australian Government, *Safeguarding the Integrity of Sport – The Government Response to the Wood Review*, 12 February 2019, available from <https://www.sportintegrity.gov.au/sites/default/files/Government%20Response%20to%20Wood%20Review.pdf> [accessed 5 September 2024], pp. 3, 5 and 8.

Audit approach

Audit objective, criteria and scope

1.16 The purpose of the audit was to assess the effectiveness of Sport Integrity Australia's management of the National Anti-doping Scheme.

1.17 To form a conclusion against the objective, the following high-level criteria were adopted.

- Has Sport Integrity Australia established fit-for-purpose governance arrangements?
- Has Sport Integrity Australia established effective arrangements to prevent and detect anti-doping rule violations?
- Has Sport Integrity Australia established effective arrangements to investigate and respond to possible anti-doping rule violations?

1.18 The period covered by the audit is 1 July 2021 to 30 June 2024. Anti-doping matters prior to the establishment of Sport Integrity Australia on 1 July 2020 are not within the scope of this audit.

Audit methodology

1.19 The methodology involved:

- examining SIA documentation including annual reports, policy documents, minutes of meetings, anti-doping education and test planning documents, investigation records and emails;
- high-level examination of relevant record management systems and associated data;
- meetings with SIA personnel;
- meetings with representatives of NSOs and NSODs; and
- analysing 31 submissions to the audit from individuals and sporting bodies.

1.20 The audit was conducted in accordance with ANAO Auditing Standards at a cost to the ANAO of approximately \$690,000.

1.21 The team members for this audit were Michael Commens, Lily Engelbrethsen, Katiloka Ata, Mahkaila Sansom, Amanda Elliot and Christine Chalmers.

2. Governance arrangements

Areas examined

This chapter examines whether Sport Integrity Australia's (SIA's) governance arrangements for its anti-doping activities are fit for purpose.

Conclusion

SIA's governance arrangements for the National Anti-Doping Scheme are partly fit for purpose. There are largely fit-for-purpose oversight and assurance arrangements. Risk management, including for regulatory capture risks, is not fit for purpose.

Areas for improvement

The ANAO made two recommendations aimed at improving performance reporting of anti-doping activities and managing regulatory capture risks. There was one opportunity for improvement relating to advisory committees.

2.1 The *Public Governance, Performance and Accountability Act 2013* (PGPA Act) sets out requirements for Australian Government entities, including regulators, to establish systems of internal control and to inform the minister on the activities of the entity.³⁴ Section 16 of the PGPA Act requires the accountable authority of a Commonwealth entity to establish and maintain an appropriate system of risk oversight and management for the entity. The Commonwealth Risk Management Policy sets out the principles and mandatory requirements for managing risk.³⁵ To assist entities in managing integrity risks, the National Anti-Corruption Commission has developed a Commonwealth Integrity Maturity Framework which outlines eight integrity principles derived from Australian Government integrity laws, policies and procedures. The eighth principle is to periodically assess the maturity of the entity's management of integrity risks.³⁶

Are there fit-for-purpose oversight and assurance arrangements?

SIA has responded to the Minister for Sport's statement of expectations with an appropriate statement of intent. There are management arrangements and governance bodies that give consideration to anti-doping matters. These include advisory bodies that have been established in accordance with the *Sport Integrity Australia Act 2020*. Governance bodies operate in accordance with legislative requirements or terms of reference, except for the declaration of interests on two key advisory bodies. SIA's public performance reporting includes measures related to anti-doping. There is no performance reporting specifically related to anti-doping testing and investigations — a key regulatory function. There is no measure that goes to the effectiveness or efficiency of SIA's anti-doping activities. Performance

34 *Public Governance, Performance and Accountability Act 2013*, sections 15, 16 and 19, available from <https://www.legislation.gov.au/C2013A00123/latest/text> [accessed 28 June 2024].

35 Department of Finance, *Commonwealth Risk Management Policy*, Finance, updated 29 November 2022, available from <https://www.finance.gov.au/government/comcover/risk-services/management/commonwealth-risk-management-policy> [accessed 29 February 2024].

36 National Anti-Corruption Commission, *8 integrity principles and maturity indicators*, NACC, available from <https://www.nacc.gov.au/8-integrity-principles-and-maturity-indicators> [accessed 11 October 2024].

reporting on anti-doping in 2023–24 was not fully accurate. SIA reports integrity and anti-doping matters of significance to the Minister for Sport.

Statements of expectations and intent

2.2 Statements of expectations articulate ministers' expectations for regulators' strategic direction, reference projects, reforms and key developments. The Minister for Sport's (the minister) expectations of SIA in relation to anti-doping are for it to 'implement the World Anti-doping Code [WAD Code] and deliver a comprehensive anti-doping program to protect the health of Australian athletes and the integrity of sport'.³⁷

2.3 Resource Management Guide 128 – *Regulator performance* (RMG 128) states that the regulator's response to the statement of expectations should be in the form of a regulator statement of intent.³⁸ The minister's 2023 statement of expectations and SIA's corresponding 2024 statement of intent are published on SIA's website, replacing the 2020 statements of expectations and intent.

2.4 SIA's 2024 statement of intent lists anti-doping as one of its nine priorities.³⁹ In relation to its practical implementation of the anti-doping priority, it refers to its implementation of the WAD Code (see paragraph 1.10), an anti-doping program, anti-doping testing activities, and educational initiatives, citing 2022–23 statistics relating to these activities.⁴⁰ The statement of intent does not specifically refer to how it is implementing the government's response to the Wood Review (see paragraph 1.1), including agreed recommendations related to anti-doping. The statement of intent provides a status update on the adoption of the National Integrity Framework (see paragraph 1.7) by national sporting organisations (NSOs) and national sporting organisations for people with disability (NSODs) (see paragraph 1.12) and on the implementation of the Australian Sports Wagering Scheme.⁴¹

Line management and governance committees

2.5 Figure 2.1 sets out SIA's management and governance committees relevant to the administration of the National Anti-Doping (NAD) Scheme (see paragraph 1.9).

37 The Hon Anika Wells MP, *Statement of expectations*, Sport Integrity Australia, November 2023, available from <https://www.sportintegrity.gov.au/sites/default/files/Sport%20Integrity%20Australia%20Statement%20of%20Expectations%202023.pdf> [accessed 10 September 2024], p. 2.

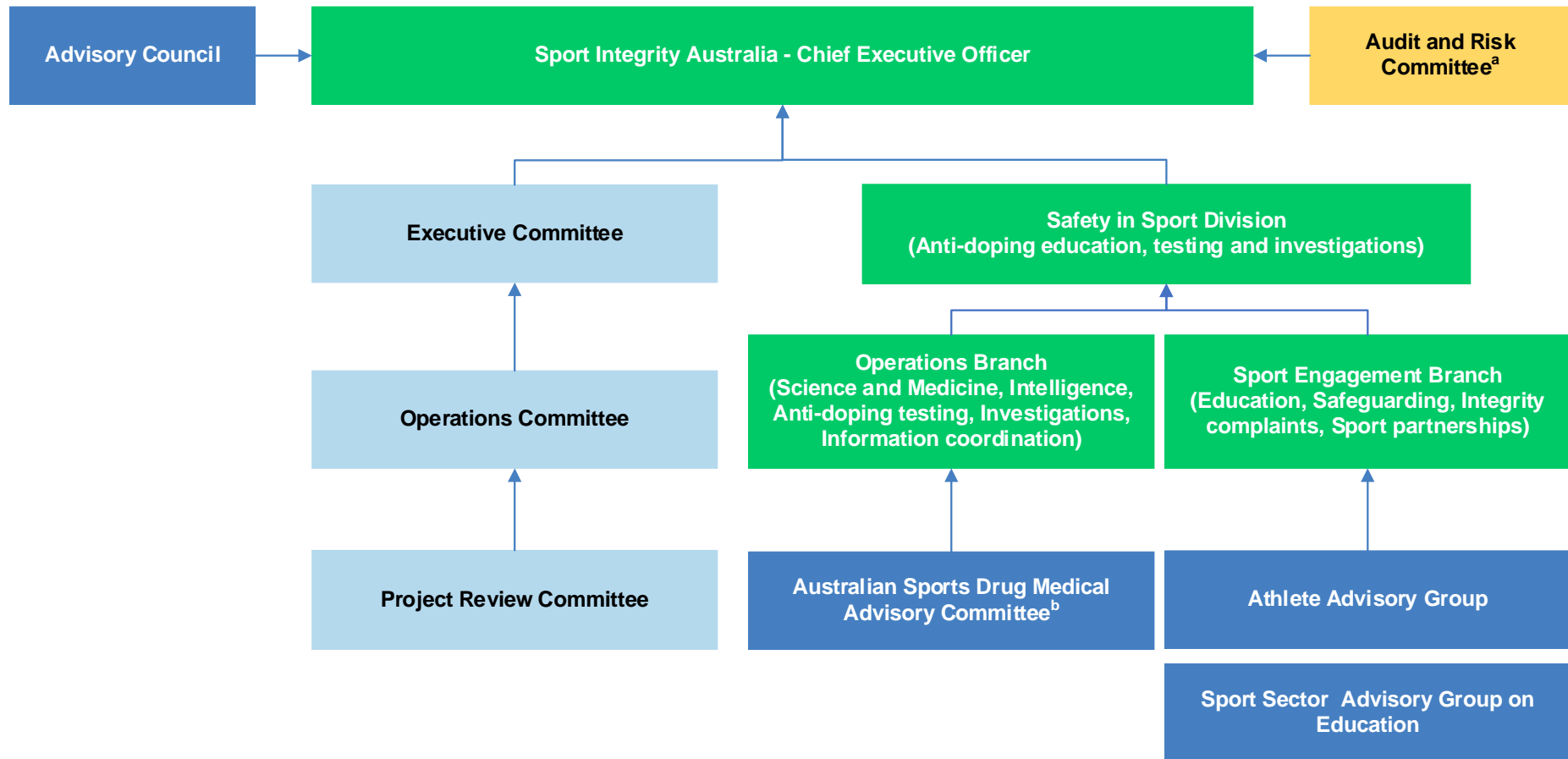
38 Department of Finance, *Resource Management Guide 128 – Regulator performance*, Finance, updated 4 July 2023, available from <https://www.finance.gov.au/government/managing-commonwealth-resources/regulator-performance-rmg-128> [accessed 19 December 2024].

39 The other priorities are: safe and inclusive sport; National Integrity Framework; Macolin Convention; legislation; sports gambling; regulatory functions; international and regional engagement; and working in partnership to protect sport.

40 Sport Integrity Australia, *Statement of intent*, SIA, 2024, available from https://www.sportintegrity.gov.au/sites/default/files/Sport%20Integrity%20Australia%20Statement%20of%20Intent%202024_1.pdf [accessed 10 September 2024], p. 3.

41 The Australian Sports Wagering Scheme is a suite of policy and regulatory reforms intended to streamline sports wagering regulation to provide clarity, transparency and consistency across Commonwealth, state and territory jurisdictions. See Sport Integrity Australia, *Competition manipulation and sports wagering*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/competition-manipulation-and-sports-wagering> [accessed 28 September 2024].

Figure 2.1: Management arrangements and governance committees relevant to the NAD Scheme



Note a: SIA's Audit and Risk Committee receives reporting from SIA and is responsible for providing assurance advice to SIA.

Note b: The Australian Sports Drug Medical Advisory Committee's primary role is to manage Therapeutic Use Exemptions (TUEs), it also provides advice on anti-doping and safety in sport.

Source: ANAO analysis.

2.6 Appendix 3 examines terms of reference, membership, meeting frequency, functions, management of potential conflicts of interest, management of risk and discussion of anti-doping and other integrity matters for each oversight committee and advisory body shown in Figure 2.1. In summary:

- Terms of reference — The committees and bodies have terms of reference that set out functions and other requirements, except for the Australian Sports Drug Medical Advisory Committee (ASDMAC), the functions for which are established in the *Sport Integrity Australia Act 2020* (SIA Act). Terms of reference for three oversight committees (the Executive Committee, Operations Committee and Project Review Committee) were established in 2024.
- Membership and composition — Terms of reference or SIA Act requirements for three of four advisory bodies (the ASDMAC, Athlete Advisory Group and Sport Sector Advisory Group on Education) indicate that diversity of membership or specific qualifications are required. ASDMAC and the Athlete Advisory Group maintained appropriate membership arrangements, including arrangements for diverse representation where relevant. NSODs or people from First Nations backgrounds are not represented on the Sport Sector Advisory Group on Education. SIA advised the ANAO in November 2024 that ‘In alignment with [terms of reference], diversity of membership is to be met "where possible". No [expressions of interest] were received from members of NSODs or people from First Nations backgrounds’. SIA did not undertake any additional activities to achieve diverse representation.
- Meeting frequency — The oversight committees and advisory bodies met as required under terms of reference, except for the Operations Committee and Sport Sector Advisory Group on Education.
- Management of potential conflicts of interest — Terms of reference for advisory bodies require declarations be made to the minister or chair of the body, depending on the body.
 - Advisory Council — Section 33 of the SIA Act requires members to disclose interests to the minister. The charter states that members will be asked to complete a deed poll at the commencement of the appointment and annually thereafter. December 2022 advice to the minister included disclosures of private interests for all eight members. However, an annual deed poll was not completed as required in 2024 for any members. One member did not disclose their interests in a business contracted to undertake work for SIA. Based on meeting minutes, several Advisory Council members with wagering interests did not consistently declare these interests at meetings where wagering was discussed.⁴²
 - ASDMAC — Section 58 of the SIA Act requires members to disclose interests to the minister. There were 10 instances where declarations of personal interests were not made as required to support the appointment and reappointment of ASDMAC members by the minister. Declarations of member interests are documented in minutes for each meeting of ASDMAC.

42 Members’ interests include client arrangements with wagering companies and a registered lobbyist representing wagering interests.

- Athlete Advisory Group — Declarations were made by the 11 members on appointment. Potential conflicts of interest were not disclosed or discussed at any meetings.
- Sport Sector Advisory Group on Education — There were no documented declarations of conflicts of interest in meeting minutes or otherwise declared to the Chair in the time period examined by the audit.
- Management of risks —
 - The Executive Committee, which has responsibility for risk identification, discussed operational risks at 27 of 98 meetings (28 per cent) where minutes were taken. These included risks relating to the management of conflicts of interest and anti-doping. There is no evidence from the minutes that the Executive Committee considered the enterprise risk register.
 - The Audit and Risk Committee noted SIA’s enterprise risk register or deficiencies in SIA’s risk management framework at 14 of 16 meetings held in the period examined. Papers relating to enterprise risk management were either ‘taken as read’ or ‘noted’. The Audit and Risk Committee requested some changes to the policy, including that timeframes are clearly defined, and language is kept consistent. The Audit and Risk Committee prepares written advice for the SIA CEO annually through an annual report. The Audit and Risk Committee advised the CEO in December 2023 that SIA’s system of risk oversight and management improved during 2023 but was still developing and that SIA would benefit from further work on embedding the risk appetite and tolerance statements, and re-developing the enterprise risk register. The Audit and Risk Committee’s 2024 annual report was not complete as of 31 January 2025.
- Consideration of anti-doping — All committees and bodies considered anti-doping matters consistent with the applicable charter or terms of reference.

Opportunity for improvement

2.7 Sport Integrity Australia could:

- make proactive efforts to appoint representatives from National Sporting Organisations for People with Disability and First Nations peoples to the Sport Sector Advisory Group on Education, in accordance with the intent of the terms of reference for this committee; and
- review its controls for the appropriate declaration of interests on the Advisory Council and Australian Sports Drug Medical Advisory Committee.

Performance reporting

2.8 RMG 128 states that regulator statements of intent should, among other elements, outline how progress against meeting the minister's expectations will be measured and reported on.⁴³ The minister's expectations with regard to SIA's general regulatory functions include that:

I expect you to incorporate regulator performance reporting into the entity's reporting processes, as required under the [PGPA Act] and [PGPA Rule].⁴⁴

2.9 SIA's statement of intent does not explain how progress against meeting the minister's expectations will be measured and reported on, beyond a general statement that it 'has incorporated regulator performance reporting into the agency's reporting processes, as required under the [PGPA Act] and Public Governance, Performance and Accountability Rule 2014'.

2.10 The Commonwealth Performance Framework⁴⁵, RMG 128⁴⁶ and RMG 131⁴⁷ establish requirements for the development and implementation of annual performance measures that include measures of the entity's outputs, efficiency and effectiveness. SIA publicly reported its performance results in annual performance statements. SIA's 2021–22 annual performance statements comprised five measures without targets, and the 2022–23 annual performance statements comprised four of the five measures from 2021–22. Anti-doping regulation was considered in the context of three of the four 2022–23 measures. SIA stated that it 'met' all five measures in 2021–22 and all four measures in 2022–23, including the three related to anti-doping regulation.

2.11 New performance measures were set out in the 2023–2027 Corporate Plan, which had a greater focus on quantitative measurement of outputs. There were four new measures and seven 'performance results'. SIA's 2023–24 performance measures were mostly activity or output measures and did not include measures of effectiveness or efficiency.

2.12 SIA's 2023–24 annual performance statements stated that of seven 'performance results', it met four, substantially met two and did not meet one. Results for five 'performance results' that had a direct anti-doping element are described in Table 2.1. These were all reported as 'met' or 'substantially met'.

43 Department of Finance, *Resource Management Guide 128 – Regulator performance*, Guidance note, Finance, updated 4 July 2023.

44 *ibid.*, p. 3.

45 Department of Finance, *Commonwealth Performance Framework*, Finance, updated 27 September 2023, available from <https://www.finance.gov.au/government/managing-commonwealth-resources/planning-and-reporting/commonwealth-performance-framework> [accessed 10 September 2024].

46 Department of Finance, *Resource Management Guide 128 – Regulator performance*, Finance, updated 4 July 2023, available from <https://www.finance.gov.au/government/managing-commonwealth-resources/regulator-performance-rmg-128> [accessed 10 September 2024]. Requirements were effective from 1 July 2023; under the Australian Government's 2015 Regulator Performance Framework, regulators were required to self-assess and separately report their performance each year against set performance measures. This framework was in force from 1 July 2015 to 30 June 2021. See: Department of the Treasury, *Regulator Performance Framework*, Treasury, 2015, available from <https://treasury.gov.au/the-department/accountability-reporting/regulator-performance-framework#:~:text=The%20Regulator%20Performance%20Framework%20commenced,through%20their%20administration%20of%20regulation.> [accessed 10 September 2024].

47 Department of Finance, *Resource Management Guide 131 – Developing performance measures*, Finance, updated 4 July 2023, available from <https://www.finance.gov.au/government/managing-commonwealth-resources/regulator-performance-rmg-128> [accessed 9 December 2024].

Table 2.1: Annual performance statements (selected measures related to anti-doping), 2023–24

Measure	Performance result	Anti-doping element	SIA assessment	Result	
1. Australians involved in sport understand, model and promote positive behaviours	1.1	Design of a survey	Survey includes questions related to anti-doping	Met	A 'Positive Behaviours in Sport' survey of participants and coaches was designed in 2023–24 and was intended to be delivered in August 2024. ^a
	1.2	Completion of education programs	Education programs include those on anti-doping	Met	119,252 education program completions against a target of 88,000.
2. Sporting activities in Australia are fair and honest	2.1	Design and implementation of sport integrity threat assessments ^b for five sports	Threats include improper use of drugs and medicine in sport	Met	Threat assessments were conducted for weightlifting, gymnastics, cycling (BMX), swimming and football.
	2.2	Review of recognised sports' integrity policies and recognised sports' compliance with anti-doping policy requirements	Consideration of anti-doping policies	Met	100 per cent of recognised sports' integrity policies reviewed and 98 per cent of recognised sports compliant with anti-doping policy requirements.
3. Integrity threats in Australian sport are addressed	3.1	Publication of threat assessments and analytical reports ^c	Threat assessments addressed doping methods	Substantially met	Ten threat assessments published against a target of ten and three analytical reports published against a target of five.

Note a: SIA advised the ANAO in September 2024 that the 'Positive Behaviours in Sport' survey had not yet been implemented due to 'IT and security-related delays'.

Note b: Threat assessments provide an assessment of an emerging or enduring threat posed by, or to, a specific sport, person, or cohort.

Note c: Analytical reports address threats to sports integrity such as doping methods, manipulation of sporting competitions and the sharing of operational information relating to the safety of sporting participants.

Source: ANAO analysis of SIA 2023–2027 Corporate Plan and 2023–24 Annual Report.

2.13 SIA inaccurately reported its performance against performance measure 3.1 (publication of threat assessments and analytical reports) as 'substantially met'.⁴⁸ Six of 10 (60 per cent) threat assessments were completed and published and three of five (60 per cent) analytical reports were

48 SIA's threshold for 'substantially met' is between 75 per cent and 98 per cent.

completed and published in 2023–24.⁴⁹ In calculating that it had met the performance measure for threat assessments, SIA included six threat assessments and four ‘intelligence briefs’. The length, format and breadth of analysis in an intelligence brief is different to that of a threat assessment.

2.14 Anti-doping sample collection and investigations are significant elements of SIA’s regulatory responsibilities. SIA reported in its 2022–23 Annual Report that 58 per cent of NSO representative respondents to a stakeholder survey said SIA was effective in helping them detect sports integrity threats in their sport through testing and investigations.⁵⁰ Anti-doping sample collection and investigations were not directly incorporated into performance reporting in 2021–22, 2022–23 or 2023–24, reducing transparency over a key regulatory activity.

2.15 Article 14 of the WAD Code states that at least annually, national anti-doping agencies like SIA are to publish a general statistical report of their doping control activities, with a copy provided to WADA at least annually. WADA annually publishes statistical reports as reported by the WADA-accredited laboratories and national anti-doping organisations.⁵¹ SIA publishes in its annual report the number of samples collected by year since 2002–03 and the number and type of disclosure notices (see paragraph 4.38) for the current year.⁵² This is not provided to WADA however the annual report is available on SIA’s website.⁵³

Recommendation no. 1

2.16 Sport Integrity Australia develop effectiveness and efficiency measures and targets for anti-doping testing and investigations activities, consistent with requirements established in the Commonwealth Performance Framework.

Sport Integrity Australia response: *Agreed.*

2.17 *While no globally recognised measure of effectiveness exists for anti-doping testing, we have previously recognised the need to include such measures in our reporting. We will continue to explore options for the most appropriate measure/s, available to us at this point in time, to include in our 2025/26 Corporate Plan and seek to develop longitudinal datasets to inform future effectiveness and efficiency measures.*

Advice to government

2.18 Under section 21 of the SIA Act, the CEO of SIA is obliged to inform the minister about matters relating to any of the CEO’s functions. Between 2021–22 and 2023–24, SIA advised

49 SIA’s annual report states that it considers assessments and reports to be published when they have been approved internally and disseminated to relevant internal and external stakeholders.

50 Sport Integrity Australia, *Annual Report 2022-23*, SIA, available from https://www.sportintegrity.gov.au/sites/default/files/Sport%20Integrity%20Australia%2022-23%20Annual%20Report_Accessible.pdf [accessed 19 December 2024], p. 53.

51 World Anti-Doping Agency, *Anti-Doping Statistics*, WADA, 2024, available from <https://www.wada-ama.org/en/data-research/anti-doping-statistics> [accessed 11 October 2024]. Statistics include the number of samples analysed by type of test and test results; global statistics on doping offences by sports, testing authority and nationality; and the outcomes of anti-doping rule violations and adjudicated cases.

52 Sport Integrity Australia, *Annual Report 2022-23*, SIA, 2023, pp. 149–150.

53 Sport Integrity Australia, *Annual Reports*, SIA, available from <https://www.sportintegrity.gov.au/about-us/who-we-are/annual-reports> [accessed 2 October 2024]. See Appendix B of the 2022-23 Annual Report for doping control statistics and disclosure notices.

government on a range of strategic and operational anti-doping matters, as well as broader integrity issues in sport, such as the Australian Sports Wagering Scheme, ratification of the Macolin Convention (see paragraph 1.6) and implementation of the National Integrity Framework. SIA did not provide advice to government on some anti-doping risks (for example, risks associated with delays in the finalisation of several NSO anti-doping policies, or risks associated with sports outside of SIA’s regulatory remit or user pays sports (see paragraph 3.17).

2.19 Section 67A of the SIA Act outlines the meaning of protected information in the context of the SIA Act, which is information obtained under or for the purposes of the SIA Act and that relates to the affairs of a person, or identifies, or is reasonably capable of being used to identify, the person. In February 2023, SIA obtained internal legal advice affirming that under section 68(c) of the SIA Act, SIA was authorised to disclose protected information to the minister. Between May 2023 and February 2024, SIA advised the minister on matters relating to anti-doping investigations involving individual athletes, which included protected information. The purpose of the briefings was to provide background information and ‘talking points’ for the minister in recognition of the likely media interest. No decision or direction was sought from the minister in accordance with subsection 24(2) of the SIA Act (which does not permit the minister to give directions to the SIA CEO in relation to a particular athlete who is subject to the NAD Scheme or anti-doping testing).

2.20 Resource Management Guide 135 *Annual reports for non-corporate Commonwealth entities* establishes requirements for the accountable authority to certify in annual reporting that fraud has been appropriately dealt with by the entity.⁵⁴ In 2021–22, 2022–23 and 2023–24 annual reports, SIA’s accountable authority provided this certification, including that the agency had prepared fraud risk assessments and fraud control plans. SIA prepared fraud risk assessments but did not prepare fraud control plans in 2021–22 or 2022–23. A fraud and corruption control plan was drafted in July 2024 and endorsed in October 2024. A fraud and corruption control procedure (which states that it should be read in conjunction with the fraud and corruption control plan) was finalised in July 2024.

Is there fit-for-purpose risk management, including for regulatory capture risks?

Sport Integrity Australia established a risk management policy in 2021, which was updated in 2023. Risk appetite statements provided in different documents are inconsistent. There is an enterprise risk register, which was last updated in November 2021. Operational risk registers for specific business areas or activities, including for anti-doping, are not maintained. SIA undertook a review of its risk management framework in 2024, which concluded that the risk management framework required ‘significant’ work to comply with the Commonwealth Risk Management Policy. SIA commenced a body of work to improve SIA’s risk management framework. There is a largely fit-for-purpose policy framework for regulatory capture risks,

54 Department of Finance, *Resource Management Guide 135 – Annual Reports For Non Corporate Commonwealth Entities*, Finance, 2024, available from <https://www.finance.gov.au/government/managing-commonwealth-resources/annual-reports-non-corporate-commonwealth-entities-rmg-135/annual-report-content-requirements> [accessed 16 September 2024]. The accountable authority must certify that: fraud risk assessments and fraud control plans have been prepared for the entity; appropriate mechanisms for preventing, detecting incidents of, investigating or dealing with, and recording and reporting fraud, that meet the specific needs of the entity and are in place for the entity; and all reasonable measures have been taken to deal appropriately with fraud relating to the entity.

including risks arising from conflicts of interest; external employment; gifts, benefits and hospitality; and sports betting. The policies are poorly implemented.

Risk management policy

2.21 SIA has a Risk Management Policy which was established in March 2021 and last updated in March 2023. The policy was due to be updated in March 2024 but as of September 2024, SIA has not reviewed or revised the Risk Management Policy.

Risk appetite

2.22 The Commonwealth Risk Management Policy states that an entity's risk management framework should include a risk appetite statement.⁵⁵ SIA's risk appetite is set out in its Risk Management Policy (Box 1). The Risk Management Policy refers to a December 2022 Risk Appetite and Tolerance Matrix, which uses a different risk tolerance rating scale to that set out in the SIA Risk Management Policy.⁵⁶ Each sub-category of risk is assigned both an appetite and tolerance.⁵⁷ The overall risk appetite statement in the SIA Risk Management Policy and the risk appetite assessments in the Risk Appetite and Tolerance Matrix are not consistent.⁵⁸

Box 1: Sport Integrity Australia's risk appetite for anti-doping risks

Risk appetite is described in the Risk Management Policy as low for:

- safety and wellbeing of staff, athletes and the sporting community;
- unethical, fraudulent or corrupt behaviour;
- poor financial management, systemic control failures, or unexplained variances to administered finances; and
- reputational damage resulting from poor, inaccurate or misleading advice and support.

Risk appetite is described in the Risk Management Policy as higher for:

- reputational damage when necessary to fulfill SIA's mandate, protect the health and welfare of athletes and/or to protect sport and the integrity of competition; and
- innovation.

Anti-doping is addressed under the legal/compliance and reputational risk categories in the Risk Appetite and Tolerance Matrix. In relation to anti-doping, the risk appetite statement is that

55 Department of Finance, *Commonwealth Risk Management Policy*, Finance, 29 November 2022, available from <https://www.finance.gov.au/government/comcover/risk-services/management/commonwealth-risk-management-policy> [accessed 12 September 2024].

56 Avoid, averse/resistant, accept, and receptive.

57 In element two of the Commonwealth Risk Management Policy, the Department of Finance defines a risk appetite statement as: 'the overarching amount and types of risk an entity is willing to accept in order to achieve its objectives'. Finance states that the risk appetite statement 'is supported by risk tolerance statements that operationalise an entity's risk appetite by specifying the levels of risk taking that are acceptable'. SIA has a Risk Management Procedure, which states that risk appetite refers to 'the risk we are willing to embrace to meet our objectives' and risk tolerance refers to 'the level we accept because we can't manage it to a lower level'.

58 The risk appetite in the Risk Appetite and Tolerance Matrix is set at 'avoid' for five of 12 risk sub-categories. In a reputational risk category, risk appetite ranges from 'accept' for external stakeholders such as the media to 'avoid' for ministers and government, including law enforcement agencies.

SIA has 'no appetite' for non-compliance with WADA and other international requirements; and 'no appetite' for reputational damage resulting from poor, inaccurate or misleading advice and support, especially in relation to anti-doping practices.

Identification and assessment of risks

2.23 The SIA Risk Management Policy includes requirements to establish an enterprise risk register. The Risk Management Policy is supported by a Risk Management Procedure (March 2023, due for review in March 2025), which includes instructions for identifying, assessing, categorising and reviewing risks. Identified risks are to be reported, actively managed and monitored on at least a weekly basis for extreme risks and on at least a monthly basis for high risks.

2.24 An enterprise risk register was created in October 2020 and last updated in November 2021. The November 2021 enterprise risk register included 22 risks (comprising three high, nine significant, nine medium and one low) across three types (enterprise, general and capability). A significant anti-doping risk was 'Compliance with the [WAD Code] and International Standards —Any function of the agency errs towards non-compliance with the [WAD Code] and/or doesn't uphold any of the [International Standards]'. SIA maintains a separate fraud risk register.

2.25 Risk types do not align with the risk categories in the Risk Appetite and Tolerance Matrix or the Risk Management Procedure.⁵⁹ Due to the use of different categories in the risk register to those set out in the tolerance statement, it is unclear if residual risk ratings after the application of controls are within accepted tolerance levels.

2.26 The 2022 Commonwealth Risk Management Policy includes requirements for non-corporate Commonwealth entities to define risk management responsibilities (element four); and periodically review the effectiveness of risk controls (element five). The November 2021 risk register includes references to controls and treatments for all risks as well as references to risk stewards by position. SIA has completed internal audits examining the effectiveness of some controls including: the fraud risk assessment and control plan (December 2021); contract management (March 2023); and corporate credit card use (January 2024).

2.27 In March 2024 SIA presented to SIA's audit and risk committee a plan for an internal audit on the effectiveness of its risk management framework, which was to be completed by May 2024. In September 2024 the audit and risk committee was advised the report was complete and would be presented to it in December 2024. The draft report concluded that SIA's risk management framework and supporting artefacts required 'significant work to ensure alignment with the revised Commonwealth Risk Management Policy'. In March and September 2024, the audit and risk committee received a risk management update which stated that SIA had commenced a project to consolidate, refine and simplify enterprise risks and risk management artefacts. This included introducing a single overarching risk appetite statement.

2.28 The risk management updates provided to the audit and risk committee in March and September 2024 described several changes to be made to the enterprise risk register comprising:

⁵⁹ Risk ratings also do not perfectly align. The four ratings in the enterprise risk register are low, medium, significant and high. The four ratings in the Risk Management Procedure are low, medium, high and extreme.

aligning enterprise risks to six risk themes⁶⁰; refining enterprise risks to nine distinct risks⁶¹; refining tolerance statements to align with the new risk themes; ‘reengineering’ the register to align with a Department of Health and Aged Care template; and identifying emerging risks in an emerging risks register. The work was to be completed by Quarter 4, 2024–25.

2.29 The proposed enterprise risks do not specifically refer to anti-doping work or the National Integrity Framework. Operational risk registers for specific business areas or activities, including for anti-doping and the work of the Operations and Sport Engagement branches (see Figure 2.1) are not maintained. SIA advised the ANAO in November 2024 that ‘information on more targeted risk events that relate specifically to a certain operational capability or regulated business function will be detailed in section level risk registers as part of the business planning process currently being re-developed’. A business planning template that includes an area for listing and analysing ‘section level risk events’ was developed in January 2025.

Regulatory capture risks

2.30 The Parliamentary Joint Committee on Corporations and Financial Services’ 2019 report on oversight of the Australian Securities and Investment Commission (ASIC) defines regulatory capture as instances where regulators are excessively influenced or effectively controlled by the industry they are supposed to be regulating.⁶² Other than references to general fraud and corruption risks, SIA has not identified or assessed its regulatory capture risks and has not evaluated its regulatory capture risk maturity. There have been no internal audits that examine regulatory capture risks.

2.31 Conflict of interest risks, including through a regulator’s acceptance of gifts and benefits or through secondary employment, are a type of regulatory capture risk.⁶³ The *Public Service Act 1999* (PS Act) which governs members of the Australian Public Service (APS)⁶⁴ includes the APS Values

60 Trusted agency; regulation and legal; operational; people; information technology and data; financial/fraud and corruption.

61 Government and Ministers lose trust in the agency; Stakeholders, partners and the community lose trust in the agency; We are unable to deliver and/or comply with our regulatory functions or legislative requirements; We fail to deliver operational outcomes that contribute to integrity in sport and athlete well-being; We fail to deliver high quality service delivery outcomes; Inability to manage the capability and capacity of the agency’s workforce in order to achieve Government priorities; Inability to maintain the safety and well-being of our own people, in order to achieve Government priorities; We fail to deliver ICT service continuity and fail to ensure sensitive data is collected, managed and share appropriately; and Ineffective management of financial resources to ensure compliance, prevention of potential fraud and corruption and the delivery of Government priorities.

62 Parliamentary Joint Committee on Corporations and Financial Services, Australian Parliament, *Oversight of ASIC, the Takeovers Panel and the Corporations Legislation No.1 of the 45th Parliament* (2019). Available from https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Corporations_and_Financial_Services/No1of45thParliament/~media/Committees/corporations_ctte/No1of45thParliament/report.pdf [accessed 25 September 2024]; see also Auditor-General Report No.4 of 2024–25 *Management of Conflicts of Interest by the Australian Financial Security Authority*.

63 The NACC states in its 2022/2023 Integrity Outlook that: Conflicts of interest are also a prevalent source of corruption issues. Many types of corrupt conduct — such as breaches of public trust, abuse of office and misuse of information — originate from conflicts of interest. Such conflicts therefore pose a substantial risk for government agencies, parliamentarians, and public officials. This is why identifying, disclosing and managing potential conflicts of interest is a critical pillar in integrity architectures. National Anti-Corruption Commission, *Integrity Outlook 2022-23*, NACC, 2023, available from https://www.nacc.gov.au/sites/default/files/documents/2023-10/integrity_outlook_22-23_-_final_version_for_publication_0.pdf [accessed 12 September 2024], p. 4.

64 As of 30 June 2023, the APS employee headcount was 170,332 across 104 entities. Many Commonwealth entities and companies do not engage staff under the PS Act.

and Code of Conduct. These outline requirements for APS employees in managing conflicts of interest.⁶⁵ The Australian Public Service Commission's (APSC's) *APS Values and Code of Conduct in practice* outlines requirements for at least annual Senior Executive Service (SES) declarations⁶⁶; notifications of outside employment⁶⁷; and avoiding the acceptance of gifts or benefits.⁶⁸ The APSC also issues *Guidance for agency heads — gifts and benefits*.⁶⁹ This states that any gift or benefit accepted by the agency head with a value of more than \$100 must be disclosed in a public register on the agency's website.⁷⁰ Although not a requirement, the guidance states that 'there is a strong expectation that agency heads will also publish gifts and benefits received by staff in their agency that exceed the threshold of [\$100]'.⁷¹

2.32 SIA must also comply with the conflict of interest requirements set out in the WADA Guide for the Operational Independence of National Anti-Doping Organizations⁷², the SIA Regulations 2020 and the WADA International Standard for Testing and Investigations (see paragraph 3.6).

Policy framework

2.33 SIA has established policies and disclosure requirements for conflict of interest; outside employment; and gifts, benefits and hospitality.

- Conflict of interest — There is a Conflict of Interest Policy, which was endorsed in June 2021 with a review date of June 2022. The Conflict of Interest Policy was reviewed and updated in September 2024. The June 2022 policy applies to SIA employees, secondees, contractors, consultants, the CEO and Advisory Council members. The policy draws attention to the unique operating environment and business of SIA by noting that membership or participation in a sport, sporting organisation, or sporting environment may give rise to a conflict. The SIA Conflict of Interest Policy states that, in accordance with

65 PS Act, subsection 16(7). This includes that an APS employee must: take reasonable steps to avoid any conflict of interest (real or apparent) in connection with the employee's APS employment; and disclose details of any material personal interest of the employee in connection with the employee's APS employment.

66 Agency heads and SES employees are required to submit, at least annually, a written declaration of their own and their immediate family's financial and other material personal interests. Australian Public Service Commission, *APS Values and Code of Conduct in practice*, APSC, Canberra, 2021, section 5.2, available from <https://www.apsc.gov.au/publication/aps-values-and-code-conduct-practice/section-5-conflict-interest> [accessed 13 May 2024].

67 *ibid.*, subsections 5.9.1 and 5.9.3. The guidance states that APS employees are able to work outside of the APS if it does not conflict with their official duties; and that outside employment carries a risk of a real or apparent conflict of interest. If an employee is inclined to accept an offer of outside employment, they should consult their agency's policy and notify their agency head, who should assess the risk before agreeing to the arrangement.

68 *ibid.*, section 5.5. This states that the acceptance of a gift or benefit that is connected with an employee's employment can create a real or apparent conflict of interest that should be avoided.

69 Australian Public Service Commission, *Guidance for agency heads - gifts and benefits*, APSC, published 30 November 2021 and updated 20 October 2023, available from <https://www.apsc.gov.au/working-aps/integrity/integrity-resources/guidance-agency-heads-gifts-and-benefits> [accessed 12 September 2024].

70 *ibid.*, paragraph 4.

71 *ibid.*, paragraph 13.

72 World Anti-Doping Agency, *Guide for the Operational Independence of National Anti-Doping Organizations (NADOs)*, WADA, 2020, available from <https://www.wada-ama.org/en/resources/guide-operational-independence-national-anti-doping-organizations-nados> [accessed 28 September 2024].

the SIA Regulations, SIA requires those engaged in anti-doping sample collection⁷³ to disclose any personal interests as a condition of service.⁷⁴

- Outside employment — There is an Outside Employment Policy, which was endorsed in May 2021 with a review date of June 2022. As of September 2024, the Outside Employment Policy had not been reviewed. The policy states that employees must complete and submit a ‘notification of outside employment form’ for consideration by the SIA delegate, upon commencement with SIA or upon undertaking outside employment. Where the delegate considers that the outside employment would represent a real or apparent conflict of interest with official duties, they can direct the applicant not to engage in outside employment.
- Gifts and benefits — There is a Managing an Offer of a Gift or a Benefit Policy and Procedure, which was endorsed in May 2022, and updated in August 2024. The policy applies to employees (ongoing/non-ongoing), secondees, contractors, consultants, the CEO, Advisory Council members, and family members where there is a clear link to official duties.⁷⁵ Gifts and benefits (including sponsored travel and hospitality) offered to SIA employees must be ‘carefully considered’ before acceptance or rejection. Offers of gifts, whether accepted or declined, with a value exceeding \$50 must be declared in SIA’s gifts and benefits register, and approval to accept gifts must be obtained by the deputy CEO or CEO before accepting the gift where possible. A decision tree and guidelines on when to refuse offers (including offers from people or organisations subject to regulatory decisions) are outlined in the policy.

2.34 SIA maintains a separate gambling policy that states SIA officials are prohibited from placing a bet (or any other form of financial speculation) on any sport where SIA has a relationship with the NSO or NSOD for that sport.

Management of conflicts of interest, outside employment and gifts and benefits

Conflicts of interest

2.35 SIA has a conflict of interest register, which contains 111 entries for non-SES staff that were submitted between April 2021 and March 2024.⁷⁶ Almost half (N=49) were submitted in 2021. The register is incomplete for declared conflicts, including information about whether the delegate considered the declared conflict, and the risk associated with the declared conflict. The conflict of interest register contains two entries for SES staff (out of eight as of July 2024). One SES officer declared a conflict of interest in November 2022 through a conflict of interest declaration form that was not recorded in the conflict of interest register. There is a separate 2024–2026 register for

73 Including a blood collection official, a chaperone, a doping control officer or an investigator.

74 This requirement is also included in a September 2023 sample collection manual.

75 It does not apply to casual staff such as doping control officers. Gifts and benefits arrangements for casual staff are set out in SIA’s September 2023 sample collection manual, which states that casual staff should not accept any gifts, merchandise or memorabilia.

76 There is also a terminated staff register with 33 entries.

casual doping control officers⁷⁷ and chaperones⁷⁸ which includes declared conflicts. Conflicts include sports betting accounts and relationships with SIA officials.

2.36 According to the Conflict of Interest Policy, on commencement and annually, SIA employees must declare all conflicts of interest (real, apparent or potential) by completing a conflict of interest declaration. There is a conflict of interest form for declarations. The form includes space for a management plan.

2.37 The ANAO reviewed conflict of interest declarations for: all SES officials engaged by SIA as of 1 July 2024 (N=8), and all non-SES SIA officials with a declared conflict of interest assessed as medium or high risk in the conflict of interest register (N=13).

- Senior Executive Service — SES declarations were not made in each applicable year for all SES officials. None of eight SES officials completed an annual declaration form for 2023–24.⁷⁹ Of the four SES officials who made at least one declaration of a conflict in the period 1 July 2021 to 30 June 2024, none of the forms were complete, including in terms of the CEO’s review and required management of declared interests. It is unclear from all four SES forms as to whether the CEO considered the declared conflict to be material. For the four SES officials where there was at least one form in the period, none set out a management strategy.
- Other officials — Of the 13 non-SES officials with a declared conflict on the conflict of interest register that was assessed as medium or high risk, 12 had an approved conflict of interest declaration form. A management plan was documented for nine out of 11 conflicts where a plan was required. The one unapproved declaration had no specified plan.

Outside employment

2.38 Four out of the 21 officials examined (two SES and two non-SES) declared conflicts of interest relating to outside employment on a conflict of interest disclosure form. Between 1 July 2021 and 30 June 2024, one ‘notification of outside employment form’ was submitted in accordance with the Outside Employment Policy.⁸⁰ Conflict of interest forms do not require the same detail as the ‘notification of outside employment form’, such as information about the nature of the employment, the actual and perceived conflicts arising from the employment, or what was considered by the delegate in deciding whether to approve the arrangement.

77 WADA defines a doping control officer as an official who has been trained and authorised by the sample collection authority to carry out the responsibilities given to doping control officers in the International Standard for Testing and Investigations. World Anti-Doping Authority, *International Standard for Testing and Investigations*, WADA, 2023, available from https://www.wada-ama.org/sites/default/files/2022-12/isti_2023_w_annex_k_final_clean.pdf [accessed 12 November 2024].

78 WADA defines a chaperone as an official who is trained and authorised by an anti-doping organisation to carry out specific duties including notification of the athlete selected for sample collection, accompanying and observing the athlete until arrival at the doping control station, and/or witnessing and verifying the provision of the sample where the training qualifies them to do so. World Anti-Doping Authority, *International Standard for Testing and Investigations*, WADA, 2023, available from https://www.wada-ama.org/sites/default/files/2022-12/isti_2023_w_annex_k_final_clean.pdf [accessed 12 November 2024].

79 One SES officer was acting during period and is not included in the analysis for 2021–22 and 2022–23.

80 The one ‘notification of outside employment’ form was submitted in December 2023 seeking to undertake short-term sport-associated work. It is not clear whether this arrangement was approved or declined as the form was not completed properly.

2.39 For the five instances of outside employment disclosed, employment was with regulated entities or in a sport-related occupation. In two of the five forms, the delegate declared the described conflict (which may include multiple interests, besides outside employment) as constituting a real, apparent or potential conflict of interest and a management plan was established. The remaining three forms were incomplete and there was no indication if the delegate considered the conflict to be material. Management plans were not established in these three instances.

Gifts and benefits

2.40 As outlined at paragraph 2.31, Australian Government policy is that any gift or benefit accepted by an agency head with a value of more than \$100 must be disclosed in a public register on the agency's website. SIA publishes quarterly updates of the CEO's gifts and benefit disclosures in accordance with its policy and Australian Government requirements.⁸¹ The public register also includes accepted gifts to other officials exceeding \$100 in value.

2.41 As of May 2024, the quarterly public disclosures showed the acceptance of three gifts or benefits received between 1 January 2020 and 31 March 2024, with the highest value gift valued at \$5,400. A 2020 gift to the CEO of Qantas Chairman's Lounge membership was first disclosed in January 2024 and valued at \$0.

2.42 The ANAO, through non-exhaustive analysis of email correspondence, identified that the CEO received at least 22 invitations to sporting or sports-related events from World Athletics, the Australian Olympic Committee, ACT Brumbies, Football Australia and the Australian Rugby League Commission. None of these offers were documented in the public register. There is evidence of the CEO accepting one invitation from the Australian Olympic Committee. Two other invitations were declined due to the CEO being unavailable. SIA did not maintain records of whether invitations and offers were declined or accepted by the CEO.

2.43 In addition, SIA maintains an internal register of gifts and benefits offered to SIA officials other than the CEO. All offered gifts exceeding \$50, whether accepted or declined, must be declared on the internal register. Between July 2022 and September 2024, SIA officials disclosed eleven gifts or benefits, with the last entry made in December 2023. Through a non-exhaustive review, the ANAO identified that SIA officials accepted but did not disclose VIP tickets to a 2022 Women's World Cup Basketball event and tickets to the Hancock Prospecting 2023 Rower of the Year Awards.

81 Sport Integrity Australia, *Gifts and Benefits Register*, SIA, 2024, available from <https://www.sportintegrity.gov.au/about-us/corporate/governance/gifts-and-benefits-register#:~:text=We%20disclose%20the%20details%20of,gifts%20and%20benefits%20they%20accept.> [accessed 3 May 2024].

Recommendation no. 2

2.44 Sport Integrity Australia improve its controls for identifying and managing potential conflicts of interest, including those arising from gifts and benefits.

Sport Integrity Australia response: *Agreed.*

2.45 *We updated our process and systems for declaring conflicts of interest in September 2024. All Sport Integrity Australia staff were required to re-submit and have approved any previous or new potential conflicts. The Gifts and Benefits policy was updated in August 2024 and the process for declarations and delegate review is currently being streamlined, including documenting offers declined to sports-related events.*

3. Anti-doping prevention and detection

Areas examined

This chapter examines whether Sport Integrity Australia (SIA) has effective arrangements for implementing the National Anti-Doping Scheme including arrangements for anti-doping education and testing.

Conclusion

SIA's arrangements for preventing and detecting doping are largely effective for sports that have mainly government funded anti-doping sample collection arrangements, and partly effective for the major professional sports that have mainly 'user pays' anti-doping sample collection arrangements, due to the way SIA has chosen to administer 'user pays' arrangements.

- There is a fit-for-purpose national anti-doping framework, which is supported by a national anti-doping policy that is adopted by 87 national sporting organisations. Another three national sporting organisations have an SIA-approved anti-doping policy.
- SIA has effective arrangements to prevent anti-doping rule violations through anti-doping education plans that are implemented and evaluated.
- For sports that have mainly government funded testing arrangements, test distribution planning is generally risk-based. Transparency could be enhanced through more comprehensive documentation of planning methodology and record keeping.
- For the six major sports that have mainly user pays testing arrangements, test distribution planning is not demonstrably risk-based. The number and distribution of tests are negotiated with national sporting organisations under a service agreement. This is not consistent with World Anti-Doping Code principles or SIA's responsibilities as a regulator of these sports.

Areas for improvement

The ANAO made three recommendations aimed at improving the anti-doping detection process: documenting a methodology for sample collection distribution planning for user pays sports; improving evaluation of previous years' test distribution planning; and undertaking risk-based test distribution planning for all regulated sports, including user pays sports. The ANAO identified two opportunities for improvement regarding documenting assessment criteria for sports' anti-doping policies; and documenting anti-doping test planning moderation methodology.

3.1 Section 3 of the *Sport Integrity Australia Act 2020* (SIA Act) and Schedule 1 of the *Sport Integrity Australia Regulations 2020* (SIA Regulations)⁸² require SIA to establish a National Anti-Doping (NAD) Scheme that implements the UNESCO *International Convention against Doping in Sport* (UNESCO convention). Article 3 of the UNESCO convention sets out that state parties to the Convention (including Australia) are required to adopt anti-doping measures at the national and

82 Sport Integrity Australia Regulations 2020, available from <https://www.legislation.gov.au/F2006L00765/latest/text> [accessed 3 September 2024].

international levels that are consistent with the principles of the World Anti-doping Code (WAD Code) (see paragraphs 1.9 to 1.10).⁸³

3.2 Article 18 of the WAD Code states that education programs:

Are central to ensure harmonized, coordinated and effective anti-doping programs at the international and national level. They are intended to preserve the spirit of sport and the protection of [athletes'] health and right to compete on a doping free level playing field ... Education programs shall raise awareness, provide accurate information and develop decision-making capability to prevent intentional and unintentional anti-doping rule violations and other breaches of the [WADA] Code.⁸⁴

3.3 The SIA Regulations require SIA to plan, implement, evaluate and monitor education and information programs for doping-free sport for all participants and non-participants. One of eight International Standards introduced by World Anti-doping Agency (WADA) (see paragraph 1.10) is the International Standard for Education (January 2021).⁸⁵ This sets out mandatory standards that support signatories in planning, implementing, monitoring and evaluating effective anti-doping education programs.

3.4 SIA's role as the 'national anti-doping organisation' for Australia under the WAD Code means that it is the entity designated within Australia as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of samples, manage test results and conduct results management, at the national level.⁸⁶ The SIA Regulations state that the functions of the Chief Executive Officer (CEO) under the NAD Scheme include providing services relating to sports drug and safety matters to a 'sporting administration body'; and sample collection and undertaking results management for a 'sporting administration body'. The SIA Regulations set out the authority for the CEO to exercise certain powers in relation to 'sporting administration bodies'. The SIA Regulations define a 'sporting administration body' as a national sporting organisation for Australia (NSO).⁸⁷ NSOs and national sporting organisations for people with disability (NSODs) are organisations that the Australian Sports Commission supports to achieve the Australian Government's sporting objectives.⁸⁸ NSOs and NSODs are formally 'recognised' by the ASC and listed in the Australian Sports Directory.⁸⁹ As of September 2024, the Australian Sports Commission recognised 90 NSOs and NSODs (see paragraph 1.12).⁹⁰

83 United Nations Educational, Scientific and Cultural Organisation (UNESCO), *International Convention against Doping in Sport*, 2005, available from <https://www.unesco.org/en/legal-affairs/international-convention-against-doping-sport?hub=74450> [accessed 5 September 2024].

84 World Anti-Doping Agency, *World Anti-Doping Code*, WADA, January 2021, available from https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf [accessed 5 September 2024].

85 World Anti-Doping Agency, *Education*, WADA, 2021, available from <https://www.wada-ama.org/en/education> [accessed 14 September 2024].

86 Sport Integrity Australia Regulations 2020, clause 1.05, p. 12.

87 *ibid.*, clause 2.02, p. 24.

88 Australian Sports Commission, *Recognition of National Sporting Organisations*, ASC, available from https://www.sportaus.gov.au/recognition_of_national_sporting_organisations [accessed 8 September 2024].

89 Australian Sports Commission, *Australian Sports Directory*, ASC, available from https://www.sportaus.gov.au/australian_sports_directory#:~:text=The%20Australian%20Sports%20Directory%20contains,of%20their%20sport%20in%20Australia. [accessed 8 September 2024].

90 Australian Sports Commission, *Australian Sports Directory*, ASC, available from https://www.sportaus.gov.au/australian_sports_directory [accessed 13 September 2024].

3.5 Article 5 of the WAD Code is concerned with anti-doping testing and investigations, and states that:

Testing and investigations may be undertaken for any anti-doping purpose. Testing shall be undertaken to obtain analytical evidence as to whether the [athlete] has violated Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample) or Article 2.2 (Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method) of the [WADA] Code.⁹¹

3.6 The WAD Code states that anti-doping organisations should conduct test distribution planning and testing as required by the January 2023 International Standard for Testing and Investigations (ISTI).⁹² The ISTI sets out that effective and proportionate test planning will begin with a risk assessment that is informed by intelligence.⁹³ The Department of Finance's Resource Management Guide 128 *Regulator Performance* (RMG 128)⁹⁴ and August 2024 *Regulatory Policy, Practice & Performance Framework*⁹⁵ establish a principle that regulators should take a risk-based, data-driven approach to regulation, among other principles.

Has Sport Integrity Australia established an effective anti-doping framework?

The Sport Integrity Australia Regulations 2020 establish the SIA CEO's functions and powers in relation to anti-doping, which include sample collection and results management for 'sporting administration bodies', defined as 'national sporting organisations for Australia'. SIA has established an Australian National Anti-Doping Policy (NAD Policy) that aligns with the World Anti-Doping Code and which, as of September 2024 had been adopted by 98 sporting organisations in Australia, including 87 national sporting organisations for Australia. Anti-doping policies for the remaining three national sporting organisations that have adopted alternative policies were not approved by SIA in a timely way using documented criteria.

SIA's annual anti-doping activities are supported by approximately 300 full-time equivalent (FTE) and casual employees. Budgeted average staffing levels increased by six per cent for FTE staff and 17 per cent for casual staff between 2022–23 and 2024–25. The total number of anti-doping samples collected by SIA declined by 34 per cent between 2010–11 and 2022–23.

SIA provides anti-doping sample collection and analysis under two general funding models: government-funded and user pays. User pays arrangements involve partial cost recovery, an approach which was approved by government in March 2024. Six professional sports

91 World Anti-Doping Agency, *World Anti-Doping Code*, WADA, January 2021, available from https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf [accessed 5 September 2024], article 5.1.

92 *ibid.*, article 5.4.1.; World Anti-Doping Agency, *Testing and Investigations*, WADA, 2023, available from <https://www.wada-ama.org/en/testing-and-investigations> [accessed 14 September 2024].

93 World Anti-Doping Agency, *International Standard for Testing and Investigations*, WADA, available from https://www.wada-ama.org/sites/default/files/2022-12/isti_2023_w_annex_k_final_clean.pdf [accessed 4 November 2024].

94 Department of Finance, *Resource Management Guide 128 – Regulator Performance*, Finance, 2023, available from <https://www.finance.gov.au/government/managing-commonwealth-resources/regulator-performance-rmg-128> [accessed 9 September 2024].

95 Department of Finance, *Regulatory Policy, Practice and Performance Framework*, Finance, available from <https://www.regulatoryreform.gov.au/sites/default/files/Regulatory-Policy-Practice-and-Performance-Framework.pdf> [accessed 9 September 2024].

(Australian football, cricket, football (soccer), rugby league, rugby union and basketball) have mainly user pays arrangements. There are no documented criteria for when to apply which funding model, however SIA has advised that it depends in part on the sporting organisation's ability to pay for its own anti-doping testing.

The average cost of testing increased in the five years to 2022–23 and decreased in 2023–24. SIA has assessed the value-for-money of its laboratory testing arrangements.

National Anti-Doping Policy

3.7 SIA established the NAD Policy on 1 January 2021. The purpose of the NAD Policy (Box 2) is to 'have a single and consistent set of anti-doping rules across all sports in Australia'.⁹⁶

Box 2: The Australian National Anti-Doping Policy

The NAD Policy is comprised of 21 articles that cover requirements for prohibited substances, testing and investigations, analysis of samples, hearings, sanctions and consequences, confidentiality and reporting, education, and research, among other matters. Key aspects of the NAD Policy include:

- Article 2 — establishes 11 anti-doping violations (see Box 5)^a;
- Article 4 — establishes the list of prohibited substances (see Box 5)^b;
- Article 5 — establishes requirements for anti-doping testing and investigations including SIA's authority to test and requirements to maintain testing pools (see paragraph 3.64); and
- Article 17 — establishes requirements for SIA to plan, implement, evaluate and promote anti-doping education.

Note a: Sport Integrity Australia, *Anti-doping rule violations*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/anti-doping-rule-violations> [accessed 9 September 2024].

Note b: Sport Integrity Australia, *Substance banned in sport*, SIA, Canberra, 2021, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/prohibited-substances-and-methods/substances-banned-sport> [accessed 9 September 2024].

3.8 On November 2020, WADA confirmed that the draft NAD Policy appeared to be in line with the WAD Code, pending the implementation of minor edits proposed by WADA. The NAD Policy applies to 'sporting administration bodies' (defined as an NSO/NSOD⁹⁷); member or affiliate organisations; board members, directors, officers and specified employees; and 'delegated third parties'⁹⁸ and their employees.

3.9 The SIA Regulations state that a sporting administration body must at all times have in place, maintain and enforce anti-doping policies and practices that comply with the mandatory provisions

96 Sport Integrity Australia, *Australian National Anti-doping Policy*, Canberra, 2021, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/world-anti-doping-code/australian-national-anti-doping-policy> [accessed 9 September 2024].

97 SIA Regulations, clause 2.02.

98 NAD Policy, article 1.1. Delegated third parties are defined as 'any person to which SIA delegates any aspect of doping control or anti-doping education activities'. Sport Integrity Australia, *Australian National Anti-doping Policy*, SIA, 2021, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/world-anti-doping-code/australian-national-anti-doping-policy> [accessed 9 September 2024], appendix 1.

of the WAD Code, International Standards and the NAD Scheme.⁹⁹ SIA assesses and reviews sporting bodies' applications for adoption of the NAD Policy, which are approved, refused or revoked by the CEO. NSOs were required to have a SIA-approved, WAD Code-compliant anti-doping policy in place by 1 January 2021. Section 2.04 of the SIA Regulations state that a sporting administration body must not adopt or substantively amend its anti-doping policy unless approved by the CEO.

3.10 As of September 2024, 98 sporting organisations had adopted the NAD Policy, including 87 NSOs/NSODs and 11 other (non-recognised) sporting organisations.¹⁰⁰ Three NSOs (Australian Football League (AFL), Australian Rugby League Commission (ARLC) and Football Australia) have not adopted the NAD Policy. AFL has its own anti-doping policy as a direct signatory to the WAD Code¹⁰¹, which SIA approved in March 2021. ARLC and Football Australia also have their own anti-doping policies, which were approved by the CEO in accordance with the SIA Regulations and the Australian Sports Commission NSO recognition criteria (see paragraph 1.12).¹⁰² Football Australia's anti-doping policy was approved in June 2022 and ARLC's anti-doping policy was approved in July 2022. During the period in which SIA worked with these NSOs to develop updated policies, they operated under previously approved anti-doping policies.

3.11 SIA has established clear decision-making criteria for approval of sporting bodies' applications for adoption of the NAD Policy.¹⁰³ For NSOs and NSODs that have chosen not to apply to adopt the NAD Policy, SIA has not documented criteria for the CEO's assessment of alternative proposed anti-doping policies against requirements of the WAD Code, International Standards and NAD Scheme.

3.12 SIA does not review anti-doping policies and practices for sporting organisations that are not recognised as NSOs/NSODs and which have not applied to adopt the NAD Policy, or which have

99 SIA Regulations, section 2.04.

100 Sport Integrity Australia, *Sports with an anti-doping policy or similar*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/world-anti-doping-code/sports-anti-doping-policy-or-similar> [accessed 13 September 2024]. NSOs and NSODs that have adopted the NAD Policy are required to: 'As a condition of receiving financial and/or other assistance from the Australian Government and/or the Australian Olympic Committee, the Sporting Administration Body shall accept and abide by the spirit and terms of SIA's Anti-Doping Program and this Anti-Doping Policy, and shall adopt this Anti-Doping Policy into their governing documents, constitution and/or rules as part of the rules of sport that bind their members, Participants and Non-participants'. NAD Policy, section 1.2.

101 Australian Football League is a signatory to the WAD Code in the category of 'Other organizations having significant relevance in sport'. Other Australian bodies that are signatories to the WAD Code comprise: Sport Integrity Australia (in the category of 'National anti-doping organizations'); Australian Commonwealth Games Association (in the category of 'Major event organizations'); Australian Olympic Committee (in the category of 'National Olympic committees'); and Australian Paralympic Committee (in the category of 'National paralympic committees'). World Anti-Doping Authority, *Code Signatories*, WADA, available from <https://www.wada-ama.org/en/what-we-do/world-anti-doping-code/code-signatories> [accessed 13 September 2024].

102 Sport Integrity Australia, *Sports with an anti-doping policy or similar*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/world-anti-doping-code/sports-anti-doping-policy-or-similar> [accessed 13 September 2024].

103 Criteria are that the applicant is an NSO or provisional NSO, or, if not an NSO, is recognised by a WAD Code signatory international federation as the national federation in Australia for the purposes of the Olympic, Paralympic or Commonwealth Games. In the event that the applicant does not meet these criteria, it may still be approved to adopt the NAD Policy if SIA considers the sport to be a doping risk and it has demonstrated membership or competition growth over three-to-five years.

applied but do not meet the other criteria for adoption of the NAD Policy (see paragraph 3.9). This includes sports such as mixed martial arts, powerlifting and CrossFit.

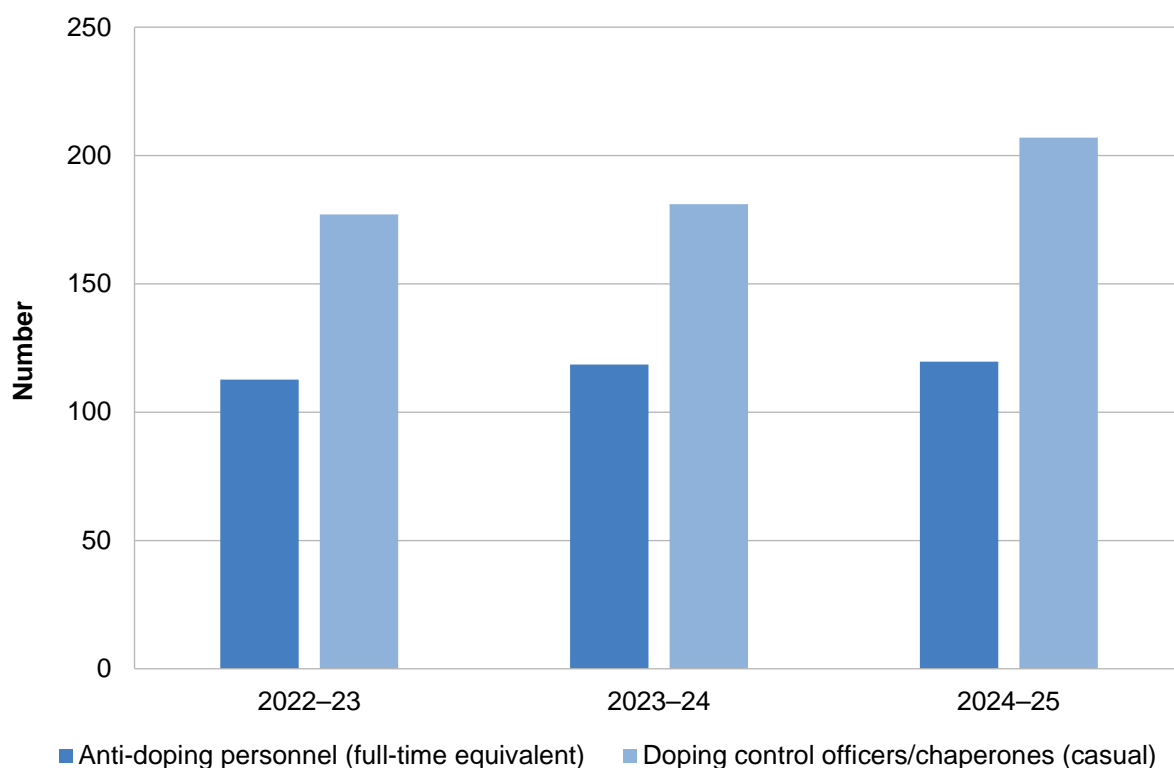
Opportunity for improvement

3.13 Sport Integrity Australia could document its assessment criteria for sports’ anti-doping policies where national sporting organisations do not adopt the NAD Policy.

Resourcing for SIA’s anti-doping activities

3.14 SIA’s anti-doping activities are undertaken within the Safety in Sport Division (see Figure 2.1). SIA advised the ANAO in November 2024 that 118.6 full-time equivalent (FTE) staff worked on SIA’s anti-doping activities in 2023–24 (Figure 3.1), of which 56.5 were directly involved in anti-doping testing and 62.1 worked on associated activities such as education, intelligence, corporate services, staff capability development, and legal services. There is also a pool of approximately 200 casual doping control officers and chaperones, who collect and witness the collection of urine and blood samples from athletes. Staffing levels increased by six per cent for FTE staff and 17 per cent for casual staff between 2022–23 and 2024–25.

Figure 3.1: Anti-doping personnel, 2022–23 to 2024–25



Note: 2024–25 figures are budgeted.

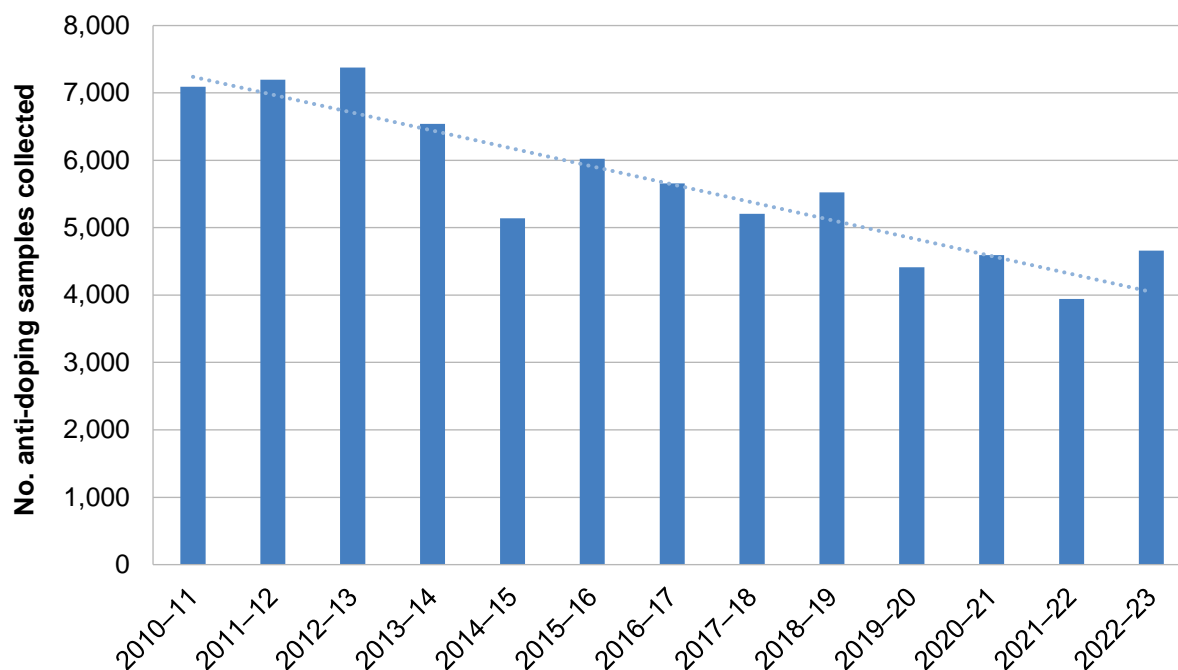
Source: SIA advice.

3.15 SIA does not have a workforce plan for the Safety in Sport Division or the entity as a whole.

3.16 Figure 3.2 shows the total number of anti-doping samples collected by SIA (previously the Australian Sports Anti-Doping Authority) between 2010–11 and 2022–23, as reported in the

2023–24 SIA Annual Report. For 2023–24, SIA reported the total number of tests rather than the total number of samples. The total number of anti-doping samples collected declined by 34 per cent between 2010–11 and 2022–23.

Figure 3.2: Reported anti-doping samples collected in Australia, 2010–11 to 2022–23



Note: Numbers do not correspond to data reported in prior year SIA annual reports as in 2023–24 SIA reported a correction of material errors in previously reported data. Prior to 2023–24, SIA reported the total number of samples collected. In 2023–24, SIA reported the number of tests (4,177), which reflects the number of times SIA notified and collected samples from an athlete. For each test collected, single or multiple samples (e.g. blood and urine) may have been collected and analysed. This is counted as one test. SIA advised the ANAO in November 2024 that the total number of samples collected in 2023–24 was 6,531 (see Table 3.1); however this figure was not provided in the 2023–24 Annual Report.

Source: ANAO analysis of SIA 2023–24 Annual Report.

3.17 SIA’s anti-doping sample collection and results management arrangements are administered under two general funding models¹⁰⁴:

- government funded arrangements — a funding model where costs of regulatory activities are funded by the government; or
- ‘user pays’ arrangements — a funding model where SIA charges regulated entities for planned anti-doping sample collection and results management.

3.18 For ‘user pays’ arrangements, SIA does not fully recover costs of sampling and results management (see paragraph 3.23). In March 2024, SIA advised government on three different options for continued funding of SIA’s integrity and anti-doping functions, which were also set out in an impact analysis published on 12 January 2024.¹⁰⁵ The advice stated that charging was

104 SIA advised the ANAO in November 2024 that it also undertakes some user pays collection activities for which it does not have results management authority.

105 Sport Integrity Australia, *Impact Analysis - Safety In Sport*, SIA, available from <https://oia.pmc.gov.au/sites/default/files/posts/2024/01/Safety%20In%20Sport%20Impact%20Analysis.pdf> [accessed 10 December 2024].

applicable to the proposal and that the Department of Finance had been consulted to ensure alignment with the Australian Government Charging Framework.¹⁰⁶ The advice referred to complexities of a full cost recovery model, and recommended that the existing ('user pays') model be maintained, instead of full cost recovery, on the basis of: financial pressure faced by NSOs and NSODs; the increased cost of living; the reliance of the majority of NSOs on government funding; and SIA's assessment that any change to the charging methodology would decrease participation in sport. On 27 March 2024 the government approved the recommended funding option.

3.19 Of the 98 sporting organisations that have adopted the NAD Policy as of September 2024 (see paragraph 3.10), anti-doping testing is mainly government funded for 95 entities. Six NSOs, which represent major professional sports, have mainly user pays arrangements.¹⁰⁷ These are: AFL, ARLC, Basketball Australia (National Basketball League)¹⁰⁸, Cricket Australia, Football Australia and Rugby Australia.

3.20 The total number of planned tests each year depends on the funding model.

- Government funded sports — The 2024–25 Test Distribution Plan for mainly government funded sports (see paragraph 3.47) included 2,915 sample collections for NSOs and 514 for NSODs. SIA advised the ANAO in September 2024 that the number of planned government funded sample collections was linked to its budgeted funding.
- User pays sports — The total number of planned user pays sample collection activities in the 2023–24 seasons for the six mainly user pays sports totalled 1,695 ((comprising AFL (305 tests), ARLC (641 tests), Cricket Australia (128 tests), Football Australia (289 tests), National Basketball League (78) and Rugby Australia (254 tests)). The totals and timing are negotiated annually between the NSO and SIA through deeds of standing offer (see paragraph 3.59).¹⁰⁹

3.21 Whether SIA's anti-doping sample collection arrangements for sports are government funded or user pays also has implications for how the anti-doping sample collection is undertaken (see from paragraph 3.73). SIA has no documented framework, policy or rules regarding which NSOs/NSODs receive mainly government funded testing and which are mainly required to pay for testing via a user pays arrangement. SIA advised the ANAO in August and November 2024 that its criteria include the sport's status as an Olympic, Paralympic or Commonwealth Games sport; the NSO's ability to pay for its own testing; and whether the NSO runs a professional or semi-professional league.

3.22 Table 3.1 shows the number of samples collected between 2018–19 and 2023–24 (as reported to the SIA CEO in 2022–23 for 2018–19 to 2022–23, and as advised to the ANAO for

106 The Australian Government Charging Framework applies to activities of exchanging goods, services or regulation services for money by an Australian Government entity. See: Department of Finance, *What is the Australian Government Charging Framework*, Finance, available from <https://www.finance.gov.au/government/managing-commonwealth-resources/implementing-charging-framework-rmg-302/what-australian-government-charging-framework> [accessed 11 December 2024].

107 Some sports that received government funded tests are also required to pay for testing under a user pays agreement. User pays sports may also receive some government funded tests.

108 National Basketball League is mainly user pays. The Women's National Basketball League, wheelchair basketball and 3v3 basketball are mainly government funded.

109 SIA's test planning for user pays sports is based around the competition schedule (typically November to October) rather than financial year planning, which is used for government funded sports.

2023–24), and the average cost per test. User pays sports accounted for approximately half of SIA’s 2022–23 and 2023–24 samples collected/tests conducted. SIA analysis showed in December 2023 that the reason for an increase in average cost was due to an increase in direct costs, such as labour, equipment, travel and training costs.

Table 3.1: Number and average cost of anti-doping samples, 2018–19 to 2023–24

	2018–19	2019–20	2020–21	2021–22	2022–23	2023–24 ^a
Fully funded samples	2,973	2,875	2,224	2,870	2,320	3,366
User pays samples	2,232	2,648	2,190	1,723	2,339	3,165
Total samples collected	5,205	5,523	4,414	4,593	4,659	6,531
Total testing cost (millions)	\$3.901	\$4.014	\$4.145	\$4.566	\$5.520	\$5.675
Average cost per sample	\$749	\$727	\$939	\$994	\$1,185	\$869

Note a: As advised to the ANAO in November 2024.

Source: Adapted by ANAO from SIA documentation for 2018–19 to 2022–23 and SIA advice to the ANAO for 2023–24.

3.23 Charges for user pays tests and associated activities (such as cancellation fees and travel costs) are set annually, approved by the SIA CEO, and published on SIA’s website.¹¹⁰ SIA does not fully recover its costs from user pays testing. When seeking the SIA CEO’s approval of user pays charges in December 2023, the CEO was advised by SIA that ‘The agency is not able to charge sports the true cost of testing as this would almost completely price us out of the market’.

3.24 Sample analysis is mostly undertaken on behalf of SIA by the Australian Sports Drug Testing Laboratory (ASDTL).¹¹¹ In 2022–23, SIA commissioned Callida Consulting to undertake a ‘world lab benchmarking review’¹¹² to inform ‘a value for money position’. The benchmarking review compared the prices charged to SIA by ASDTL to the prices charged by other WADA-accredited laboratories globally. The report found that the total costs for laboratory testing at the ASDTL was \$3.6 million in 2021–22, and that if the same volume of samples were tested at an overseas laboratory the costs would range from \$930,000 to \$3.65 million, excluding shipping costs. The report also found that when taking into account ‘gratis’ tests that SIA receives under its memorandum of understanding with ASDTL, the cost to SIA was 46 per cent lower than the global average cost, and that ASDTL’s prices were competitive in the global market.

110 Sport Integrity Australia, *Fees*, SIA, 1 January 2024, available from <https://www.sportintegrity.gov.au/about-us/corporate/finance/fees> [accessed 6 September 2024].

111 ASDTL is a WADA-accredited laboratory that provides testing services national anti-doping organisations (including SIA), international sporting federations and major event organisers. The laboratory is part of the National Measurement Institute within the Department of Industry, Science and Resources. Department of Industry, Science and Resources, *Drugs in sports analysis*, DISR, available from <https://www.industry.gov.au/national-measurement-institute/nmi-services/testing-and-analytical-services/drugs-sport-analysis> [accessed 12 October 2024].

112 Austender Contract: CN3977405, 30 June 2023, Contract value: \$24,000.

Are there effective arrangements to prevent anti-doping rule violations?

SIA has developed national anti-doping education plans in each year between 2021–22 and 2023–24, as required by the World Anti-Doping (WAD) Code and SIA Regulations. SIA’s 2023–24 national education plan is consistent with requirements of the WAD Code. Sport-specific education plans were developed for all sampled sports except one in 2023–24, following failure to develop sport-specific education plans for one sampled government funded sport and most sampled user pays sports in 2021–22 and 2022–23. SIA has fit-for-purpose arrangements to evaluate the effectiveness of the national education plan. Evaluations have found that most deliverables and outcomes relating to the national education plan were met. SIA has evaluated sport-specific education plans.

3.25 To examine SIA’s anti-doping education, intelligence, risk assessment and anti-doping test planning, the ANAO selected a sample of 25 sports/sport disciplines.¹¹³ The sample comprised five of six mainly user pays sports¹¹⁴, and 13 mainly government-funded sports¹¹⁵ covering 20 sports disciplines.¹¹⁶

National education plan

3.26 A key underpinning principle of the International Standard for Education (ISE) is that ‘an Athlete’s first experience with anti-doping should be through Education rather than Doping Control.’¹¹⁷ Article 18 of the WAD Code and the SIA Regulations set out requirements for SIA to establish, monitor and evaluate an annual education plan. The ISE requires that when developing a

113 The International Olympic Committee defines a ‘sport discipline’ as a branch of sport comprising one or more events. Australian Olympic Committee, *Frequently asked questions*, AOC, available from <https://olympics.com/ioc/faq/sports-programme-and-results/the-olympic-programme-comprises-sports-disciplines-and-events-what-is-the-difference-between-the-three> [accessed 14 September 2024]. For example, ‘road’ and ‘track sprint’ are two disciplines within the sport of cycling, and ‘distance (3000m+)’ and ‘sprint (400m or less)’ are disciplines within the sport of athletics. Events are defined by the AOC as a competition in a sport or discipline resulting in a ranking and giving rise to the awarding of medals and diplomas.

114 Australian football, cricket, football (soccer), rugby league, rugby union. Basketball is excluded from the sample as its annual revenue is less than \$50 million.

115 Aquatics, athletics, baseball, basketball, biathlon, cycling, equestrian, golf, Muay Thai, netball, rowing, skiing, and triathlon. Sample selection of government funded sport disciplines was based on SIA’s 2023–24 risk assessment. The 20 sports disciplines that were assessed as higher risk and/or most heavily moderated up or down were included in the sample from a population of 346 sport disciplines in the 2023–24 risk assessment.

116 Aquatics L distance - 800m+; aquatics M distance 200-400m; athletics LD 3000m or greater; athletics sprint 400m or less; baseball; basketball 3v3; biathlon; cycling cyclo-cross; cycling mountain bike - endurance; cycling para-cycling; cycling road; cycling track endurance; cycling track sprint; equestrian; golf; Muay Thai; netball; rowing; cross-country skiing; and triathlon.

117 World Anti-doping Agency, *International Standard for Education (ISE)*, WADA, 2021, available from <https://www.wada-ama.org/en/resources/world-anti-doping-code-and-international-standards/international-standard-education-ise> [accessed 9 September 2024], section 1.

national education plan, WAD Code signatories assess the current situation; establish an education pool¹¹⁸; set clear objectives and related activities; and outline monitoring procedures.¹¹⁹

3.27 SIA developed an annual national anti-doping education plan (national education plan) for each year from 2021–22 to 2023–24.

3.28 An education pool prioritises education activities by targeting certain groups. The 2023–24 national education plan implements a national education pool through minimum requirements for sport-specific education pools (which it describes as the high priority groups where education resources should be focused) (Box 3). SIA’s minimum requirements for the sport-specific education pools are aligned with section four of the ISE. SIA states that other groups are not included ‘for lack of resources to reach them’.

Box 3: 2023–24 national anti-doping education plan — minimum requirements for sport-specific education pools

Education is required, at a minimum for each sport, for the following groups.

- Any athletes included in registered, national or domestic testing pools (see paragraph 3.64).
- Any athletes and support personnel:
 - competing in a declared sporting competition;
 - representing Australia at international events;
 - competing at senior national level events;
 - competing in leagues subject to user pays testing; and/or
 - returning from an anti-doping rule violation sanction.
- Integrity officers in any NSO.

Education is recommended for each sport for any athletes and support personnel who are competing at state or club level events; and all other staff.

SIA’s education pool also includes: years 9–12 high school teachers; parents and caregivers; NSO and state sporting organisation integrity staff; pharmacists; and tertiary students studying sports management and sports law.

3.29 The 2023–24 national education plan states that it is supported by an anti-doping curriculum. An anti-doping education curriculum was developed in June 2022 directed to the education sector, general public/media, recreational/social level sport, sub-elite level sport and

118 Section 1 of the ISE states that the education pool shall include, at a minimum, athletes in the registered testing pool and athletes returning from sanction. At subsection 4.3, the ISE strongly encourages education pools to include a broader group of athletes or provide a rationale for their non-inclusion. Other groups that should be considered for inclusion (and a rationale provided for non-inclusion) are athlete support personnel (comprising coaches, trainers, managers, agents, team staff, officials, medical/paramedical personnel, parents and any other person working with, treating or assisting an athlete to prepare for competition, with the most influential given priority). Other target groups that should be considered are: children and youth; teachers; university staff and students; sport administrators; commercial sponsors, media personnel, etc.

119 World Anti-doping Agency, *International Standard for Education (ISE)*, WADA, 2021, available from <https://www.wada-ama.org/en/resources/world-anti-doping-code-and-international-standards/international-standard-education-ise> [accessed 9 September 2024], subsection 4.1.

elite level sport. In March 2024, SIA finalised education curricula for participants and coaches, which included anti-doping topics.

3.30 SIA's education plan does not identify how education can be tailored to meet the specific needs of individuals with impairments or other specific needs (ISE part 5). In October 2023, SIA developed digital design standards and, in December 2023, SIA told the Sport Sector Advisory Group on Education (see Figure 2.1) that translation of educational materials for hearing impaired and intellectually impaired participants was being undertaken. SIA advised the ANAO in November 2024 that Auslan translations were developed for all National Integrity Framework policies.

3.31 The 2023–24 national education plan states that SIA offers approximately 200 government funded face-to-face anti-doping education sessions per year and that sports can access additional sessions through a user pays model and on demand. SIA did not undertake any user pays anti-doping education in 2023–24. SIA advised the ANAO in August and November 2024 that 'there are currently no user-pay arrangements for education', which was due to a decrease in demand for education during the COVID-19 pandemic and an increase in SIA funding (which meant all education requests could be accommodated through government funding).

Sports-specific education plans

3.32 The NAD Policy requires SIA to support sporting organisations to implement an anti-doping education program in line with the national education plan. Criteria for Australian Sports Commission recognition of NSOs (see paragraph 1.12) include that the sporting organisation develops an anti-doping education plan that is approved by SIA.¹²⁰ SIA's 2023–24 national education plan states that one of SIA's key deliverables is for all NSOs to have an anti-doping education plan in place and reviewed by SIA for 2023–24. In 2023–24, SIA worked with 97 sports to develop a sport-specific education plan.

3.33 For the audit sample, the finalisation of sport education plans in 2021–22, 2022–23 and 2023–24 was in accordance with the NAD Policy for mainly government funded sports, and not fully in accordance with the NAD Policy for mainly user pays sports. SIA advised the ANAO in August 2024 that 'A small number of NSOs have been unable to agree an education plan in collaboration with SIA.'

- Government funded sports — Twelve of 13 mainly government funded sports in the audit sample had an SIA-approved education plan in 2021–22, 2022–23 and 2023–24. There was no plan for one government sport in 2021–22 or 2022–23. The plan for this sport was first completed in 2023–24.
- User pays sports — SIA did not receive or approve education plans for Cricket Australia in 2021–22, 2022–23 or 2023–24. None of the sampled user pays sports with their own anti-doping policies (AFL, ARLC and Football Australia) had approved 2021–22 education plans. In 2022–23, SIA approved an education plan for AFL, but did not receive or approve education plans for ARLC or Football Australia. In 2023–24, SIA approved education plans

120 Australian Sports Commission, *ASC Recognition Criteria – National Sporting Organisations*, March 2024, Australian Sports Commission, 2024, p.10 and Australian Sports Commission, *ASC Recognition Criteria – National Sporting Organisations for People with Disability*, March 2024, Australian Sports Commission, 2024, p. 10.

for AFL, ARLC and Football Australia. Rugby Union had an SIA-approved education plan in 2021–22, 2022–23 and 2023–24.

3.34 The national education plan includes a minimum requirement that sports include specific groups in their education pool and states that sport-specific education pools are determined through an assessment of each sport.¹²¹ SIA advised the ANAO in August 2024 that sport-specific education pools are agreed upon through ‘workshopping’ with the sporting organisation based on data held by either SIA or the sporting organisation. None of the 2023–24 sport-specific plans within the audit sample fully aligned with the minimum requirements outlined in Box 3. For example, sport-specific plans did not specify integrity officers and two sport specific plans did not specify athletes returning from an anti-doping rule violation.

Evaluation of education outcomes

3.35 Part 6 of the ISE states that signatories shall evaluate their education program annually, with the evaluation informing the next year’s plan. The evaluation should be of the achievement of objectives that are set out in the education plan.

3.36 The 2023–24 national education plan states that the aims are to prevent unintentional anti-doping rule violations by the Australian sporting community; prevent and deter intentional doping practices by the Australian sporting community; and promote and foster cultures that support clean sport and value sport integrity.

3.37 The 2023–24 national education plan states it evaluates the education plan through:

- feedback from stakeholders comprising the Athlete Advisory Group and Sport Sector Advisory Group on Education (see Figure 2.1), athlete educators, sanctioned athletes who undertake training, and participants in face-to-face education and eLearning courses (through embedded surveys); and
- the collection of statistics relating to the reach and effectiveness of the education program for the purpose of evaluating SIA’s national education plan and reporting to the Parliament during Senate Estimates proceedings.

3.38 Statistics on SIA’s anti-doping education initiatives include the number of podcast downloads, the number of supplement and medicine checks, the number of visits to the SIA app¹²², and information relating to the delivery of face-to-face education. Between 1 July 2021 and 30 June 2024, SIA recorded increases in participation in most education initiatives.

3.39 SIA commissioned an annual stakeholder survey in 2020–21, 2021–22 and 2022–23, to capture the views of athletes and support personnel across SIA’s integrity functions, including anti-doping, abuse and the protection of children, manipulation of sporting competitions and bullying, and harassment and discrimination in sport. EY Sweeney was commissioned to undertake the 2021–22 survey.¹²³ ORIMA Research was commissioned to undertake the 2022–23 survey.¹²⁴

121 This is based on the sport’s history of doping, the test distribution plan, participation rates for the sport, the level of competition available (club, state, national and international), previous education, and the structure of the sport, among other factors.

122 Sport Integrity Australia, *Sport Integrity Apps and VR*, SIA, available from <https://www.sportintegrity.gov.au/resources/sport-integrity-apps-and-vr> [accessed 9 September 2024].

123 Austender Contract: CN3802049, 1 April 2021, Contract value: \$54,754.

124 Austender Contract: CN4021248, 30 May 2023, Contract value: \$50,000.

Survey results supported annual performance statements reporting in 2021–22 and 2022–23. SIA did not undertake an annual stakeholder survey in 2023–24.

3.40 The ANAO reviewed survey reports for 2021–22 and 2022–23. Findings from the 2022–23 survey included the following.

- Ninety-three per cent of respondents agreed with the statement ‘I trust Sport Integrity Australia as a credible source of information on the integrity of sport’. This was the same result as in the 2021–22 survey.
- Eighty-nine per cent of respondents agreed they were confident in ‘the ability of Sport Integrity Australia to positively contribute to protecting the integrity of sport in Australia’. This was 91 per cent in the 2021–22 survey.
- Eighty-two per cent of respondents rated the compliance burden as reasonable. This was 80 per cent in 2021–22 and 75 per cent in 2020–21.
- Of the 88 per cent of respondents who had completed anti-doping education, 92 per cent agreed that this education would reduce the risk of an accidental breach of anti-doping regulations.

3.41 SIA conducted an annual evaluation of the national education plan for 2020–21, 2021–22, 2022–23 and 2023–24. Assessments were made against deliverables and objectives. The 2022–23 evaluation stated that in 2022–23, 12 of 18 deliverables and 19 of 28 objectives were met. The primary areas of non-achievement were deliverables and objectives related to: NSO education; medical practitioner education; digital and online education; and NSO support. The 2023–24 evaluation stated that in 2023–24, 13 of 21 deliverables were met and 20 of 28 objectives were met. The primary areas of non-achievement were deliverables comprising a revised coaching education module, virtual reality education sessions, an anti-doping rule violating handbook, and a video on the impact of doping.

3.42 SIA advised the ANAO in July 2024 that it uses three criteria to assess a sporting organisation’s implementation of its education plan: the sporting organisation effectively and efficiently communicated with SIA to develop and implement the plan; the sporting organisation promotes education to relevant members (evidenced through emails, newsletters, social media and event packs); and the sporting organisation prioritises monitoring of and compliance with the required education set out in the sport-specific education plan (evidenced by records of online and face to face education completion). SIA provided evidence of a 2023–24 assessment of the implementation of sport-specific education plans. In terms of responsiveness and support, of the NSOs in the audit sample, SIA assessed one NSO as ‘bronze’, two as ‘silver’, and 15 as ‘gold’. In terms of education plan implementation, SIA assessed two as ‘bronze’, two as ‘silver’, and 14 as ‘gold’.

Are there effective arrangements to detect possible anti-doping rule violations?

SIA undertakes an annual anti-doping test distribution planning process that is consistent with the World Anti-Doping (WAD) Code for sports with mainly government funded testing arrangements. Evaluation of previous years’ plans (one component of the WAD Code requirements) to inform improvements to current year planning is not supported by a clear

methodology and could be better documented. SIA alters (moderates) the results of the risk-based test planning process using an undocumented methodology.

SIA's test distribution planning for sports with mainly user pays testing arrangements is deficient in terms of systematic risk analysis informing the total number and distribution of planned tests. The total number and distribution of tests are negotiated with national sporting organisations representing user pays sports under a service agreement. Testing arrangements for user pays sports do not fully cover the off-season and pre-season.

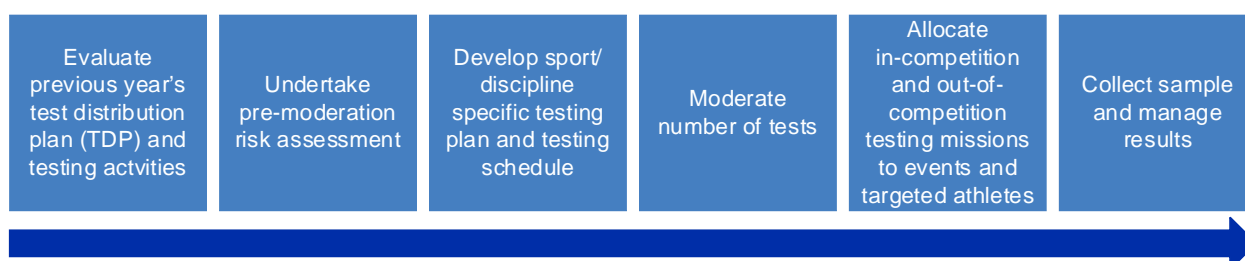
In a sample of 25 government funded and user pays sports/disciplines, SIA's testing activities for 2023–24 were mostly consistent with its planned test distribution planning. The minimum levels of analysis required under the WAD Code were achieved for all but one government funded and one user pays sport.

3.43 Detection of doping in sport is achieved through athlete urine and blood testing. WADA describes the test distribution plan for anti-doping as a key component of the International Standard for Testing and Investigations (ISTI).¹²⁵ Anti-doping organisations such as SIA must provide their current test distribution plan to WADA upon request. Under article 5.4 of the ISTI, anti-doping organisations such as SIA are to:

[establish] by means of a risk assessment, which [prohibited substances] and/or [prohibited methods] are most likely to be abused in particular sports and sports disciplines. Starting with that risk assessment, each [anti-doping organisation with testing authority] shall develop and implement an effective, intelligent and proportionate test distribution plan that prioritizes appropriately between disciplines, categories of [athletes], types of [testing], types of [samples] collected, and types of [sample] analysis ...¹²⁶

3.44 SIA's processes for detecting possible anti-doping rule violations through sample collection are set out in Figure 3.3. Internal guidance for this process was documented by SIA in March 2024 in a 'Developing the Test Distribution Plan' procedure (TDP procedure). The TDP procedure sets out roles and responsibilities for managing the test distribution planning process for government funded sports. SIA did not develop equivalent procedures for managing the test distribution planning process for user pays sports.

Figure 3.3: Annual anti-doping sample collection process (government funded)



Source: ANAO analysis of SIA's anti-doping process.

125 World Anti-Doping Agency, *Testing Center*, WADA, available from <https://www.wada-ama.org/en/testing-center> [accessed 17 September 2024].

126 World Anti-Doping Agency, *International Standard for Testing and Investigations*, WADA, 2019, available from https://www.wada-ama.org/sites/default/files/resources/files/isti_2019_en_new.pdf [accessed 17 September 2024], article 5.4.

Recommendation no. 3

3.45 Sport Integrity Australia establish a procedure for the test distribution planning process for user pays sports.

Sport Integrity Australia response: *Agreed.*

3.46 *We will update our existing Test Distribution Planning Procedure to include User Pays sports.*

Evaluate previous year's test distribution plan and activities

3.47 The ISTI states at paragraph 4.2.1 that the outcomes of previous test distribution planning cycles should inform the risk assessment that underlies the current test distribution plan (TDP). SIA's TDP procedure states that the evaluation of the previous year's anti-doping activities is the first step by SIA in the development of the annual TDP. The TDP procedure states at a high level that SIA officials responsible for each sport should gather lessons learned and reflect on what they could have changed or considered. There is no further documented methodology for how previous years' anti-doping activities should be systematically evaluated (for example, a list of evaluation questions or criteria).

3.48 For the 2023–24 TDP, SIA advised the ANAO in July 2024 that evaluations were undertaken during sport planning days, with each planner instructed to consider for 2022–23: what worked/did not work; the timing of missions; feedback from the field; the analysis method; whether the planner believed they had plans on 'the right athlete cohorts'; the testing pool distribution; and what they would do differently. Notes were prepared for each sport. These notes were consolidated by SIA in July 2024. The evaluation notes for different sports assess different factors. The evaluation was not appropriately documented.

3.49 SIA has not documented its evaluation of 2022–23 testing arrangements.

Recommendation no. 4

3.50 Sport Integrity Australia establish a documented methodology for evaluating test distribution planning for government and user pay sports, and document outcomes from evaluations.

Sport Integrity Australia response: *Agreed.*

3.51 *We will establish the recommended evaluation methodology in time for it to be included as part of our 2025/26 test distribution planning process.*

Undertake pre-moderation risk assessment

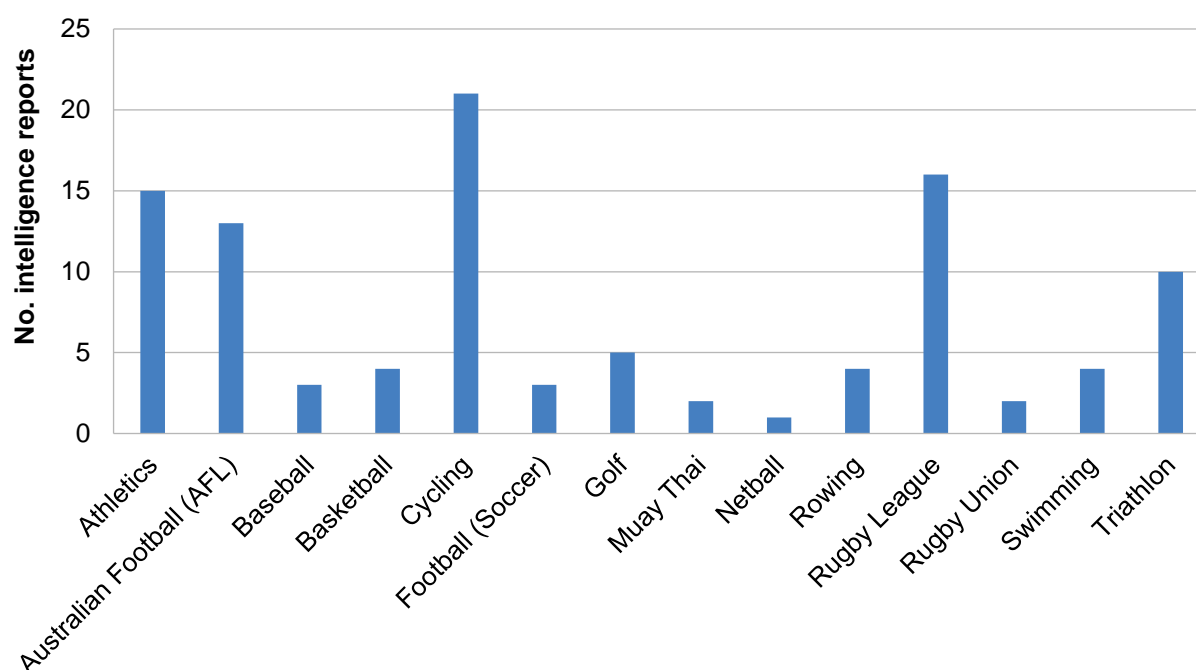
Intelligence

3.52 SIA has undated procedures and guidance for collecting, triaging, assessing and reporting on anti-doping intelligence matters, which are available on SIA's intranet. SIA maintains a

memorandum of understanding (MOU) with the Australian Border Force¹²⁷ (April 2006) and Australian Federal Police (January 2023). The MOU with the Australian Border Force includes arrangements for sharing information and the transferring of seized performance enhancing substances. The MOU with the Australian Federal Police includes arrangements for information sharing.

3.53 Doping intelligence reports are captured in SIA's case management IT system, JADE (see Table 4.1). From 1 July 2021 to 30 June 2024, SIA recorded 210 intelligence reports relating to doping. Figure 3.4 shows the distribution of intelligence reports across the sports within the audit sample.

Figure 3.4: Doping intelligence reports (audit sample), 1 July 2021 to 30 June 2024



Note: There were no reports relating to biathlon, cricket, cross-country skiing or equestrian.

Source: ANAO analysis of SIA's intelligence data.

3.54 SIA records the type or the source of the reports in free text data fields in JADE. Sources included: tip offs mostly relating to individual athletes (72 per cent); reports from law enforcement and international anti-doping authorities (13 per cent); and media reports (five per cent). The majority (80 per cent) of intelligence reports were 'recorded for intelligence purposes only'. Six reports (three per cent) were referred to an external agency (not further defined). Three reports were listed in the intelligence data as referred for investigation as possible anti-doping rule violations.¹²⁸

127 MOU is between two historical agencies the Australian Sports Anti-Doping Authority (ASADA) and the former Australian Customs Service.

128 Other intelligence report actions included: recommend education opportunity (one per cent); add athlete to target athlete monitoring (less than one per cent); add athlete to test opportunistically (one per cent); intelligence product disseminated (one per cent); no anti-doping rule violation established/identified (one per cent); recommended education opportunity (one per cent); recommend warning letter (less than one per cent); no action recorded (10 per cent).

3.55 Analysis of anti-doping intelligence reports is intended to inform an ‘available intelligence’ score as part of a risk assessment. SIA’s sport-specific testing plan template (discussed at paragraph 3.68) includes a field for documenting intelligence areas and themes.

3.56 As shown in Table 2.1, SIA’s 2023–24 annual performance statements included targets for the conduct of threat assessments and analytical reports, including several relating to SIA’s anti-doping activities. Threat assessments and analytical reports completed in 2023–24 comprised six threat assessments (those shown in Table 2.1 plus one for the Queensland Rugby League); and three analytical reports covering SIA’s intelligence requirements for 2024–25, intelligence relating to sophisticated blood and erythropoietin (also known as EPO) doping in Australian sport and cocaine culture among athlete cohorts.

Risk assessment

3.57 To develop the 2023–24 risk assessment, SIA used a publicly available WADA TDP template¹²⁹, which includes instructions for undertaking the risk assessment and distributing sample collection in accordance with the WAD Code and supporting standards comprising the ISTI and the Technical Document for Sports Specific Analysis (TDSSA).¹³⁰

3.58 SIA has a clear risk assessment methodology (Box 4).

Box 4: Test distribution plan risk assessment methodology, 2023–24

The risk assessment for each sport/discipline is based on five quantitative risk criteria, which are required under ISTI article 4.2.1. These comprise:

- physiological and physical requirements — cardio-vascular endurance (scoring between 1 and 5, with a higher score indicating higher risk);
- physiological and physical requirements — power, strength and muscular endurance (scoring between 1 and 5);
- rewards and incentives (scoring between 1 and 3);
- history of doping (scoring between 1 and 3); and
- available intelligence (scoring between 1 and 10).

There are also five qualitative criteria, which comprise:

- prohibited substances and/or methods (the prohibited substances or methods that may enhance performance or that are perceived to be beneficial for athletes who may want to dope);
- statistical research on doping trends;
- outcomes of previous TDP cycles (lessons learned from previous TDP);

129 World Anti-Doping Agency, *IF (and MNEO) Risk Assessment & TDP*, WADA, available from https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKewju7YPu0t2IAxWJsVYBHsFyE4oQFnoECBkQAQ&url=https%3A%2F%2Fwww.wada-ama.org%2Fsites%2Fdefault%2Ffiles%2Fresources%2Ffiles%2F2021_-_if_and_meo_risk_assessment_and_tdp_template_en_v2_april_2021_final.xlsx&usg=AOvVaw30n-ls0ydfTCJRblwUCiVx&opi=89978449 [accessed 25 September 2024].

130 World Anti-Doping Agency, *TDSSA - Technical Document for Sport Specific Analysis*, WADA, 2024, available from <https://www.wada-ama.org/en/resources/world-anti-doping-program/tdssa-technical-document-sport-specific-analysis> [accessed 25 September 2024].

- career patterns (any relevant information that could increase the risk of doping or identify optimal timing for testing during athletes' careers); and
- seasonal patterns (how the sport/discipline operates to better allocate testing during the year and season).

An additional 'HARM' score was generated by SIA to complement the WADA methodology. The HARM score (ranging from zero to three) comprised: the extent of media coverage; performance of athletes within the sport/discipline; the number of participants in the sport; and the level of government funding the sport receives. The government funding element of the HARM score included grants funding provided to the NSO by the Australian Sports Commission (and not other agencies). The TDP risk score and the HARM score combined determined the sport's 'risk rating' within the following ranges: 1–4 (low risk); 5–7 (medium-low risk); 8–11 (medium risk); 12–14 (medium-high risk); and 15 or higher (high risk). SIA advised the ANAO in November 2024 that the HARM score will no longer form part of its risk assessment process.

3.59 The WADA TDP template includes a standard list of 230 sports/disciplines, which states that not all sports need to be risk assessed if there are sports that do not fall under the anti-doping organisation's jurisdiction, and 'Alternatively, if there are sports that are not listed but do fall under your jurisdiction, you must include and assess them'.

3.60 SIA completed a risk assessment for government funded sports, however risk assessments for user pays sports were partially completed in 2022–23 and 2023–24. As shown in Figure 3.4, rugby league and Australian football accounted for the second and fourth highest number of anti-doping intelligence reports, respectively, between 1 July 2021 and 30 June 2024.

- 2022–23 — SIA completed a risk assessment for all government funded sports and for two of five user pays sports in the audit sample. Football (soccer) and rugby union were assessed as medium-high risk sports for doping. SIA did not undertake a risk assessment in another form for Australian football, cricket, or rugby league in 2022–23.
- 2023–24 — SIA completed a risk assessment for all government funded sports and one (football (soccer)) of five user pays sports in the audit sample. SIA did not undertake a risk assessment in another form for Australian football, cricket, rugby league or rugby union.

Recommendation no. 5

3.61 Sport Integrity Australia undertake annual risk assessment to inform test distribution planning for all sports subject to regulation, including user pays sports.

Sport Integrity Australia response: *Agreed.*

3.62 *We will include all User Pays sports in the risk assessment process for the 2025/26 planning process.*

Develop sport-specific testing plan

3.63 The TDP procedure states that numbers of sample collections for the upcoming year should be proportionately allocated across sports based on risk assessments, noting that further moderation may be needed.

Testing pools

3.64 The ISTI states that national anti-doping organisations should consider adopting a ‘pyramid’ or ‘tiered’ approach to testing by placing athletes in different ‘pools’.¹³¹ SIA categorises individual athletes into one of three testing pools: registered; national; or domestic (Figure 3.5).¹³² The registered testing pool is defined by WADA as ‘the pool of highest-priority [athletes] ... who are subject to focused [in-competition and out-of-competition testing].’¹³³ SIA states on its website that a decision to place an athlete in the registered or national testing pool is based on whether the athlete was identified by the NSO for inclusion, the athlete’s performance history (including sudden performance improvement), and intelligence information, among other factors.¹³⁴

3.65 The NAD Policy states that SIA may require any athlete over whom it has testing authority to provide a sample at any time and at any place.¹³⁵ Athletes in the registered and national testing pools are subject to ‘whereabouts’ requirements¹³⁶, which facilitate SIA’s no advance notice out-of-competition¹³⁷ testing program. Anti-doping organisations are required to collect ‘proportional’ whereabouts information from athletes to support the effective and efficient execution of testing outlined in the TDP.¹³⁸ SIA’s whereabouts reporting requirements placed on athletes in different testing pools are shown in Figure 3.5.

131 World Anti-Doping Agency, *International Standard Testing and Investigations*, WADA, 2023, subsection 4.8.4.

132 Sport Integrity Australia, *Athlete testing*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/athlete-testing> [accessed 9 September 2024].

133 WAD Code, p. 175.

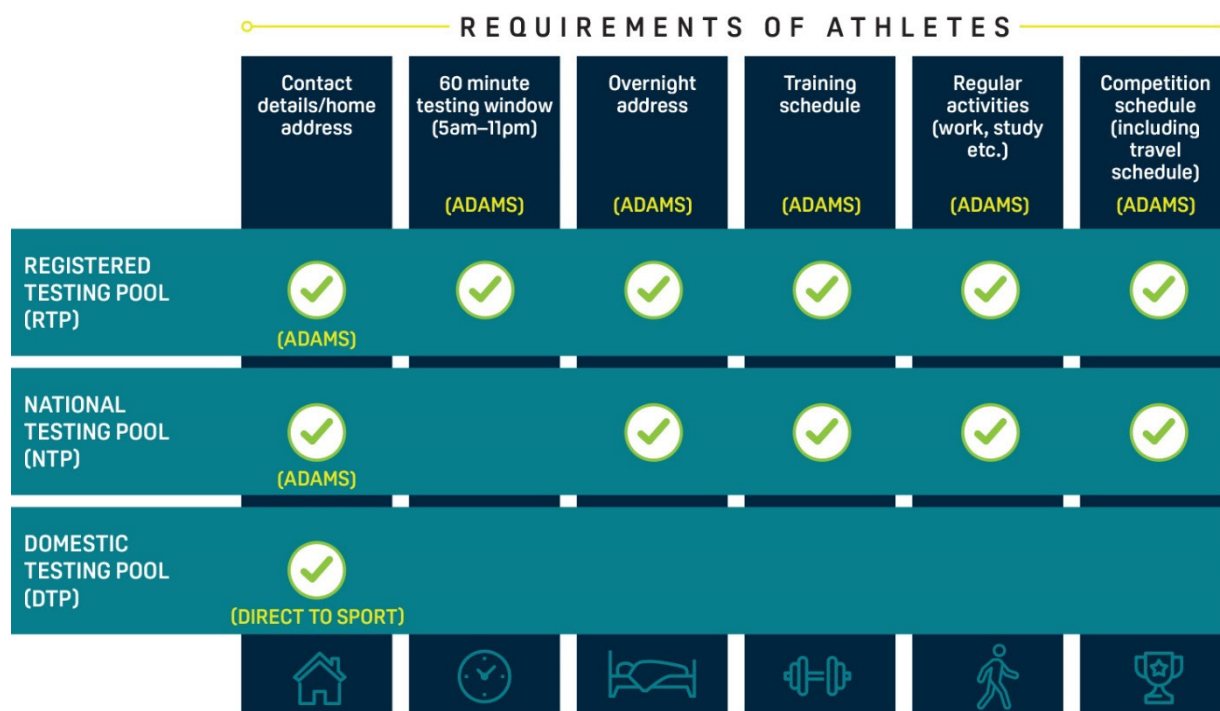
134 Sport Integrity Australia, *Athlete testing*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/athlete-testing> [accessed 9 September 2024]. SIA states that the Domestic Testing Pool is mostly comprised of athletes who are in national senior teams or squads, elite junior-level athletes on the cusp of senior competition, or athletes who meet one or more of the factors for Registered or National testing pools inclusion but were not included in those testing pools.

135 NAD Policy, subsection 5.2.2.

136 Sport Integrity Australia, *Athlete whereabouts*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/athlete-testing/athlete-whereabouts> [accessed 11 September 2024].

137 WAD Code defines ‘in competition’ as the period commencing at 11:59 p.m. on the day before a competition in which the athlete is scheduled to participate through the end of such competition and the sample collection process related to such competition. ‘Out of competition’ is defined as any period which is not in competition.

138 ISTI, subsection 4.8.1.

Figure 3.5: Whereabouts reporting requirements on athletes in SIA testing pools

Note: ADAMS refers to the Anti-Doping Administration and Management System, which is a web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations.

Source: Sport Integrity Australia, *Athlete testing*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/athlete-testing> [accessed 18 September 2024].

3.66 As of July 2024, across all sports/disciplines for which SIA has authority, there were 96 athletes in the registered, 233 athletes in the national and 1,615 athletes in the domestic testing pools. While it has the authority to do, SIA has included few athletes from user pays sports in the registered, national or domestic testing pools since 2022. As of July 2024, for sports in the audit sample:

- the registered testing pool included 65 athletes, of which none were from a user pays sport;
- the national testing pool included 96 athletes, of which none were from a user pays sport; and
- the domestic testing pool included 367 athletes, of which four were from a user pays sport.

3.67 As athletes from user pays sports are largely not included in the testing pools, they are not subject to any whereabouts requirements. SIA advised the ANAO in September 2024 that out-of-competition testing of user pays sport athletes is done at scheduled training sessions, based on schedules provided by the NSO, and that this arrangement is suitable because it does not have any issues in locating these athletes for testing. Paragraph 3.84 sets out that SIA did not undertake anti-doping sample collection activities for periods during the off-season and pre-season for Australian football and Rugby Union.

Sport-specific testing plans

3.68 In developing the sport-specific plans, the TDP procedure states that SIA will consider the sport/discipline risks, number of athletes in testing pools, number of testing opportunities

in-competition and out-of-competition, and minimum levels of analysis required by WADA (see paragraph 3.71).

Government funded sports

3.69 SIA prepared 2023–24 sport-specific testing plans for all 13 government funded sports within the audit sample (see paragraph 3.25). These were prepared using a standard template that includes fields for a qualitative summary of the information and intelligence that informs the plan; the numerical distribution of sample collections; and the type of analysis by discipline, event and whether the test is in-competition or out-of-competition.

3.70 The 2023–24 testing plans for eight of 13 sampled government funded sports did not include a qualitative summary of intelligence, or the themes or focus for testing (such as whether the focus was a group of athletes such as 'emerging athletes' or a specific banned substance). In these cases, the intelligence that formed the basis for planned test distribution was not documented. Sport-specific testing plans for the remaining five sampled government funded sports (athletics, basketball, golf, rowing and triathlon) included a small amount of information on intelligence and testing priorities. For example, the sport testing plan for athletics states that EPO use and blood manipulation among endurance athletes is the greatest concern and that middle and long-distance running events would be targeted.

3.71 Minimum levels of analysis (MLAs)¹³⁹ for each sport/discipline are set out by WADA in the Technical Document for Sport Specific Analysis (TDSSA).¹⁴⁰ In 2023–24, SIA's planned testing for the 20 government funded sports/disciplines in the sample was fully consistent with MLAs for 12 of 20 sport/disciplines (see Appendix 4). SIA advised the ANAO in September 2024 that WADA will contact SIA when it determines that MLAs have not been achieved and that SIA addresses any shortfalls with additional sample collection and analysis on previously obtained samples.

User pays sports

3.72 For user pays sports, sport-specific testing plans are prepared based on the competition season rather than an annual plan, and using a different template to government funded sports. The format of each testing plan is unique to that sport. Templates used to plan testing for Australian football and cricket include information on priorities for testing (such as 'pace bowler' (for cricket) or 'midfielder' (for Australian football) and a list of events and targeted athletes. The testing plans for rugby league and rugby union do not specify athletes and instead distribute tests by competition and club.

3.73 SIA prepared 2023–24 sport-specific testing plans for the five user pays sports. The NSO approved the testing plan prior to a service order being established under existing contracts with SIA. As noted at paragraph 3.60, the testing plans were not supported by a documented risk assessment for four of the five user pays sports. The number and types of samples for user pay sports was instead determined through discussions with NSOs in reference to testing costs and risks. For example, the AFL provided a target list of athletes that did not include information on the reason

139 MLAs are the minimum ratio of anti-doping tests for erythropoietin receptor agonists (ERAs) and growth hormone releasing factors (GHRF) against the total number of tests collected for each sport/discipline. Mandatory human growth hormone (hGH) sampling has been postponed but is recommended at levels prescribed in the TDSSA.

140 World Anti-Doping Agency, *TDSSA - Technical Document for Sport Specific Analysis*, WADA, 1 January 2024, available from <https://www.wada-ama.org/en/resources/world-anti-doping-program/tdssa-technical-document-sport-specific-analysis> [accessed 18 September 2024].

for targeting. This is different to sports with mainly government funded testing, which do not have a say in the allocation and distribution of anti-doping tests. SIA advised the ANAO in September 2024 that NSOs representing user pays sports do not direct SIA on which athletes to test and that this is at the sole discretion of SIA. Out of the 51 athletes in the AFL’s target list, in the 2023–24 season, SIA collected samples from 50 plus 235 athletes not on the list.

3.74 Appendix 4 sets out the ANAO’s analysis of user pays sample collection planning, including adherence to MLAs, for 2023–24. Of the five user pays sports in the audit sample, planning for cricket and rugby union was consistent with the MLAs for all test types specified in the TDSSA. Three sports (Australian football, football and rugby league) included planned testing for all test types but not at the minimum level required. Sport-specific testing plans for Australian football and rugby league in 2023–24 had other deficiencies in relation to timing and completeness of planned testing.

- Australian football — The plan for Australian football did not include out-of-competition testing for the AFL men’s competition in the off-season or a significant component of the 2024 AFL men’s pre-season, and was not fully consistent with MLAs.
- Rugby league — The plan for rugby league excluded almost two months of the off-season in October and November 2023, and was not fully consistent with MLAs. With the exception of the ARLC, standing deeds of offer with NSOs representing user pays sports require SIA to conduct year-round testing. SIA advised the ANAO in August 2024 that, even if not on the plan, it maintains the authority to conduct out-of-competition testing during the off-season. SIA collected 87 samples from 85 rugby league athletes between 1 November 2023 and 29 February 2024.

Moderate number of tests

3.75 The ISTI states that a national anti-doping organisation may prioritise certain sports over others due not to a greater risk of doping in those sports, but due to a greater national interest in ensuring the integrity of those sports.¹⁴¹ The TDP procedure includes a requirement to ‘moderate’ the number of planned tests following the completion of the risk assessment and sport-specific testing plan. The procedures also states that if the number of tests for a sport/discipline is moderated following the risk-based test distribution, the justification is to be documented. There is no documented procedure or methodology for moderation, including specific criteria and appropriate decision-makers for moderation decisions. SIA advised the ANAO in November 2024 that SIA reference material did not need to explain this because ISTI guidelines refer to the need for a national anti-doping organisation to prioritise certain sports and athletes over others when determining testing numbers.

Opportunity for improvement

3.76 Sport Integrity Australia could document its procedures, methodology and criteria for moderation to increase transparency over moderation decision-making.

141 World Anti-Doping Agency, *WAD Code International Standard: Testing and Investigations*, WADA, 2019, available from https://www.wada-ama.org/sites/default/files/resources/files/isti_2019_en_new.pdf [accessed 23 November 2024], p. 32.

3.77 SIA moderated the test distribution for the government funded sports/disciplines, and one user pays sport (football (soccer)), included in the audit sample. The revised total number of tests were set out in the 2023–24 TDP along with a brief explanation of the justification for any change due to moderation. The justification typically referred to the size of the athlete cohort and the relative competitiveness of Australian athletes in that sport/discipline.

Allocate testing missions, collect samples and manage results

3.78 Prior to sample collection, the TDP procedure states that the annual TDP will be approved by the Operations Committee (see Figure 2.1). The Operations Committee did not endorse the 2023–24 TDP as required.

3.79 Section 5.2 of the WAD Code states that any athlete may be required to provide a sample at any time and at any place by any anti-doping organisation with testing authority. Testing missions are established for each planned sample collection and may involve collecting urine and/or blood samples from one athlete in their home or collecting urine and/or blood samples from one or more athletes at a competition or training venue. In March 2024, SIA updated and approved procedures for planning testing missions for government funded and user pays sports.

3.80 Section 6.1 of the WAD Code states that samples shall be analysed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. Most samples collected by SIA are analysed under an MOU with Australian Sports Drug Testing Laboratory (ASDTL), a WADA-accredited laboratory. SIA advised in November 2024 that it also has arrangements with overseas laboratories for certain analysis types and when samples are collected overseas on behalf of SIA.

3.81 Section 14.5 of the WAD Code states that each anti-doping organisation shall report all in-competition and out-of-competition tests to WADA by entering doping control forms (which include information on the athlete; and time, date, location of samples collected) into ADAMS¹⁴² in accordance with the requirements and timelines contained in the ISTI.

3.82 The ANAO tested the quality and completeness of SIA’s anti-doping testing data in ADAMS for all sports from 1 July 2022 to 30 June 2024 and found that it was complete and reliable, except for fields intended to capture the rationale for the selection of an individual athlete for testing. There were 359 different reasons for athlete selection based on data entry into a free text field. For thirty per cent of tests in 2023–24, SIA did not record a rationale. SIA advised the ANAO in November 2024 that there is no ISTI requirement to document the reason, and that it does not capture the reason if SIA collects on behalf of another agency or at a major event.

3.83 In the 2023–24 TDP, SIA planned a total of 4,632 tests across all sports disciplines. According to data in ADAMS, between 1 July 2023 and 30 June 2024, SIA conducted 4,186 anti-doping tests across all sports over which SIA has testing authority, comprising 1,469 in-competition and 2,717

142 Anti-Doping Administration & Management System (ADAMS) is web-based system maintained by WADA that centralises doping control-related information such as athlete whereabouts, testing history, laboratory results, the Athlete Biological Passport, therapeutic use exemptions (and information on anti-doping rule violations). Source: WADA, [Internet], available from <https://www.wada-ama.org/en/what-we-do/adams> [accessed 30 September 2024].

out-of-competition tests.¹⁴³ Appendix 4 shows the total number of tests undertaken for sports/disciplines in the audit sample, compared to how many were planned. For the audit sample, reported actual testing was mostly consistent with SIA's planned testing.

- Government funded sports/disciplines — SIA did not undertake any of its planned tests for the discipline of cross-country skiing. Cross-country skiing was heavily moderated down after risk assessment, due to low athlete numbers. MLAs were achieved for all sampled government funded sport/disciplines except for long distance athletics.
- User pays sports — SIA's sample collection exceeded the number of planned tests for Australian football, football (soccer) and rugby league. Testing for rugby union and cricket was largely consistent with planning. MLAs were achieved for all sampled user pays sports except for rugby league, noting the total number of tests for rugby league was greater than for any other sampled user pays sport.

3.84 Consistent with deficiencies in planning for user pays sports (see paragraph 3.73 to 3.74), although the total number of tests met or exceed planned levels, SIA's testing during the 2023–24 off-season and pre-season for Australian football and rugby union included periods with no testing. SIA did not undertake anti-doping sample collection from 26 August 2023 until 1 March 2024 for rugby union, and from 7 October 2023 until 19 February 2024 for Australian football (men's competition).

3.85 For the total population in 2023–24, the samples collected and analysed in 2023–24 identified 25 adverse analytical findings (AAF) and six atypical findings (ATF) (see Table 4.4). This compares with 38 AAFs and four ATFs from 3,794 tests in 2022–23. See Appendix 4 for 2023–24 test outcomes for government funded and user pays sports in the audit sample.

143 The numbers extracted from ADAMS do not correspond with numbers reported in SIA's annual reports. SIA advised the ANAO in November 2024 that this is a known issue relating to the extraction date and that SIA is working with WADA to address the issue.

4. Anti-doping investigations and response

Areas examined

This chapter examines whether Sport Integrity Australia (SIA) has established effective arrangements to investigate and respond to anti-doping rule violations.

Conclusion

SIA's arrangements to investigate and respond to anti-doping rule violations are partly effective. The procedural framework for investigations is partly fit for purpose, including processes related to quality assurance. There were irregularities in the triage and conduct of 38 investigations commenced in the three years to 30 June 2024, when compared to existing procedures. Investigations did not consistently meet timeliness targets. SIA's actions in response to proven anti-doping violations were appropriate.

Areas for improvement

The ANAO made two recommendations aimed at implementing documented investigative procedures and implementing a quality assurance process over investigations. The ANAO identified two opportunities for improvement relating to: documenting procedures for dealing with non-analytical findings and disclosure notices; and updating its website with more accurate information about warnings.

4.1 The Australian Government Investigations Standard (AGIS) establishes the minimum standards for Australian Government agencies conducting investigations. Established in 2011, the AGIS was updated in October 2022.¹⁴⁴ The AGIS states that entities should have a decision-making process in place for investigations that can be explained and justified, and that is documented. Investigation outcome decisions also should be documented in proportion to the seriousness and consequence of the decision.¹⁴⁵

Has Sport Integrity Australia effectively investigated possible anti-doping rule violations?

SIA established an investigations manual in 2020, which as of September 2024 had not been updated to align with the Australian Government Investigations Standard 2022. Elements of AGIS requirements related to information and evidence management, investigative personnel and investigative practices could be better reflected in SIA's framework for conducting investigations. Quality assurance processes for investigations have largely not been established.

Between 1 July 2021 and 30 June 2024, 144 anti-doping rule violation cases were recorded in SIA's case management system, and 38 proceeded to an investigation or 'administrative' treatment. There is a lack of documented procedures for a type of case (non-analytical findings) and treatment of these cases was inconsistent.

144 Commonwealth of Australia, *Australian Government Investigations Standard (AGIS)*, AFP, 2022, p. 11, available from <https://www.afp.gov.au/news-centre/publications/australian-government-investigations-standard> [accessed 17 September 2024].

145 *ibid.*

Six of 38 investigations commenced between 1 July 2021 and 30 June 2024 lacked investigation plans, with no documented reason for five. SIA does not have a procedure for the preparation and service of disclosure notices to athletes, and disclosure notice practices were inconsistent. SIA did not follow up using established mechanisms on athlete non-compliance with disclosure notices. A brief of evidence adjudication was appropriately prepared for 19 of 26 investigations involving a brief of evidence. Of the 38 investigations commenced since 1 July 2021, 21 were finalised by 30 June 2024 (15 resulting in a sanction). SIA states that it prepares closure reports only for matters where the decision is 'no further action'. Three of five investigations resulting in 'no further action' had a closure report. Closed investigations did not meet timeliness benchmarks.

Investigations framework

4.2 SIA established an investigations manual and supporting procedures and templates in July 2020 in accordance with the AGIS 2011. The July 2020 investigations manual was based on earlier manuals established by the Department of Health.

4.3 The Attorney-General's Department states on its website that:

When publishing the 2022 version of the AGIS, the [Australian Federal Police] did not outline a date for entities to transfer their approaches from the requirements of the AGIS 2011 to the updated requirements of AGIS 2022. Instead, it advised entities should start a proactive implementation plan and prioritise actions/requirements to meet the standard where possible within a reasonable timeframe. Where this is not possible, the decision must be documented and can be audited.¹⁴⁶

4.4 In July 2024, SIA provided the ANAO with a self-assessment of its compliance against AGIS 2022 requirements. The self-assessment included descriptions of 'policies, procedures, or templates' in place for 21 out of 113 AGIS 2022 requirements. SIA assessed that it did not have established policies, procedures, or templates for one requirement, was unsure how to assess one requirement, and had not assessed the remaining 89 requirements. In September 2024, SIA's website stated that its investigations were conducted in accordance with the AGIS 2022.¹⁴⁷ However, as of September 2024, SIA had not updated its investigations manual and procedures to align with the AGIS 2022.

4.5 The AGIS 2022 establishes core requirements, best practice, and guidance according to four 'streams'.¹⁴⁸

- Information and evidence management — Entity maintains appropriate information management and evidence handling protocols and uses suitable electronic systems for end-to-end investigations. There are eleven requirements and eleven better practice elements under the 'information and evidence management' stream.

146 Attorney-General's Department, *Australian Government Investigations Standards*, AGD, 2011, available from <https://www.ag.gov.au/integrity/publications/australian-government-investigations-standards> [accessed 26 September 2024].

147 Sport Integrity Australia, *Investigations*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/anti-doping-rule-violations/investigations> [accessed 26 September 2024].

148 Australian Federal Police, *Australian Government Investigation Standards*, AFP, 2022, p. 1, available from <https://www.afp.gov.au/news-centre/publications/australian-government-investigations-standard> [accessed 16 September 2024].

- Investigative personnel — Entity ensures its investigators are suitably qualified and experienced to conduct and/or supervise investigations with the highest standard of ethics and conduct. There are eleven requirements and seven better practice elements under the ‘personnel’ stream.
- Investigative practices — Entity conducts investigations in consideration of a number of risks using consistent and quality practices to meet the requirements of admissible evidence. There are 15 mandatory requirements and 34 better practice elements under the ‘investigative practices’ stream.
- Quality assurance framework — Entity makes quality assurance a priority and introduces informal and formal processes during the lifecycle to ensure continual improvement. There are five mandatory requirements and 10 better practice elements under the ‘quality assurance framework’ stream.

Information and evidence management

4.6 The ANAO examined AGIS elements relating to disclosure management, information sharing and information systems (Table 4.1).

Table 4.1: Assessment against AGIS 2022 — Information and evidence management

Selected AGIS 2022 elements		Assessment
Disclosure management and information sharing		
Sections 2.1 and 2.2	<p>The AGIS recommends having regard to relevant legislation and obtaining legal advice, documenting responsibilities and establishing recordkeeping procedures for investigation information and disclosure material.</p> <p>The AGIS recommends that entities have procedures in place for receiving, responding, and requesting information from other entities, and collaborating across government and jurisdictional boundaries.</p> <p>Information sharing must be in accordance with the <i>Privacy Act 1988</i> (Privacy Act) and any secrecy provisions within legislation that may govern information sharing.</p>	<p>SIA has a procedure for managing formal information requests, and ‘advice and assistance’ in its investigations manual that includes responsibilities and recordkeeping requirements. SIA has documented SIA’s duty of disclosure to the Commonwealth Director of Public Prosecutions in relation to briefs of evidence. SIA’s investigations manual includes procedures for collaborating with other entities and managing requests for information.</p> <p>The investigations manual and procedures include consideration of the Privacy Act, the <i>Sport Integrity Australia Act 2020</i> and Sport Integrity Australia Regulations 2020. The investigations manual states that ‘If there is confusion about disclosures, advice should be sought from Legal Services Team’.</p> <p>The ANAO identified six instances where SIA disclosed protected information relating to anti-doping investigations. On five occasions, SIA briefed the Minister for Sport (see paragraph 2.20), and officials sought internal legal advice to support the disclosures. On one occasion, SIA advised members of another organisation on matters relating to an individual investigation. Prior to the disclosure, the CEO sought internal legal advice. The advice was inconclusive and described as ‘preliminary’ and stated that ‘there may be some risk that the disclosure is not supported by the provisions of the Sport Integrity Act 2020 (Cth) ...’.</p>

Selected AGIS 2022 elements		Assessment
Electronic investigation management system		
Section 2.3	One of the mandatory requirements under the AGIS is that entities establish an electronic investigation management system to record, collate and manage investigations. AGIS 2022 includes requirements for specific system capabilities.	<p>SIA uses three systems to manage investigations records.</p> <ul style="list-style-type: none"> The JADE system is a case management tool^a used to monitor the progress of anti-doping rule violation cases and investigation.^b SharePoint is SIA's electronic records management system used to collaborate on key investigation documents and store correspondence. Content Manager is an electronic records management system used to store finalised investigation documentation. <p>Although there is an electronic investigation management system, case outcomes and timeliness cannot be readily determined due to inconsistent data entry in the JADE system or system limitations (see paragraph 4.49). For example, the JADE system does not allow for the recording of key dates (critical decisions, case closure) other than the date the case was entered into the system and the date the case was last modified. SIA finalised a procurement contract with Distillery Software to replace JADE in June 2024.^c</p>

Note a: JADE is software that supports investigations case management. The JADE website states that it is typically used to manage cases of human trafficking, organised crime, covert operations and witness protection. Jade Software, *Jade ICM Investigations Case Management*, 2021, available from https://secure.jadeworld.com/JadeICM/Online_Resources/OnlineDocumentation/Content/OverviewPOS.htm?TocPath=Product%20Overview%7COverview%7C_0 [accessed 17 September 2024].

Note b: A case includes all anti-doping rule violation findings before a decision is made regarding whether they are accepted for investigation. A case becomes an investigation once it has been transferred to the Investigations section to determine whether an anti-doping rule violation has occurred.

Note c: AusTender contract ID: CN4089299, 20 August 2024, Contract value: \$169,400.

Source: Australian Government Investigation Standards 2022 and ANAO analysis.

Investigative personnel

4.7 The ANAO examined AGIS 2022 elements relating to security clearance; qualifications; and competencies (Table 4.2).

Table 4.2: Assessment against AGIS 2022 — Investigative personnel

Selected AGIS 2022 elements		Assessment
Security clearance		
Section 1.1	The AGIS 2022 requires entities to identify and assign security clearance requirements against investigator roles/positions proportionate with access to classified information and handling of investigation material. The AGIS 2022 states that entities working in joint investigations should consider the security clearance requirements of another entity.	<p>SIA's investigation manual requires investigations staff to hold a security clearance to the level of negative vetting one. However, position descriptions for executive level staff and lower-level staff in anti-doping investigations published in 2024 indicated that the security clearance requirement was a baseline vetting.</p> <p>SIA has a joint investigation agreement template that applies to situations where investigations are undertaken with another agency. The template requires signatories to</p>

Selected AGIS 2022 elements		Assessment
		ensure investigations staff have appropriate security clearances.
Qualifications		
Section 1.3	<p>The AGIS 2011 recommended a minimum level of training or qualification for investigations staff: Certificate IV in Government (Investigation), or its equivalent; or Diploma of Government (Investigation), or equivalent.</p> <p>The AGIS 2022 strengthened the section on investigator qualifications by making minimum vocational qualifications mandatory.</p> <ul style="list-style-type: none"> • A vocational and educational training (VET) qualification must be obtained, unless another qualification or internal training is determined as equivalent. • Entities must document the required VET accredited qualification/s (or equivalency) to conduct particular types of investigations and the timeframe in which investigators should obtain the qualification. 	<p>SIA's 2024 position descriptions for executive level staff include qualification requirements for investigations. Position descriptions for lower-level staff do not include requirements.</p> <p>As of September 2024, SIA had six investigations staff. There was no established documentation of qualifications. All of its investigation staff were advised to the ANAO as having appropriate qualifications, or being in the process of obtaining them.</p> <p>SIA also advised the ANAO in November 2024 that 13 of 14 integrity complaints staff held a Diploma of Government Investigations or a Certificate IV in Government Investigations.</p>
Competencies		
Section 1.4	<p>The AGIS 2011 requires agencies to ensure that any officer exercising coercive powers has sufficient training and knowledge of these powers through ongoing training, awareness sessions and knowledge assessments. The AGIS 2022 recommends that entities should support investigations staff to advance their capabilities.</p>	<p>Since 1 July 2021, SIA has provided 17 training opportunities to its investigations staff, including: obtaining mandatory qualifications; digital forensics; interviewing children; investigation case studies; general investigations; report writing; legal aspects of investigations; dealing with people in difficult situations; anti-racism; accidental counselling; and intelligence gathering.</p>

Source: *Australian Government Investigation Standards 2022* and ANAO analysis.

Investigative practices

4.8 The ANAO examined 31 (including 10 mandatory) AGIS elements relating to entities' procedures for evidence and exhibit handling. Better practice elements include establishing procedures to support risk management, decision-making and investigation planning (Table 4.3).

Table 4.3: Assessment against AGIS 2022 — Investigative practices

Selected AGIS 2022 elements		Assessment
Evidence and exhibit handling		
Section 3.2	The AGIS 2022 requires entities to conduct quarterly and annual audits of evidence holdings, and have a procedure for the auditing of full evidence holdings.	<p>The investigations manual includes evidence and exhibit handling procedures, including for maintaining the security of evidence from collection to disposal and requirements to audit and review evidence holdings and storage facilities.</p> <p>Audit procedures in the investigations manual requires a stock take of full evidence holdings to be conducted at least once a year, or more frequently at the direction of the Director of Investigations. Since 1 July 2021, there has been one audit of SIA's exhibit room, which was conducted on 21 September 2022.</p>
Risk management		
Section 3.1	<p>The AGIS 2011 states that agencies should ensure risk management is incorporated in decision making throughout an investigation.</p> <p>The AGIS 2022 states that entities should establish a risk management framework for investigations.</p>	<p>SIA had established a risk assessment template for investigations and a case categorisation and prioritisation model, however SIA advised the ANAO in September 2024 that the case prioritisation process has not been used since 2020. SIA advised that the case categorisation and prioritisation process was replaced with a process where 'approach papers' are presented to the Operations Committee (see Figure 2.1) for endorsement (see paragraph 4.24). SIA advised the ANAO in November 2024 that the approach paper process has since been discontinued and that 'as SIA is required under the WAD Code/Standards to progress all [adverse analytical findings] ... prioritisation of one case over another is not as applicable to SIA's operations'.</p> <p>General investigation risks are also considered in the investigation plan, which includes a pre-populated list of risks (see paragraph 4.35).</p>
Decision-making		
Section 3.2	The AGIS 2022 states that entities should have a decision-making process in place for investigations involving options and actions that can be explained, justified, and documented.	The investigations manual includes decision-making procedures for key investigative activities including investigation commencement and finalisation, and evidence collection. SIA advised the ANAO in September 2024 that some of these procedures are no longer practiced. This includes procedures relating to case review, preparation of 'critical decision records' (see paragraph 4.13), and task allocation in the case management system.

Selected AGIS 2022 elements		Assessment
Investigation planning		
Section 3.3	The AGIS 2011 states that investigations should commence with an overall planning process and where possible result in a written investigation plan. The AGIS 2022 recommends entities to consider elements such as evidence collection processes, resourcing, risk, and media management.	SIA has procedures for investigation planning, including an investigation plan template (see paragraph 4.34).

Source: *Australian Government Investigation Standards 2022* and ANAO analysis.

Recommendation no. 6

4.9 Sport Integrity Australia establish controls to ensure its documented investigative practices and procedures are implemented, or update procedures to reflect current endorsed practice.

Sport Integrity Australia response: *Agreed.*

4.10 *We have already commenced the process of updating our documented procedures to ensure they are aligned with currently endorsed practice (These actions will also ensure the new case management system which is scheduled to go live in Q3 2025 reflects and supports agreed current procedures).*

Quality assurance

4.11 The AGIS 2011 set out guidance on conducting quality assurance reviews ‘to establish whether the investigation was conducted in a way that complied with AGIS’.¹⁴⁹ The AGIS 2022 includes a requirement for quality review including entities having an investigations quality assurance policy in place that includes quality assurance activities. The AGIS 2022 states that reviews assist investigators by presenting opportunities to apply critical thinking to the progress of an investigation, confirm the direction, reflect on the outcome of an investigation, guide future activities, and integrate lessons learned.¹⁵⁰

4.12 The Australian Sports Anti-Doping Authority (see paragraph 1.4) established a quality assurance review procedure in 2020 for investigations. The quality assurance review procedure states that the quality assurance should focus on the way an investigation was managed and how

149 Attorney-General's Department, *Australian Government Investigations Standards*, AGD, 2011, section 3.7, p. 15, available from <https://www.ag.gov.au/integrity/publications/australian-government-investigations-standards> [accessed 8 October 2024].

150 Commonwealth of Australia, *Australian Government Investigations Standard (AGIS)*, AFP, 2022, p. 11, available from <https://www.afp.gov.au/sites/default/files/2023-09/Australian-Government-Investigations-Standard-2022.pdf> [accessed 30 September 2024].

evidence was obtained. SIA advised the ANAO in June 2024 that it has not implemented the quality assurance review procedure.

4.13 SIA's investigations manual sets out an investigations review process that requires the Director of Investigations to review all active cases at least weekly and prepare 'critical decision' records¹⁵¹ where applicable. SIA has a procedure for reviewing briefs of evidence. SIA advised the ANAO in September 2024 that it does not prepare critical decision records and its review process involves a weekly team meeting within the investigations team to discuss the status of cases. The requirement for a weekly meeting has not been documented as part of the quality assurance process and minutes are not taken at these meetings.

4.14 There is an investigation closure report template which must include the outcome of the investigation, any lessons learned and any recommendations. As stated at paragraph 4.46, closure reports are only prepared for investigations where the outcome is 'no further action'; and in these cases, the preparation of a closure report was inconsistent. This limits the value of the closure report as a tool for quality assurance and capturing lessons learned for all types of investigations. In the three closure reports prepared between 1 July 2021 and 30 June 2024, there was a summary provided of the investigation activities and outcomes, however none documented lessons learned or recommendations.

4.15 The AGIS 2022 includes a better practice element of conducting one formal external quality assurance activity every two years, which is to be conducted by reviewers or auditors from another entity or external organisation. As of September 2024, SIA did not have an external quality assurance procedure. Between 1 July 2021 and 30 June 2024, there was one example of a quality assurance review, which was not finalised.¹⁵²

Recommendation no. 7

4.16 Sport Integrity Australia implement a quality assurance process for investigations that captures all types of investigations.

Sport Integrity Australia response: *Agreed.*

4.17 *We have formal quality review processes in place through internal peer and supervisory review as described in the Australian Government Investigations Standards. Further, Briefs of Evidence are reviewed internally by our Legal Services Team and feedback provided. We will document internal and implement external quality assurance processes in line with AGIS suggested best practice.*

Conduct of investigations

4.18 Investigations of possible anti-doping rule violations are managed by the Investigations section within the Operations Branch of the Safety in Sport Division (see Figure 2.1). The World

151 A critical decision record details where there is a departure from the investigation plan and the reasons for that departure, for approval by the Director of Investigations.

152 In August 2023, SIA requested the Australian Federal Police conduct a 'post-operational' assessment of one of its anti-doping rule violation investigations. A report was prepared for the CEO based on the analysis of survey results. SIA advised the ANAO in November 2024 that the report had not been finalised.

Anti-Doping Code (WAD Code) establishes 11 possible anti-doping rule violations involving certain prohibited substances and resulting in certain sanctions (Box 5).

Box 5: WAD Code anti-doping rule violations, prohibited substances and sanctions

Anti-doping rule violations comprise^a:

1. presence of a prohibited substance or its metabolites or markers in an athlete's sample (Article 2.1);
2. use or attempted use by an athlete of a prohibited substance or a prohibited method (Article 2.2);
3. evading, refusing or failing to submit to sample collection by an athlete (Article 2.3);
4. whereabouts failures by an athlete (Article 2.4);
5. tampering or attempted tampering with any part of doping control by an athlete or other person (Article 2.5);
6. possession of a prohibited substance or a prohibited method by an athlete or athlete support person (Article 2.6);
7. trafficking or attempted trafficking in any prohibited substance or prohibited method by an athlete or other person (Article 2.7);
8. administration or attempted administration by an athlete or other person to any athlete in-competition of any prohibited substance or prohibited method, or administration or attempted administration to any athlete out-of-competition of any prohibited substance or any prohibited method that is prohibited out-of-competition (Article 2.8);
9. complicity or attempted complicity by an athlete or other person (Article 2.9);
10. prohibited association by an athlete or other person (Article 2.10); and
11. acts by an athlete or other person to discourage or retaliate against reporting to authorities (Article 2.11).

The WAD Code contains a list of prohibited substances and methods (referred to as the 'Prohibited List') that indicates which substances and methods are prohibited in sport and when these substances are prohibited (such as in competition and/or out of competition). In 2021, the Prohibited List was updated to include substances of abuse, defined in the WAD Code as 'prohibited substances which are specifically identified as substances of abuse on the Prohibited List because they are frequently abused in society outside of the context of sport'.^b Under the WAD Code, substances of abuse include cocaine, diamorphine (heroin), methylenedioxymethamphetamine (MDMA/'ecstasy') and tetrahydrocannabinol (THC).

Note a: World Anti-Doping Agency, *World Anti-Doping Code*, WADA, 2021, available from https://www.wada-ama.org/sites/default/files/resources/files/wada_2021_code_november_2019_v._wada_2021_code_june_2020_final_-_english.pdf [accessed 30 September 2024], p. 13.

Note b: World Anti-Doping Agency, *The Prohibited List*, WADA, 2021, available from <https://www.wada-ama.org/en/prohibited-list> [accessed 19 December 2024].

4.19 SIA's investigations of possible anti-doping rule violation findings are grouped into four categories: three categories are specified by the WAD Code and one category (non-analytical finding) was established by SIA (Table 4.4).

Table 4.4: Types of findings and corresponding anti-doping rule violation

Category of finding	Definition	Anti-doping rule violation
Adverse analytical finding (AAF)	A report from a WADA-accredited laboratory that, consistent with the International Standard for Laboratories ^a , establishes in a sample the presence of a prohibited substance or its metabolites or markers ^b or evidence of the use of a prohibited method. ^c	Articles 2.1 and 2.2
Presumptive adverse analytical finding (PAAF)	The status of a sample test result from the initial testing procedure which represents a suspicious finding, but for which a confirmation procedure to render a conclusive test result has not yet been performed.	Articles 2.1 and 2.2
Atypical finding (ATF)	A report from a WADA-accredited laboratory or other WADA-approved laboratory which requires further investigation as provided by the International Standard for Laboratories or related technical documents prior to the determination of an adverse analytical finding.	Articles 2.1 and 2.2
Non-analytical finding	Where the SIA CEO receives evidence or information (e.g. admissions, witness statements or documentary evidence) pertaining to a possible 'non-presence' anti-doping violation (i.e. an anti-doping violation not arising from an AAF, PAAF or ATF).	Articles 2.3 to 2.11 ^d

Note a: The International Standard for Laboratories is one of the eight International Standards which aim to foster consistency among anti-doping organisations in the areas of: testing and investigations; laboratories; therapeutic use exemptions; the prohibited list; protection of privacy and personal information; code compliance by signatories; education; and results management. World Anti-Doping Agency, *World Anti-Doping Code* [Internet], WADA, 2021, available from <https://www.wada-ama.org/en/what-we-do/world-anti-doping-code> [accessed 8 October 2024]; The main purpose of the International Standard for Laboratories is to ensure that WADA-accredited laboratories and WADA-approved laboratories report valid test results based on reliable evidentiary data, and to facilitate harmonization in analytical testing of samples. World Anti-doping Agency, *International Standard for Laboratories* [Internet], WADA, 2021, available from <https://www.wada-ama.org/en/resources/world-anti-doping-code-and-international-standards/international-standard-laboratories> [accessed 8 October 2024].

Note b: A metabolite is any substance produced by the alteration of a drug within the body (biotransformation). A marker is a compound, group of compounds or biological variable that indicates the use of a prohibited substance or prohibited method.

Note c: A prohibited method includes the manipulation of blood and blood components; chemical and physical manipulation; and gene and cell doping.

Note d: A non-analytical finding could relate to Article 2.2 if the report alleges the use of a prohibited substance or method. For example, SIA investigated a non-analytical finding involving an individual's self-reported use of a prohibited substance and prohibited method.

Source: ANAO analysis of the World Anti-Doping Code (2021) and SIA documentation.

Triage

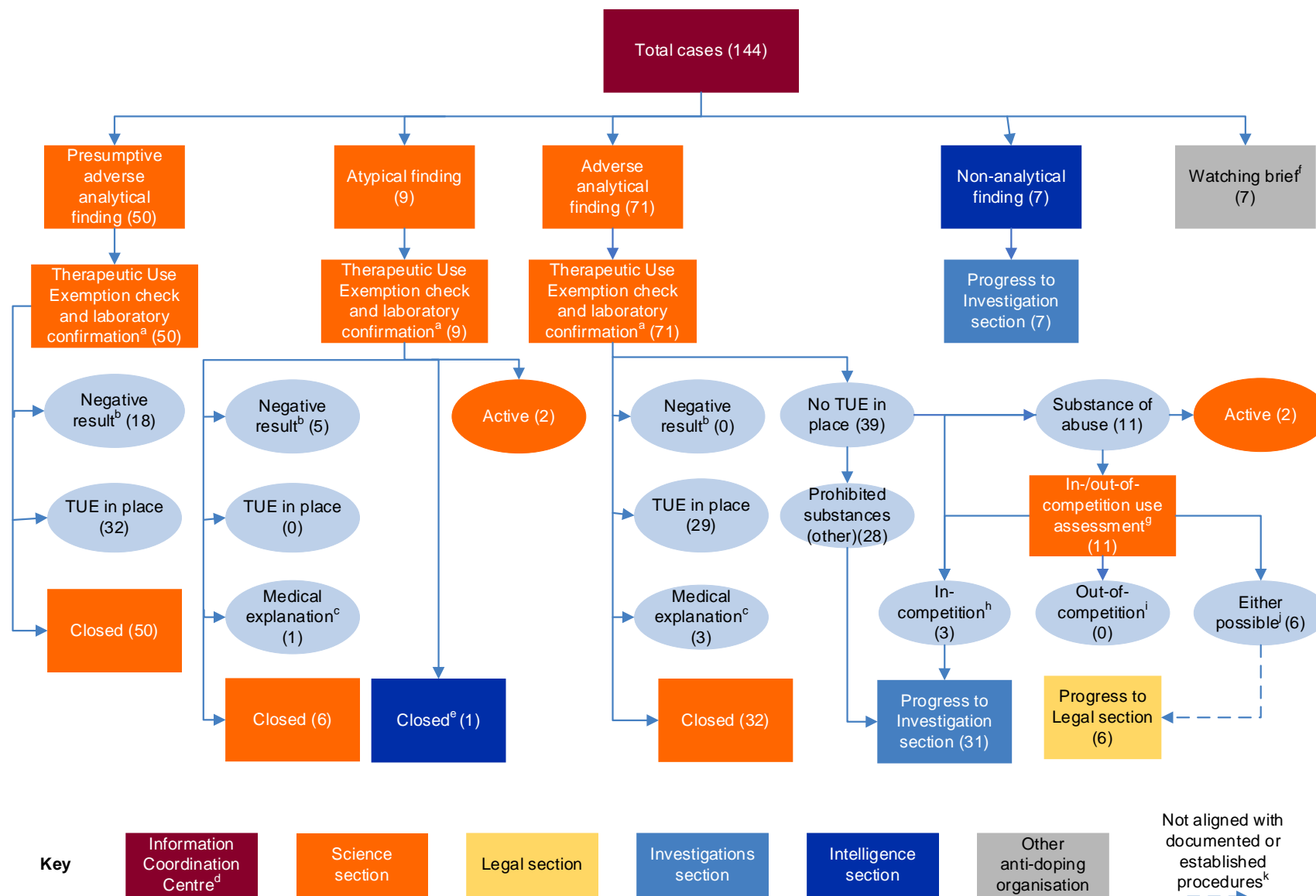
4.20 AAF, PAAF and ATF are identified through anti-doping testing. Each AAF, PAAF or ATF identified through anti-doping testing is entered into JADE where it becomes a 'case'. AAF, PAAF and ATF cases are subject to a triage process undertaken by the Science and Medicine section within the Operations Branch to determine appropriate further action. Figure 4.1 shows the triage process for AAF, PAAF, and ATF cases recorded in JADE between 1 July 2021 and 30 June 2024.

4.21 Non-analytical findings are identified through the Intelligence section and transferred to the Investigation section without triage (see paragraph 4.24). Non-analytical findings may also be identified during the conduct of an investigation. For example, SIA may determine that an anti-doping rule violation relating to the possession of a prohibited substance (Article 2.6, see Box

5) has been committed during an investigation into an anti-doping rule violation relating to the 'presence' of a prohibited substance (Article 2.1).

4.22 Between 1 July 2021 and 30 June 2024, 144 anti-doping rule violation cases were recorded in JADE. Of the 144 cases, 137 (95 per cent) related to AAF, PAAF and ATF. The other seven cases related to non-analytical findings.

Figure 4.1: Anti-doping rule violations triage process, 1 July 2021 to 30 June 2024 (as of 6 September 2024)



Note a: See paragraph 4.23 for definition of a therapeutic use exemption.

Note b: A negative result is confirmation that no prohibited substance was detected in the sample.

Note c: Laboratory analysis may confirm the finding is due to other medical factors such as side effects from permitted medications, which are permitted under the WAD Code and do not require a therapeutic use exemption.

Note d: SIA's Information Coordination Centre is responsible for notifying the Science and Medicine and Intelligence sections of findings.

Note e: This case was transferred to the Intelligence section, where an approach paper was prepared. It was decided that there was insufficient evidence to commence an investigation and the case was closed.

Note f: 'Watching briefs' are anti-doping rule violation cases and investigations involving Australian athletes competing overseas. Case management and investigations are undertaken by the relevant anti-doping organisation. SIA monitors watching briefs in its case management system. SIA is required to publish details if investigations of watching briefs result in sanctions.

Note g: As part of SIA's separate process for AAF cases involving substances of abuse (see paragraph 4.24), the Science and Medicine section assesses whether use of the substance of abuse occurred in- or out-of-competition according to the guidelines established by the WAD Code. Under section 10.2.4.1 of the WAD Code, if an athlete can establish use was out-of-competition and not for enhancement of their performance in sport, then they are eligible for an ineligibility period of three months. However, to address the health of the athlete, the anti-doping organisation must make available a treatment program that can be completed by the athlete to reduce the period of ineligibility from three months to one month.

Note h: In-competition use was assessed by the Science and Medicine section as 'more likely' in three cases.

Note i: Out-of-competition use was not assessed by the Science and Medicine section as more likely than in-competition use in any case.

Note j: The Science and Medicine section assessed that neither in- or out-of-competition use was more likely than the other (see paragraph 4.25).

Note k: SIA's procedure for AAF cases requires all cases to progress to investigations (see paragraph 4.24). SIA has also established a separate process for AAF cases involving substances of abuse that involves cases progressing to investigations only when it is determined that use occurred in-competition (see paragraph 4.24). Six in- and out-of-competition use was assessed as equally likely progressed to the legal section, contrary to SIA's documented procedure for AAF cases and the established substance of abuse process.

Source: ANAO analysis of suspected anti-doping rule violation cases entered into JADE between 1 July 2021 and 30 June 2024.

4.23 A therapeutic use exemption (TUE) allows an athlete with a medical condition to use, for therapeutic purposes only, an otherwise prohibited substance or method of administering a substance. TUEs generally must be in place prior to the anti-doping violation being detected; that is, are prospective. An athlete may be eligible to apply for a retroactive TUE under some conditions.¹⁵³ SIA performs a TUE check with the Australian Sports Drug Medical Advisory Committee (see Figure 2.1) for each AAF, PAAF and ATF. SIA may also request further laboratory analysis of an AAF, PAAF and ATF to confirm the result. Figure 4.1 shows that of 144 cases, 61 anti-doping rule violations cases (42 per cent) were closed due to a therapeutic use exemption (TUE). A retroactive TUE was granted in 13 out of the 61 cases.

4.24 The AGIS 2022 states that entities should establish criteria for when an investigation is considered to be commenced.¹⁵⁴ This has been established for AAF cases excluding substances of abuse but has not been clearly established for AAF cases involving substances of abuse or for non-analytical findings.

- AAF cases (prohibited substance excluding substance of abuse) — SIA is required under the Sport Integrity Australia Regulations 2020 (SIA Regulations) to investigate AAF cases where there is not an applicable TUE or other entitlement.¹⁵⁵ In May 2022, SIA established a standard operating procedure for the management of AAF cases that states that where there is not an applicable TUE, AAF cases automatically progress to an investigation.
- AAF cases (substance of abuse) — SIA established a separate process for AAF cases involving substances of abuse. This involves the Science and Medicine section conducting a laboratory assessment to determine whether the level of the substance detected in a subject's sample indicates in- or out-of-competition use. SIA advised the ANAO in August 2024 that in-competition substance of abuse cases progress to the Investigation section and out-of-competition cases progress to the Legal section to be dealt with 'administratively'. The roles of the Investigations and Legal sections in the process for substance of abuse cases have not been documented in a standard operating procedure.
- PAAF and ATF cases — PAAF and ATF cases do not progress to investigation unless further laboratory analysis elevates the test result to an AAF.
- Non-analytical findings case — SIA commenced non-analytical findings investigations by preparing an approach paper for endorsement at the Operations Committee (see Table

153 Emergency or urgent treatment of a medical condition; insufficient time, opportunity or other exceptional circumstances that prevented the athlete from submitting (or the Therapeutic Use Exemption Committee to consider) an application for the TUE prior to sample collection; the athlete's anti-doping organisation did not permit or require the athlete to apply for a prospective TUE due to national-level prioritisation of certain sports; the athlete is not an international-level athlete or national-level athlete, and that athlete is using a prohibited substance or prohibited method for therapeutic reasons; the athlete used out-of-competition, for therapeutic reasons, a prohibited substance that is only prohibited in-competition.

154 Australian Federal Police, *Australian Government Investigation Standards* (article 3.3.2), AFP, 2022, p. 13, available from <https://www.afp.gov.au/sites/default/files/2023-09/Australian-Government-Investigations-Standard-2022.pdf> [accessed 16 September 2024].

155 Sport Integrity Australia Regulations 2020, clause 4.01, available from <https://www.legislation.gov.au/F2006L00765/latest/text> [accessed 8 October 2024].

4.5).¹⁵⁶ SIA advised the ANAO in September 2024 that the final decision on progressing an investigation for non-analytical findings cases is made by the Director of Investigations. SIA's investigations manual did not include the approach paper process or the Director of Investigation's decision-making criteria and these were not documented elsewhere. As noted in Table 4.5, SIA advised the ANAO in November 2024 that the approach paper process has since been discontinued.

4.25 In relation to cases recorded in JADE between 1 July 2021 and 30 June 2024, documented procedures were followed for commencing all AAF cases. Treatment for commencing non-analytical findings cases was inconsistent.

- AAF cases (prohibited substance excluding substance of abuse) — All cases where a TUE was not in place progressed to the Investigations section (see Figure 4.1) in accordance with the standard operating procedure.
- AAF cases (substance of abuse) — Of the 11 cases¹⁵⁷, as of 6 September 2024:
 - two were in the triage process;
 - six did not have a conclusive in- or out-of-competition use determination by the Science and Medicine section (Figure 4.1) (with the Science and Medicine section assessing that neither was more likely than the other) and all six were progressed to the Legal section for 'administrative treatment'; and
 - three cases that had been assessed as in-competition use were progressed to the Investigations section.
- Non-analytical findings cases — The seven non-analytical findings cases recorded in JADE progressed to the Investigations section. Of the seven, decision-making to commence an investigation was:
 - for five, based on an Operations Committee decision following consideration of the approach paper;
 - for one, based on email correspondence between SIA officials without an approach paper or Operations Committee consideration; and
 - for one, was not documented.

4.26 The AGIS 2022 states that:

an investigation can be broadly described as an activity to collect information or evidence to a particular standard of proof related to an alleged, apparent or suspected breach. An investigation gathers information across a broad spectrum to assist entities to determine a course of action, which may also be preventative and/ or disruptive action instead of prosecutorial.¹⁵⁸

156 Approach papers are not required to commence AAF investigations. However, approach papers may be prepared for any investigation (including AAF investigations) that outline options on timeframes for notifying the athlete of the possible ADRV and issuing disclosure notices. These approach papers are also presented to the Operations Committee for endorsement.

157 In addition to the 11 AAF cases, there were two watching briefs involving substances of abuse also recorded in the case management system.

158 Attorney-General's Department, *Australian Government Investigations Standards*, AGD, 2022, available from <https://www.ag.gov.au/integrity/publications/australian-government-investigations-standards> [accessed 21 November 2024].

4.27 The Legal section's management of substance of abuse cases involves conducting investigative activities according to this definition, such as requesting information from the athlete concerning the circumstances of the ingestion of the prohibited substance. The Investigations section was not included in discussions between the Science and Medicine and Legal sections for the six substance of abuse cases dated 1 July 2021 to 30 June 2024 with an inconclusive 'in-competition' determination (see Figure 4.1). Legal section officials do not hold the specific investigator qualifications required under the AGIS, although the AGIS states that equivalent qualifications can be considered. SIA advised the ANAO in November 2024 that it considered officials' legal qualifications to be equivalent. Although notifications of anti-doping rule violations were issued for all, no investigation plans or briefs of evidence were prepared for these forms of investigation.

4.28 In March 2024, SIA received allegations of possible anti-doping rule violations committed by officials of a national sporting organisation (NSO) ((evading sample collection (WAD Code Article 2.3, see Box 5), impeding or tampering with the doping control process (Article 2.5), and complicity to violate aspects of the WAD Code (Article 2.9)).

4.29 In April 2024, SIA prepared an 'assessment plan'. 'Assessments' are not defined in the investigations manual or any other procedural document. The 'assessment' plan was identical to the investigation plan template. The allegations were not entered into the case management system. The assessment plan for the matter includes an evidence matrix which is incomplete. No approach paper was prepared for endorsement at the Operations Committee. SIA did not document the rationale for conducting an 'assessment' rather than treating the allegations as a non-analytical finding and proceeding with an investigation. In June 2024, SIA published its assessment of the allegations on its website, finding that there were no breaches of the WAD Code through any anti-doping rule violations by athletes or support personnel, but which made some recommendations to the NSO.¹⁵⁹ SIA advised the ANAO in July 2024 that it was unaware of any other instances where allegations of possible anti-doping rule violations were 'assessed' rather than investigated.

Opportunity for improvement

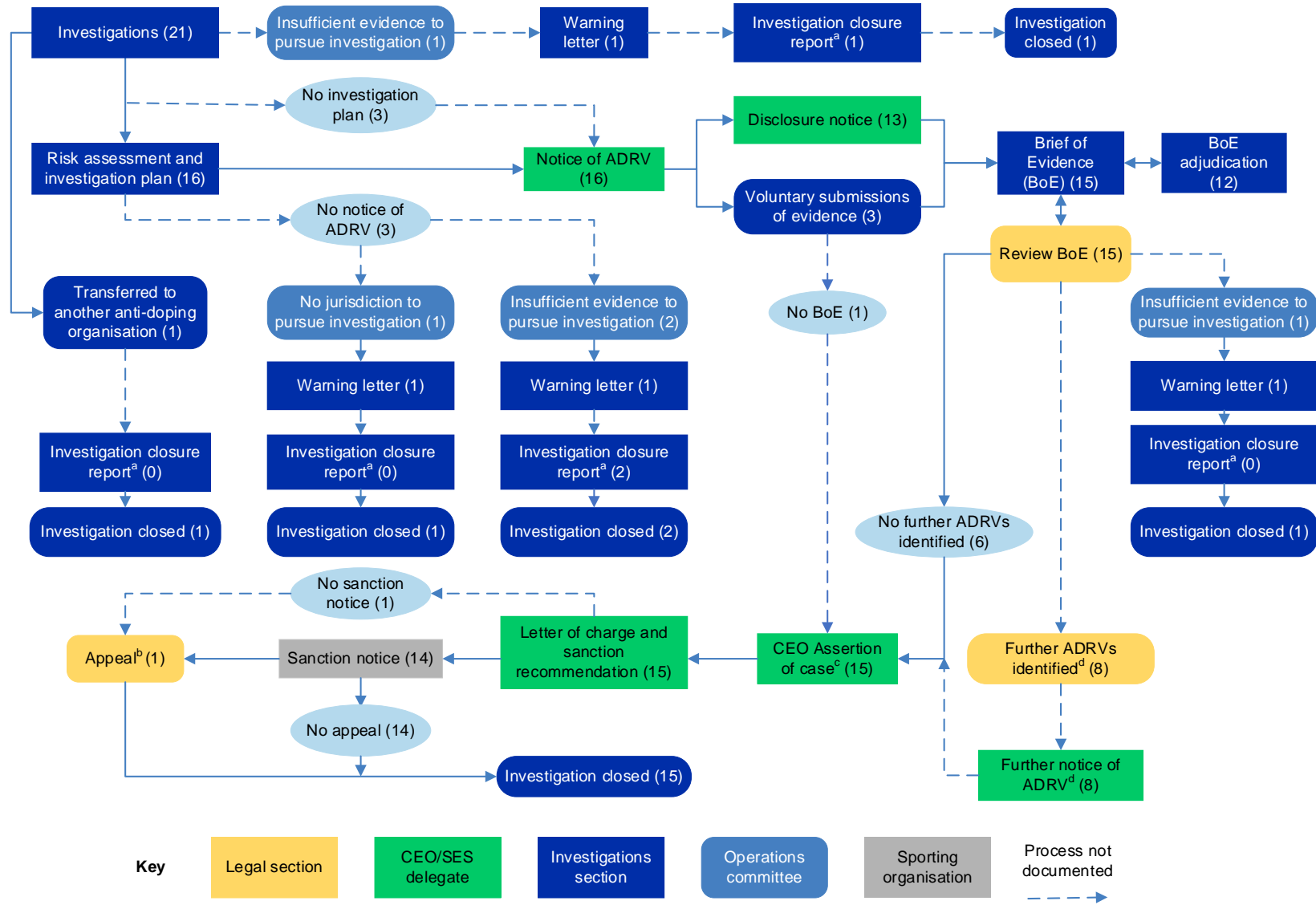
4.30 SIA could document procedures for dealing with adverse analytical findings cases involving substances of abuse, and for dealing with non-analytical findings cases.

Investigations process

4.31 Between 1 July 2021 and 30 June 2024, 38 anti-doping rule violation cases recorded in JADE (comprising 31 AAF and seven non-analytical findings cases) progressed to the Investigations section. For cases that progressed to the Investigations section and were closed in the period (N=21), the investigation process is shown in Figure 4.2.

159 Sport Integrity Australia, *Assessment of allegations of misconduct of AFL's illicit drugs policy*, SIA, 2024, available from <https://www.sportintegrity.gov.au/news/media-statements/2024-06/AFL-illicit-drugs-policy-assessment> [accessed 11 October 2024]. Australian Football League is not a signatory to the National Anti-Doping Policy.

Figure 4.2: Anti-doping investigation process, 1 July 2021 to 30 June 2024 (commenced and closed matters at 6 September 2024)



Note a: SIA advised the ANAO in November 2024 that a closure report is only prepared for investigations where an anti-doping rule violation has not been determined. This decision has not been documented.

Note b: An athlete can appeal their sanction within 21 days of receiving the sanction notice in accordance with Article 13 of the WAD Code.

Note c: A CEO Assertion of case is a document prepared by the Legal section for the CEO that outlines the evidentiary basis upon which the CEO makes the determination that the anti-doping rule violation has been committed.

Note d: The Legal section may identify additional anti-doping rule violations during its review of the evidence for an investigation. If the CEO agrees that there has been a possible additional anti-doping rule violation, SIA has to notify the athlete.

Source: ANAO analysis of investigations commenced and closed between 1 July 2021 and 30 June 2024.

4.32 The AGIS 2011 and 2022 state that an entity should ensure an investigation is a documented process from commencement to finalisation.¹⁶⁰ The AGIS 2022 has strengthened requirements around documenting decisions made during investigations. Documentation must include the: context of the decision; decision itself; reason or rationale for the decision; person making the decision; date of the decision; and any actions associated with the implementation of the decision.¹⁶¹

4.33 The ANAO examined records for the 38 investigations that commenced between 1 July 2021 and 30 June 2024 to determine whether key activities were performed and documented in alignment with AGIS and SIA requirements for: investigation planning; application of investigative powers; preparing briefs of evidence; and closure.

Investigation planning

4.34 The AGIS 2011 states that ‘each investigation should commence with an overall planning process and where possible result in a written investigation plan. This plan should be referred to and updated during the investigation’.¹⁶² The AGIS 2022 recommends entities to consider elements in plans such as evidence collection processes, resourcing, risk, and media management. The SIA investigations manual requires all investigations except for ‘low-level’ AAF cases to have an investigation plan developed by the case officer for approval by the Director of Investigations. SIA advised the ANAO in November 2024 that it does not prioritise one investigation over another and in practice it expected all investigations to have an investigation plan.

4.35 SIA has an investigation plan template that includes the investigation objectives, the approach to evidence collection and analysis, milestones, action plan, resources, and risk assessment. The risk assessment includes a pre-populated list of risks. The plan requires authorisation by the Director of Investigations.

4.36 Investigation plans were developed for 32 out of 38 investigations commenced between 1 July 2021 and 30 June 2024. Of the 32 plans, 15 included all required elements and authorisation, and 17 plans were not developed according to requirements. For the six investigations for which there was no investigations plan, an investigation plan was not prepared for one ‘due to the urgent nature of the notification [of the athlete of their anti-doping rule violation]’. There is no documented decision for not developing plans for the other five investigations.

Application of investigative powers

4.37 The AGIS 2022 states that ‘investigations must be conducted in a manner that is consistent with applicable laws. This is particularly relevant regarding collection, handling, and presentation of evidence and the application of powers.’¹⁶³

160 Commonwealth of Australia, *Australian Government Investigations Standard*, AFP, 2022, available from <https://www.afp.gov.au/sites/default/files/2023-09/Australian-Government-Investigations-Standard-2022.pdf> [accessed 19 December 2024], p. 16.

161 *ibid.*, p. 11.

162 Commonwealth of Australia, *Australian Government Investigations Standard*, AFP, 2011, available from <https://www.ag.gov.au/sites/default/files/2020-03/AGIS%202011.pdf> [accessed 19 December 2024], p. 16.

163 Australian Federal Police, *Australian Government Investigations Standard*, AFP, 2022, section 3.2, p. 11, available from <https://www.afp.gov.au/sites/default/files/2023-09/Australian-Government-Investigations-Standard-2022.pdf> [accessed 30 September 2024].

4.38 Under the SIA Act, the CEO is authorised to give a person a disclosure notice, which is a written notice requiring the person to do one or more of the following within the period specified in the notice: attend an interview and answer questions; give information of the kind specified in the notice; and produce documents or things of the kind specified in the notice.¹⁶⁴ The SIA Regulations require disclosure notices to specify the time and date for compliance. The CEO may delegate the power to issue a disclosure notice to a senior executive service (SES) or acting SES officer. The CEO must declare in writing that they have reasonable belief that the person subject to the disclosure notice has information, documents or things that may be relevant to the investigation prior to issuing the disclosure notice. SIA established a ‘reasonable belief declaration’ template required to be completed by a delegate of the CEO and the CEO upon review of a disclosure notice brief prepared by the investigation team that outlines the rationale for the disclosure notice.¹⁶⁵

4.39 As of 6 September 2024, 26 out of 38 (68 per cent) investigations that commenced between 1 July 2021 and 30 June 2024 have been subject to one or more disclosure notice processes.

4.40 SIA does not have a procedure for serving disclosure notices. All 26 disclosure notices to attend an interview specified the time, date and location of the interview. Implementation of the disclosure notice process was inconsistent in relation to authorisation and completeness of reasonable belief declarations. In November 2022, SIA developed a Record of Service template and an Affidavit of Service template for investigators to complete following the in-person service of notices. Since November 2022, a record of service has been completed for 10 out of 16 investigations where a disclosure notice was served in-person. One record of service documented the date incorrectly. SIA advised the ANAO in November 2024 that the affidavit of service template has not been implemented.

Opportunity for improvement

4.41 Sport Integrity Australia could establish a disclosure notice procedure that aligns with requirements under the *Sport Integrity Australia Act 2020*, including requirements to maintain records for the service of disclosure notices.

4.42 Under the SIA Act and Regulations, if a person is issued with a disclosure notice and fails to attend an interview or produce documents or things or give information as required in the notice, the person fails to comply with the notice.¹⁶⁶ Failure to comply with a disclosure notice could incur a pecuniary penalty or an infringement notice. SIA requires a statutory declaration from the subject where they are unable to comply with the disclosure notice.

164 Sport Integrity Act, section 13A, available from <https://www.legislation.gov.au/C2006A00006/latest/text>, [accessed 19 December 2024]

165 The requirement for both the CEO and a delegate to complete the reasonable belief declaration was introduced in 2021 after an internal audit completed in September 2021 identified seven instances where the person who signed the reasonable belief declaration (CEO or a delegate) was not the person who issued the disclosure notice. The audit stated: ‘There is a risk that if subject to judicial review, [SIA] may be exposed to an argument of split decision-making (i.e. the person who formed the reasonable belief did not then issue the Disclosure Notice), notwithstanding that the issuing of the Disclosure Notice is delegated.’

166 Sport Integrity Act, section 13C, available from <https://www.legislation.gov.au/C2006A00006/latest/text> [accessed 11 October 2024]; Sport Integrity Regulations, paragraph 3.26B, available from <https://www.legislation.gov.au/F2006L00765/latest/text> [accessed 11 October 2024].

4.43 SIA advised the ANAO in November 2024 that between 1 July 2021 and 30 June 2024, eight athletes out of 16 (50 per cent) who were served a disclosure notice requiring information, or to produce documents or things, did not comply with the disclosure notice. The CEO did not receive a statutory declaration from any of the eight athletes. No penalties for non-compliance were issued. SIA does not track compliance with disclosure notices.

Briefs of evidence

4.44 The AGIS states that a brief of evidence should be prepared to a standard that will maximise the possibility of success in criminal, civil penalty, civil, administrative or disciplinary proceedings.¹⁶⁷ SIA has a documented procedure for the preparation of the brief of evidence that includes responsibilities for the preparation, review and authorisation. The investigations manual outlines requirements for the form and content of the brief. The investigations manual also requires the Director of Investigations to complete a brief of evidence adjudication for each brief of evidence to ensure that the brief aligns with form and content requirements. SIA has a brief of evidence template, and a brief of evidence adjudication form.

4.45 As of 6 September 2024, a brief of evidence had been prepared for 26 out of 38 investigations commenced between 1 July 2021 and 30 June 2024.¹⁶⁸ A brief of evidence adjudication was completed for 23 out of the 26 investigations. Of the 23 brief of evidence adjudications, 19 addressed all required elements and were authorised by the Director of Investigations, and four were either not authorised or were undated.

Investigation closure

4.46 The AGIS 2022 states that entities should establish criteria for when an investigation is considered to be finalised.¹⁶⁹ According to the investigations manual, an investigation is considered closed once a closure report has been authorised by the Director of Investigations and a delegate of the CEO, and closure is documented in the case management system.

4.47 SIA has established a closure report template. SIA advised the ANAO in November 2024 that the closure report is only intended for use in investigations that did not proceed with an assertion of an anti-doping rule violation and is not used for investigations that proceeded with an assertion of an anti-doping rule violation. There were five closed investigations that did not proceed with an assertion of an anti-doping rule violation. SIA prepared closure reports for three.

4.48 For investigations that result in a sanction, closure is actioned in SIA's case management system, JADE, by the Legal section once the matter has been published on SIA's website. Of the 38 investigations commenced by the Investigations section since 1 July 2021, 21 investigations (55 per cent) were closed in SIA's case management system by 30 June 2024. Table 4.5 shows the

167 Attorney-General's Department, *Australian Government Investigations Standards*, AGD, available from <https://www.ag.gov.au/integrity/publications/australian-government-investigations-standards> [accessed 1 October 2024].

168 Of the 12 investigations without briefs of evidence: four were closed due to either insufficient evidence or 'lack of jurisdiction'; one was transferred to another anti-doping organisation; one was on hold; one was pursued through to sanction; and five were active and had not reached the brief of evidence stage.

169 Attorney-General's Department, *Australian Government Investigations Standards*, AGD, section 3.3, p. 13, available from <https://www.ag.gov.au/integrity/publications/australian-government-investigations-standards> [accessed 1 October 2024].

outcome of the 21 closed investigations. One investigation involving a published sanction was not closed in JADE.

Table 4.5: Investigation outcomes for investigations commenced and closed between 1 July 2021 and 30 June 2024

Outcome	Number	Final action completed by SIA
Sanction	15	Published on SIA's website
Referral to another anti-doping organisation ^a	1	Transfer of results management authority ^b
No further action ^c	5	Warning letter ^d and closure report (N=2) Warning letter and no closure report (N=2) Closure report only (N=1)
Total	21	

Note a: Investigation was transferred to the International Testing Agency (ITA) and a joint investigation between SIA and the ITA was commenced that involved multiple subjects including the subject of the original investigation. The ITA is an international organisation constituted as a not-for-profit foundation, based in Lausanne, Switzerland. Its mission is to manage anti-doping programs, independent from sporting or political powers, for international federations, major event organisers and all anti-doping organisations requesting support.¹⁷⁰

Note b: The transfer of results management authority is permitted under Article 7.1.3 of the WAD Code, which states that in circumstances where the rules of a national anti-doping organisation do not give the national anti-doping organisation authority over an athlete or other person who is not a national, resident, license holder, or member of a sport organisation of that country, or the national anti-doping organisation declines to exercise such authority, results management shall be conducted by the applicable international federation or by a third party as directed by the rules of the international federation.

Note c: This category includes investigations that were closed due to SIA finding 'insufficient evidence' and that there was a 'lack of jurisdiction' to pursue an investigation.

Note d: See paragraph 4.56 for a description of warning letters.

Source: ANAO analysis of SIA documentation.

4.49 It is not possible to determine from JADE records when the investigations were closed and what activity prompted closure (see Table 4.1). JADE shows the date the case was created and the date the case was 'last modified'.¹⁷¹

4.50 In March 2024, SIA conducted a review of its investigations processes and identified three areas for improvement: professional development; processes and tools (concurrency of activities, increased collaboration and enhanced investigative planning); and strategic direction.

170 International Testing Agency, *About Us*, International Testing Agency, 2024, available from <https://ita.sport/about-us/> [accessed 2 October 2024].

171 SIA's investigations manual states that a case may be put 'on hold' for a maximum of three months. It does not specify the reasons a case may be put on hold. After this time, the Director of Investigations must reconsider the case and: action the case; close the case; reallocate the case to a new case officer; or place the case on hold for another period not exceeding three months. For investigations commenced between 1 July 2021 and 30 June 2024, one investigation was put on hold. The investigation commenced in August 2022. There is no documentation of the rationale for placing the investigation on hold. Its status in the case management system was 'on hold' as of September 2024.

Timeliness of investigations

4.51 The WAD Code sets a six-month (183 days) timeliness benchmark for investigations, stating that this is: 'In the interest of fair and effective sport justice'.¹⁷² The WAD Code also has timeliness requirements for specific processes such as appeals and reviews of decisions.

4.52 SIA has not established overall timeliness targets for its anti-doping investigations, although it has established internal timeliness targets for specific processes (Table 4.6).

4.53 Overall duration of investigations ranged from a minimum of 180 days to a maximum of 690 days, with a mean duration of 459 days and a median duration of 466 days.¹⁷³ Duration of specific processes, compared to SIA's targets, are shown in Table 4.6.

Table 4.6: Performance against internal targets for investigation milestones, as of 6 September 2024^a

Process	Target timeframe	Number of investigations with relevant documents	Number of relevant investigations within target	Range	Average (mean)
Notice to athlete of anti-doping rule violation	14 days following an AAF report	37	11	1 to 318 days	35 days
Disclosure notice served	20 days following notice of anti-doping rule violation	26	18 ^b	0 ^b to 143 days	26 days
Brief of evidence submitted	Eight weeks following notice of an anti-doping rule violation	26	1	6 to 76 weeks	20 weeks
Letter of charge served ^c	Eight weeks following submission of brief of evidence	14	2	4 to 73 weeks	35 weeks

Note a: Analysis includes active investigations.

Note b: For 15 investigations, disclosure notices and the notice of anti-doping rule violation were issued simultaneously.

Note c: A letter of charge is the notification to the athlete that the anti-doping organisation is satisfied that the athlete has committed an anti-doping rule violation and has charged them as such. The letter contains the provisions of the anti-doping rules violated; a summary of the facts upon which the charge is based; the consequences in the event that the charge is upheld; and options for responding to the charge, the deadline for a response, and the consequences for each response.

172 World Anti-Doping Agency, *The International Standard for Results Management*, WADA, Article 4.3. available from <https://www.wada-ama.org/sites/default/files/2024-08/2027%20international%20standard%20for%20results%20management%20%28isrm%29.pdf> [accessed 19 December 2024].

173 As there was no time stamp in JADE indicating the date of closure, the ANAO calculated the overall length of investigations by subtracting (for AAF cases) the date that the AAF finding was notified and (for non-analytical cases) the date the case was transferred to the Investigations section, from the date of the final action completed by SIA (which depended on the investigation outcome).

Source: ANAO analysis of SIA documentation.

4.54 The Legal section has responsibility for multiple processes during an investigation (see Figure 4.2), including reviewing the brief of evidence and preparing an anti-doping rule violation assertion recommendation and sanction recommendation for the CEO. On average, 63 per cent of the time spent on investigations was spent in the Legal section on these processes. SIA commissioned a review of the Legal section, which was finalised in March 2023. The review found that although the Legal section performed an important role, it was inefficient and sometimes duplicative, and that some activities were ‘best left to line areas’. The review made 24 recommendations including recommendations related to the role, function and governance of the Legal section; engagement with other business areas; and prioritisation of legal matters. In February 2024, the CEO directed staff to implement actions to address delays in investigations and stated ‘the review ... need[s] to be a priority for implementation in the legal team to better use our resources’.

Has Sport Integrity Australia taken appropriate action in response to anti-doping violations?

Anti-doping rule violation sanctions imposed by SIA between 1 July 2021 and 30 June 2024 were largely consistent with WADA requirements.

4.55 The WAD Code establishes sanctions for anti-doping rule violations (Box 6).¹⁷⁴

Box 6: WAD Code ineligibility sanctions

Possible sanctions for anti-doping rule violations comprise one or more of:

- disqualification — the athlete’s results in a particular competition or event are invalidated with all resulting consequences including forfeiture of any medals, points and prizes;
- ineligibility — the athlete or other person is barred on account of an anti-doping rule violation for a specified period of time from participating in any competition or other activity or funding (sport-related financial support or benefits);
- provisional suspension — the athlete or other person is barred temporarily from participating in any competition or activity prior to the final decision at a hearing;
- financial consequences — financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and
- public disclosure — the dissemination or distribution of information to the general public or persons beyond those persons entitled to earlier notification.^a

In 2021, the WAD Code was updated to include new sanctions for anti-doping rule violations involving substances of abuse. In-competition^b use of a substance of abuse involves a period of ineligibility of four years unless the subject can establish that use was not intentional, whereby the period of ineligibility is two years.^c Under section 10.2.4.1 of the WAD Code, if an athlete can establish that use was out-of-competition and not for performance enhancement in sport,

174 World Anti-Doping Agency, *World Anti-doping Code*, WADA, 2021, article 10.7.1, available from https://www.wada-ama.org/sites/default/files/resources/files/2021_wada_code.pdf [accessed 1 October 2024].

then the ineligibility period is three months. This may be reduced to one month if the subject completes a substance of abuse treatment program approved by the relevant anti-doping organisation. The WAD Code has guidance for determining levels of in- or out-of-competition use but states that ‘each matter shall be reviewed based on the specific facts of the case to make a determination.’

Ineligibility for anti-doping rule violations involving the presence, use or attempted use or possession of a prohibited substance or prohibited method (Article 10.2) range from two to four years. Ineligibility for other anti-doping rule violations (Article 10.3) range from two years to lifetime ineligibility.

The WAD Code has provisions for adjusting sanctions in the case of aggravating circumstances and multiple violations.

Note a: World Anti-Doping Agency, *World Anti-Doping Code*, WADA, 2021, available from https://www.wada-ama.org/sites/default/files/resources/files/wada_2021_code_november_2019_v._wada_2021_code_june_2020_final_-_english.pdf [accessed 30 September 2024], p. 167.

Note b: The WAD Code defines ‘in-competition’ as: the period commencing at 11:59pm on the day before a competition in which the athlete is scheduled to participate through the end of such competition and the sample collection process related to such competition. Provided, however, WADA may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by WADA, the alternative definition shall be followed by all major event organizations for that particular sport. World Anti-Doping Agency, *World Anti-Doping Code*, WADA, 2021, available from https://www.wada-ama.org/sites/default/files/resources/files/wada_2021_code_november_2019_v._wada_2021_code_june_2020_final_-_english.pdf. [accessed 19 December 2024], p. 97.

Note c: World Anti-Doping Agency, *World Anti-Doping Code*, WADA, 2021, available from https://www.wada-ama.org/sites/default/files/resources/files/wada_2021_code_november_2019_v._wada_2021_code_june_2020_final_-_english.pdf [accessed 30 September 2024], p. 38.

4.56 SIA states on its website that sanctions for anti-doping rule violations also include a warning. SIA has issued warnings when it has not been able to determine that an anti-doping rule violation has been committed. The warnings remind the athlete of their obligations to comply with anti-doping rules as well as notifying them that the investigation has closed. While warning letters may be a legitimate regulatory response, the WAD Code does not include warnings as a possible sanction.

Opportunity for improvement

4.57 Sport Integrity Australia could improve the accuracy of information on its website by not referring to warnings as a type of sanction.

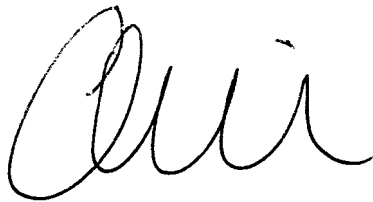
4.58 SIA sanctioned 20 athletes between 1 July 2021 and 30 June 2024 (including for investigations commenced prior to 1 July 2021). Nineteen out of 20 sanctions were imposed as a result of an AAF, five of which involved a substance of abuse. One sanction was imposed as a result of a non-analytical finding. Sanctions comprised periods of ineligibility of varying lengths from one month to twelve years, and disqualifications.

4.59 The Legal section prepares a sanction recommendation for approval by the CEO (Figure 4.2). Sanction recommendations for all 20 sanctions were prepared according to requirements and authorised. Sanctions applied were consistent with the period of ineligibility requirements under the WAD Code for all but two of the 20 sanctions.

4.60 The SIA Act (section 19A) requires that SIA maintain a list of current sanctions called a violations list. Details of a sanction must be published once the 21-day appeal period has expired, and no appeal has been instituted, and remain published until the sanction has been completed.¹⁷⁵ The sanction recommendation includes a determination regarding publication. For 19 out of 20 sanctions imposed between 1 July 2021 and 30 June 2024, the sanction recommendation determined the sanction was to be published on the violations list. One sanction recommendation did not make a determination.

4.61 A violations list is published on SIA's website.¹⁷⁶ As of September 2024, details of the 20 sanctions imposed between 1 July 2021 and 30 June 2024 were published on the violations list. All published sanctions contained the required information.

4.62 The WAD Code requires SIA to publish information on current sanctions within 20 days of the expiration of appeal period, which commences upon receipt of the sanction notice.¹⁷⁷ Details for eight out of 20 (40 per cent) sanctions imposed between 1 July 2021 and 30 June 2024 that were published on SIA's website were not published within the required timeframe.¹⁷⁸ Time taken to publish matters on SIA's website after the expiration of the 21-day appeal period ranged from nine to 49 days and took on average 21 days.



Dr Caralee McLiesh PSM
Auditor-General

Canberra ACT
14 February 2025

175 SIA is not required to publish details of a sanction under certain conditions. Under section 5 of the SIA Act, SIA is not required to include details on the violations list if the individual was a minor at the time the anti-doping rule violation was committed; the individual does not understand the anti-doping rules; the individual is an athlete who competes in sport for recreational purposes and not at a national or international-level; the information is likely to prejudice a current investigation; or WADA has authorised the exclusion of the information.

176 Sport Integrity Australia, *Current sanctions*, SIA, available from <https://www.sportintegrity.gov.au/what-we-do/anti-doping/current-sanctions> [accessed 30 September 2024].

177 The appeal period includes 21 days from the receipt of the sanction notice for the athlete to appeal and a further 21 days for WADA to commence an appeal.

178 For one of the eight sanctions, WADA requested the case file, which extended the appeal period.

Appendices

Appendix 1 Entity response



Australian Government
Sport Integrity Australia



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Dr Caralee McLiesh PSM
Auditor-General for Australia
Australian National Audit Office
Via email: OfficeoftheAuditorGeneralPerformanceAudit@anao.gov.au

31 January 2025

Subject: Sport Integrity Australia's Australian National Audit Office response

Dear Dr McLiesh,

Thank you for your correspondence of 20 December 2024 and for providing the proposed Australian National Audit Office (ANAO) audit report on Sport Integrity Australia's Management of the National Anti-Doping Scheme.

We acknowledge the ANAO audit findings and accept all recommendations provided in the proposed report. The recommendations will be actioned and complemented by improvements to capability, including processes, through Sport Integrity Australia's Capability Development Hub, established in 2023. Our agency was established just over four years ago, and as such, we continually strive to improve our performance and functions in order to better serve and protect all that is special about Sport in Australia. I would like to thank you for the professional engagement of the ANAO staff throughout the implementation of the audit and recognise the value of the process which will assist our continuous improvement program.

As commented on by your staff during the audit process, the global anti-doping rules administered by the World Anti-Doping Agency (WADA) are wide ranging and complex. The World Anti-Doping Code (the Code) and its eight associated International Standards, along with the UNESCO International Convention against Doping in Sport provide mandatory obligations which are enacted in Australia through the National Anti-Doping Scheme. It is therefore incredibly valuable to have the ANAO audit of this Scheme, and the associated recommendations will allow us to improve our implementation of the Code.

We note the overall finding that our management of the National Anti-Doping Scheme is partly effective. However, we would highlight that this audit makes recommendations related to only two specific chapters of WADA's International Standard for Testing and Investigations. The other seven chapters receive no recommendations, and the remaining 27 chapters across the 4 remaining relevant International Standards are not subject to any recommendations at all. We take confidence that these recommendations relate to only a small portion of the much broader anti-doping framework (in addition to the governance arrangements). We also take confidence in noting that during the last comprehensive process put in place by WADA as the global regulator, Sport Integrity Australia was found to be fully compliant with all its obligations under the World Anti-Doping Code.

For our agency to be effective, Australian athletes must have confidence that Sport Integrity Australia is following the rules and procedures expected of us, and that their international competitors are subject to the same rules. This Audit by the ANAO is a valuable way to ensure that we seek to always maintain best practice on behalf of the Australian sporting community. As highlighted, we will immediately seek to implement the recommendations included in the report.

Yours sincerely,



Dr Sarah Benson PSM
Performing the Duties of the Chief Executive Officer
Sport Integrity Australia

Attachment A: Summary response
Attachment B: Responses to recommendations

1 |

Appendix 2 Improvements observed by the ANAO

1. The existence of independent external audit, and the accompanying potential for scrutiny improves performance. Improvements in administrative and management practices usually occur: in anticipation of ANAO audit activity; during an audit engagement; as interim findings are made; and/or after the audit has been completed and formal findings are communicated.

2. The Joint Committee of Public Accounts and Audit (JCPAA) has encouraged the ANAO to consider ways in which the ANAO could capture and describe some of these impacts. The ANAO's Corporate Plan states that the ANAO's annual performance statements will provide a narrative that will consider, amongst other matters, analysis of key improvements made by entities during a performance audit process based on information included in tabled performance audit reports.

3. Performance audits involve close engagement between the ANAO and the audited entity as well as other stakeholders involved in the program or activity being audited. Throughout the audit engagement, the ANAO outlines to the entity the preliminary audit findings, conclusions and potential audit recommendations. This ensures that final recommendations are appropriately targeted and encourages entities to take early remedial action on any identified matters during the course of an audit. Remedial actions entities may take during the audit include:

- strengthening governance arrangements;
- introducing or revising policies, strategies, guidelines or administrative processes; and
- initiating reviews or investigations.

4. In this context, the below actions were observed by the ANAO during the course of the audit. It is not clear whether these actions and/or the timing of these actions were planned in response to proposed or actual audit activity. The ANAO has not sought to obtain assurance over the source of these actions or whether they have all been appropriately implemented.

- In March and September 2024, the Audit and Risk Committee received a risk management update which stated that SIA had commenced a project to improve its risk management framework (paragraphs 2.27 and 2.28).
- In March 2024, SIA established its Executive Committee and Project Review Committee terms of reference (Appendix 3).
- In March 2024, SIA developed a 'Developing the Test Distribution Plan' (TDP) procedure (paragraph 3.44).
- In March 2024, SIA updated and approved procedures for planning testing missions for government funded and user pays sports (paragraph 3.79).
- In March 2024, SIA conducted a review of its investigations processes in response to timeliness issues and identified three areas for improvement: professional development; processes and tools (concurrency of activities, increased collaboration and enhanced investigative planning); and strategic direction (paragraph 4.50).
- In May 2024, SIA established its Operations Committee terms of reference (Appendix 3).
- In June 2024, SIA executed a contract with Distillery Software to procure a cloud-based system for its investigations previously undertaken in the JADE system (Table 4.1).

- In July 2024, SIA established a Fraud and Corruption Control Procedure which states that it provides the steps SIA officials must take in reporting or managing confirmed or suspected incidents of fraud or corruption (paragraph 2.20).
- In July 2024, SIA updated the Audit and Risk Committee Charter (Appendix 3).
- In July 2024, SIA documented consolidated analysis of planning day evaluations of the 2022–23 anti-doping testing program for sport/disciplines within the audit sample (paragraph 3.48).
- In July 2024, SIA considered the investigation manual and procedures against AGIS 2022 requirements (paragraph 4.4).
- In August 2024, SIA established a complaints policy and procedure.
- In August 2024, SIA updated its Gifts and Benefits Policy (paragraph 2.33).
- In September 2024, SIA updated its Conflict of Interest Policy (paragraph 2.33).
- In December 2024, an internal audit on SIA’s risk management framework was presented to SIA’s Audit and Risk Committee (paragraphs 2.27).
- In January 2025, SIA established business planning guidance and a template for section-level business planning, which includes a part for listing and analysing risk at the section level (paragraph 2.29).

Appendix 3 Sport Integrity Australia advisory, oversight and assurance bodies

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
Advisory committees (July 2021 to November 2024)					
Advisory Council	<p>Members are appointed by the minister under section 29 of the <i>Sports Integrity Australia Act 2020</i> (SIA Act).</p> <p>The Advisory Council consists of a Chair plus 7 members, consistent with requirements.</p> <p>On 21 July 2020 the minister appointed a Chair plus 9 additional members, including 1 member assessed by SIA as 'not recommended'.</p> <p>On 15 December 2022 SIA recommended to the minister the reappointment of 5 members for an additional 2 years (to December 2024), and 3 members for an additional 3 years (to December 2025). The minister agreed to the reappointments including for 1</p>	<p>The Advisory Council's charter does not require a specific meeting frequency. The charter states that the Advisory Council is responsible for determining its priorities in consultation with the SIA CEO and for setting a forward meeting schedule. 10 meetings were held in the period.</p>	<p>The functions of the Advisory Council are established under section 27 of the SIA Act. The functions are to: on its own initiative or at the request of the SIA CEO, provide strategic advice to the CEO on the CEO's and SIA's functions, and at the request of the minister, provide strategic advice to the minister about matters arising in relation to the operations of SIA or the performance of the CEO.</p> <p>The Advisory Council has a charter that is to be reviewed annually. The charter was reviewed in June 2022, October 2023 and July 2024.</p> <p>The charter sets out the Advisory Council's functions as described in the SIA Act, and operational considerations such as</p>	<p>Section 33 of the SIA Act requires members to disclose interests to the minister. The charter states that members will be asked to complete a deed poll at the commencement of the appointment and annually thereafter.</p> <p>SIA's 2021 Conflict of Interest Policy (see paragraph 2.33) also applies to Advisory Council members.</p> <p>Advice to the minister in December 2022 recommending reappointments included disclosures of private interests for each of the 8 members. However, an annual deed poll was not completed as required in 2024 for any members.</p> <p>In their private interest declaration, 2 members declared interests relating to wagering. One member was a sports wagering sector lobbyist and the other</p>	<p>Terms of reference require the taking of meeting minutes. Minutes were taken at 8 of 10 meetings in the period.</p> <p>The Advisory Council discussed matters relating to anti-doping functions at 5 of 8 meetings where there were minutes. In September 2022, the Advisory Council noted anti-doping statistics from 2021–22 and in October 2023 it discussed a 2027 WAD Code update and issues relating to SIA's international collaboration on anti-doping.</p> <p>The Advisory Council received updates or reports on the implementation of the NIF at 6 of 8 meetings.</p> <p>The Advisory Council was provided with information and provided feedback relating to the Australian Sports Wagering Scheme at 6 of 8 meetings. The Advisory Council was also informed of progression towards ratifying the Macolin Convention.</p>

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
	<p>member who was recommended for reappointment by SIA despite SIA's original short-list of applicants stating this person was not recommended.</p>		<p>remuneration and travel, proxies, and handling of media enquiries.</p>	<p>undertook work for a wagering company.</p> <p>One appointee did not declare their interests relating to Nemesis Consulting, a firm engaged by SIA prior to and following the member's appointment.</p> <p>Disclosures of potential conflicts were also made at 7 of 8 meetings held in the period for which there were minutes. This practice is not discussed in the charter. Minutes did not follow a consistent format for declaring conflicts and do not document how declared conflicts were managed in the meeting.</p> <p>Both members with wagering interests were present for several discussions relating to the Australian Sports Wagering Scheme, which was discussed by the Advisory Council in 6 of 8 meetings. One disclosed their wagering interests at 1 of 6 meetings that included discussions on wagering. The other disclosed their wagering interests at 3 of 6 meetings where wagering was discussed.</p>	

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
<p>Australian Sports Drug Medical Advisory Committee (ASDMAC)^a</p>	<p>Members are appointed by the minister under section 54 of the SIA Act.</p> <p>ASDMAC is to consist of a Chair, at least 3 but not more than 6 primary members, and 3 review members.</p> <p>Advice in September 2022 noted that the appointments would maintain a gender mix of 4 males and 6 females.</p> <p>The minister accepted SIA's advice to approve appointments of 5 members in March 2022 , and 2 members in September 2022. In March 2024 the minister agreed to short term reappointments of members. In May 2024 the minister reappointed 5 and replaced 2 members. ASDMAC had the appropriate total number of members during the period.</p> <p>Between March 2022 and March 2024,</p>	<p>14 meetings were held in the period, with at least 6 members present at each meeting.</p>	<p>ASDMAC was originally established under the <i>Australian Sports Drug Agency Act 1990</i>.The functions of ASDMAC are set out in the SIA Act and WAD Code. These relate to giving advice and information to the CEO of SIA about sports doping and safety matters, giving information to sporting administration bodies about individual cases that involve sports doping and safety matters, and providing services relating to sports doping and safety matters under contract on behalf of the Commonwealth. The functions include granting and review of therapeutic use exemptions.^b</p> <p>ASDMAC does not have terms of reference or a charter. The requirements of ASDMAC are outlined in the SIA Act and SIA Regulations.</p>	<p>Section 58 of the SIA Act requires members to disclose interests to the minister. There were 10 instances where a declaration of interests was not completed for either an appointment or reappointment to ASDMAC.</p> <p>Declarations of member interests are clearly documented in minutes for each meeting.</p>	<p>Minutes were taken at all meetings.</p> <p>The ASDMAC discussed Therapeutic Use Exemptions as a standing agenda item and other matters relating to medicine and drugs in sport.</p> <p>Minutes documented discussion of matters relevant to therapeutic use exemptions; drugs and medicines in sport, input into drug and medicine aspects of the National Integrity Framework (NIF), and anti-doping education.</p> <p>Between September 2021 and April 2024 ASDMAC engaged with SIA officials on anti-doping education and awareness for athletes covering a range of issues including SIA's education planning, pharmacy education and education on illicit drugs.</p>

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
	<p>instruments of appointment were signed by the minister except for the appointment of one member.</p>				
<p>Athlete Advisory Group</p>	<p>Members are appointed by the SIA CEO for a 3-year term.</p> <p>Terms of reference specify a minimum of 10 members comprising current and former athletes.</p> <p>The terms of reference provide for a diversity of membership in relation to gender, sport, disability sport, one First Nations member, and one athlete who is concurrently a member of the WADA Athlete Council.^c As of September 2024 membership meets diversity requirements.</p>	<p>The terms of reference state that the Athlete Advisory Group will meet quarterly.</p> <p>13 meetings were held between November 2022 (when the Athlete Advisory Group was established) and November 2024.</p>	<p>The Athlete Advisory Group has terms of reference that were approved in November 2022 when the group was formed, and updated in October 2023 and September 2024, as required.</p> <p>The terms of reference state that the Athlete Advisory Group is responsible for providing input and feedback to assist SIA to shape its strategic direction and education strategies. The terms of reference state that the Athlete Advisory group can offer or give advice; offer counsel; offer an opinion; make a recommendation; consult; or give information or notice to SIA on all matters relating to the integrity of sport, particularly</p>	<p>The terms of reference state that members must declare any potential conflicts of interest to the co-Chair of the group (SIA Director of Sport Engagement), and this will be evaluated by the SIA CEO, who will determine appropriate mitigation strategies to apply depending on the circumstances of each case. The terms of reference also require all members to complete a deed poll of conflicts of interest prior to participating in any group business. Declarations on appointment were made by all 11 members.</p> <p>Conflicts of interest were not disclosed or discussed at any meetings where minutes were available.</p>	<p>The terms of reference require the taking of meeting minutes. Minutes were taken at 11 of 13 meetings.</p> <p>At its 11 documented meetings, the Athlete Advisory Group discussed anti-doping matters at all meetings except 1, including discussions relating to the adoption of the NAD Policy by NSOs, anti-doping testing processes, athlete whereabouts requirements and the 2027 WAD Code review.</p>

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
			<p>those that affect athletes.</p> <p>The terms of reference set out the operational arrangements for the group, including remuneration.</p>		
<p>Sport Sector Advisory Group on Education (SSAGE)</p>	<p>Members are appointed for a 1-year term by SIA's Head of Sport Engagement via an expression of interest process.</p> <p>SSAGE consists of a Chair (SIA's Director of Education), and at least 6 but not more than 10 members, who are sport administrators working in the 'integrity education space' in sporting organisations. Eight members were appointed with 7 attending the first of 2 meetings on 7 December 2023.</p> <p>The terms of reference state that where possible a diversity of membership in relation to gender, sport, disability sport,</p>	<p>The terms of reference state that SSAGE is to meet at least quarterly.</p> <p>SSAGE did not meet at the required frequency: 2 meetings were held between August 2023 (when SSAGE was established) and June 2024.</p>	<p>SSAGE has terms of reference that were approved on 23 August 2023.</p> <p>According to the terms of reference, SSAGE is responsible for providing input and feedback to assist SIA in their content and delivery of education programs and to identify gaps in education programs. SSAGE has several objectives including providing SIA with advice on integrity education delivery from within sporting organisations.</p>	<p>The terms of reference address the management of potential conflicts of interest. Potential conflicts are defined. Members must disclose conflicts in writing to the Chair, who will determine appropriate mitigation strategies.</p> <p>There were no documented declarations of conflicts of interest in meeting minutes or otherwise declared to the Chair between August 2023 and June 2024.</p>	<p>The terms of reference require the taking of meeting minutes. Minutes were taken at both meetings held in the period.</p> <p>In its two meetings, SSAGE discussed a range of general education-related matters including accessibility of education materials.</p> <p>Anti-doping education was not specifically discussed.</p>

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
	<p>NIF sports, sports of different sizes and maturity levels, and one First Nations member should be included. Five of 8 members are women. No NSODs or First Nations peoples are represented. SIA advised in November 2024 that Expressions of Interest were not received from NSODs or First Nations peoples.</p>				
Oversight committees (July 2022 to November 2024)					
<p>Executive Committee (Previously Executive Weekly Meeting)</p>	<p>The Executive Committee comprises the CEO (Chair), senior members (Deputy CEOs and Culture and Safety Advisor), members (General Manager Operations, Head of Sports Engagement) and Head of International Relationships and Strategy), and advisors (General Counsel and Communication Advisor).</p>	<p>The terms of reference state that the Executive Committee meets weekly unless otherwise advised by the Chair.</p> <p>104 meetings were held in the period.</p>	<p>The Executive Committee has terms of reference that were approved on 28 March 2024.</p> <p>The terms of reference state that the Executive Committee is the peak agency decision making forum to consider issues requiring executive collaboration, strategic judgement and/or legislative authority. The Executive Committee has oversight over all areas of SIA's operation's,</p>	<p>The terms of reference do not address the management of potential conflicts of interest.</p> <p>As employees of SIA, members are required to declare conflicts of interest in accordance with SIA's Conflict of Interest Policy and whole of government requirements (see paragraph 2.33).</p> <p>Declarations of potential conflicts of interest were documented in the minutes at all meetings except for 7 meetings between 8 July 2022 to 31 August 2022.</p>	<p>The terms of reference include a draft agenda that includes updates from the Operations Committee and Project Review Committee and a risk update by exception. They do not go to how a record of the meeting will be maintained.</p> <p>Minutes were taken at 98 meetings.</p> <p>The Executive Committee regularly considered a range of matters relating to the NAD Scheme (including specific anti-doping cases), NIF, Australian Sports Wagering Scheme and Macolin</p>

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
	<p>The terms of reference also allow for co-opted attendees as determined by the Chair, and for observers.</p>		<p>including anti-doping, engagement and corporate responsibilities.</p>		<p>convention (see paragraph 1.6).</p> <p>Anti-doping investigations and WAD Code compliance are monitored through the Operations Committee and may be escalated to the Executive Committee. For example, between September 2022 and January 2023 the Executive Committee monitored issues relating to the recognition of powerlifting under the National Anti-doping (NAD) Policy.</p> <p>In June 2024 the Executive Committee received an update on the 2024–25 anti-doping test distribution plan. There was no evidence of the approval of the 2023–24 test distribution plan (see paragraphs 3.57 to 3.60), which the Executive Committee is required to approve.</p> <p>Between 1 July 2022 and 20 June 2024, the Executive Committee was updated frequently on matters relating to the adoption and implementation of the NIF. For instance, on 8 July 2022, it was noted that 97 sport administration bodies had adopted the NIF or had policies</p>

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
					consistent with the NIF in place.
Operations Committee (Previously Case Management Capability Meetings)	The Operations Committee comprises the Deputy CEO Safety in Sport (Chair), the Deputy CEO Corporate, senior members (Head of Anti-Doping Operations and Head of Sports Engagement), members (12 roles within SIA, including the Director Anti-Doping Investigations and Director Anti-Doping Testing), and advisors (including the Director Anti-Doping Policy).	Under the terms of reference, the Operations Committee is required to meet weekly, which may be changed by the Chair to suit operational priorities. The Operations Committee did not meet weekly as set out in the terms of reference. A total of 65 meetings were held in the period.	The Operations Committee has terms of reference that were approved on 2 May 2024. The terms of reference state that the Operations Committee provides the governance framework to oversee SIA's operational work, specifically anti-doping and integrity complaints matters.	The terms of reference do not address the management of potential conflicts of interest. As employees of SIA, members are required to declare conflicts of interest in accordance with SIA's Conflict of Interest Policy and whole of government requirements (see paragraph 2.33). Meeting minutes from 59 meetings in the period include declarations of conflicts of interest and state, where a conflict was declared that the member would leave the room if matters relevant to the conflict were discussed. At 4 meetings from 14 July 2022 to 25 August 2022, minutes did not include any conflict of interest declarations.	The Operations Committee terms of reference include a draft agenda for meetings that includes updates on integrity complaints, anti-doping matters and intelligence. They do not go to how a record of the meeting will be maintained. Minutes were taken at 63 meetings in the period. At its meetings, the Operations Committee considered a range of integrity-related and anti-doping matters involving individuals and national sporting organisations. The committee discussed the status of individual investigations and sanctions.
Project Review Committee (Previously Project Executive Review Committee)	The Project Review Committee comprises the Deputy CEO Corporate (Chair), the Deputy CEO Safety in Sport, members (General Manager Operations, Head of Sport Engagement	The terms of reference state that the Project Review Committee meets monthly, unless otherwise advised by the Chair.	The Project Review Committee has terms of reference that were approved on 28 March 2024. The terms of reference state that the Project Review Committee is	The terms of reference do not address the management of potential conflicts of interest. As employees of SIA, members are required to declare conflicts of interest in accordance with SIA's	Terms of reference do not go to how a record of the meeting will be maintained. Minutes were taken at 40 of 42 meetings. Examination of meeting minutes from July 2022 to June 2024 demonstrate that the

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
	and Head of International Relationships and Strategy), the Chief Financial Officer, and co-opted project managers and observers.	A total of 42 meetings were held in the period, in accordance with the terms of reference.	SIA's governance body for all major projects, providing decision making and oversight, and aiding in the prioritisation and management of risk. One of the roles of the Project Review Committee is to approve or reject business cases. It must consider, approve and monitor projects in accordance with SIA's Project Management Framework.	Conflict of Interest Policy and whole of government requirements (see paragraph 2.33). Declarations of potential conflicts of interest were documented in the minutes at all meetings except for 3 meetings between 18 July 2022 to 12 August 2022. No conflicts requiring management were disclosed.	Project Review Committee monitored a range of NIF-related projects and SIA's project to support the evaluation and update of the WAD Code in 2027.
Assurance committees (2021–22 to 2023–24)					
Audit and Risk Committee (ARC)	The charter specifies the ARC is comprised of at least 3 members, who must not be officials of SIA. ARC members are appointed by the SIA CEO. The ARC's membership is consistent with the charter. SIA's Deputy CEO Corporate, Chief Audit Executive and Chief Financial Officer are to attend all meetings	The charter states that the ARC will meet at least 4 times each year. 19 meetings were held in the period, in accordance with the charter.	The ARC has a charter that was created on 1 September 2020, which was reviewed approximately annually. The latest version as of November 2024 was endorsed by the SIA CEO in July 2024. Functions for the ARC are set out in the charter and are consistent with subsection 17(2) of the PGPA Rule.	ARC members are required under the charter to make an annual declaration of any potential conflicts of interest. Annual written declarations were made for the 2022 and 2023 calendar years and no members declared a conflict. ARC members must also declare any potential conflicts of interest at the beginning of each ARC meeting. This was documented in minutes for 16 of the 19 meetings held in the period.	Minutes were taken at all meetings. Minutes demonstrate that the ARC received papers and discussed SIA's financial reporting, performance reporting and system of risk oversight. The ARC noted ARC papers explaining steps taken to enhance SIA's risk management framework, discussed further in Box 1. The ARC was presented with 4 internal audits between September 2021 and June 2023 relating to anti-doping topics, comprising audits on

Body	Membership	Meetings	Terms of reference and functions	Management of potential conflicts of interest	Attention paid to anti-doping and other integrity reforms
	as permanent senior advisors to the ARC.				<p>disclosure notices, field staff officers, information triaging, and anti-doping investigations.</p> <p>Between September 2021 and September 2024 the ARC was presented with updates on the status of the implementation of Wood Review recommendations (see paragraph 1.2), including in March 2023 a review by Callida Consulting. A separate internal audit on the implementation of the Wood Review was presented to the ARC in March 2023. A Wood Review close out report was first mentioned in ARC papers in March 2023 but had not been presented to the ARC as of September 2024. On 4 September 2024, the ARC was advised that Wood Review recommendations were in the 'closure phase'. In August 2024, it was agreed by a SIA official and the ARC chair that the 'the ARC doesn't need to see Closure Reports for audit recommendations.' SIA advised the ANAO in November 2024 that the Wood review was closed in July 2024.</p>

Note a: The primary role of ASDMAC is to manage Therapeutic Use Exemptions (TUEs) as Australia's Therapeutic Use Exemption Committee under the WADA International Standard for TUEs.

Note b: A TUE allows an athlete to use, for therapeutic purposes only, an otherwise prohibited substance or method of administering a substance.

Note c: The WADA Athlete Council is a permanent special committee of WADA, which is comprised of five athletes appointed by the International Olympic Committee/ International Paralympic Committee's Athlete Commission; eight athletes elected by the Athlete Commissions of International Federations; and seven other athletes who are selected by an appointment panel to fill skill and diversity gaps.

Source: ANAO analysis of SIA documentation.

Appendix 4 Anti-doping testing 2023–24

Table A.1: Sampled government funded sports, 2023–24

Sport/discipline	Risk rating		Planned sample collections			TDSSA MLAs ^a		Samples collected			Results	
	2022–23	2023–24	Total	In competition	Out of competition	Planned	Tested ^b	Total	In competition	Out of competition	AAF ^c	ATF
Aquatics (Middle distance)	Medium-high	Medium-high	83	14	69	✓	✓	79	21	58	0	0
Aquatics (Long distance)	Medium-high	Medium-high	9	2	7	✓	✓	4	2	2	0	0
Athletics (Distance 3000m+)	Medium-high	Medium-high	92	16	76	✗	✗	83	24	59	0	0
Athletics (Sprint 400m or less)	Medium-high	High	44	14	32	✓	✓	51	23	28	2	0
Baseball	High	Medium-high	34	16	18	✓	✓	60	32	28	0	0
Basketball (3v3) ^d	Medium	Medium-high	8	2	6	✓	✓	1	0	1	0	0
Biathlon	Medium-high	Medium-high	6	4	2	✓	✓	6	4	2	0	0
Cycling (Cyclo-cross)	Medium	Medium	25	8	17	✓	✓	22	8	14	0	0
Cycling (MT Bike endurance)	High	Medium	62	10	52	✗	✓	48	14	34	0	1
Cycling (Para-cycling)	Medium	High	72	8	64	✗	✓	67	4	63	0	0
Cycling (Road)	High	High	114	40	74	✓	✓	111	50	61	0	0
Cycling (Track endurance)	Medium-high	High	95	18	77	✗	✓	93	25	68	0	0

Sport/discipline	Risk rating		Planned sample collections			TDSSA MLAs ^a		Samples collected			Results	
Cycling (Track sprint)	Medium-high	High	65	10	55	✘	✓	72	16	56	2	0
Equestrian	Medium-high	Medium	10	6	4	✓	✓	7	6	1	0	0
Golf	Medium	Medium-high	10	4	6	✓	✓	4	4	0	0	0
Muay Thai	High	Medium-high	14	4	10	✘	✓	3	3	0	1	0
Netball	Medium-high	Medium	50	14	36	✓	✓	57	18	39	0	0
Rowing	High	Medium-high	107	44	63	✘	✓	93	44	49	0	0
Skiing (Cross-country)	Medium-high	Medium-high	8	0	8	✓	N/A	0	0	0	0	0
Triathlon	High	High	62	0	62	✘	✓	50	0	50	0	0

Key:

✓ Minimum levels of analysis for both erythropoietin receptor agonists (ERA) and growth hormone releasing factors (GHRF) analysis types were planned/tested at the required levels or above.

✘ Minimum levels of analysis for both ERAs and GHRF analysis types were not planned/tested at the required levels.

Note a: TDSSA refers to Technical Document for Sports Specific Analysis (see paragraph 3.59). MLA refers to minimum levels of analysis (see paragraph 3.71).

Note b: Analysis of actual MLAs in the samples collected is based on SIA's analysis for 2023–24 and has not been independently verified by the ANAO.

Note c: Adverse analytical findings (AAF) may not progress to be anti-doping rule violations. ATF refers to atypical findings (see Table 4.4).

Note d: Athletes involved in the discipline of three on three basketball also compete in basketball, which is a user pays sport not included in the audit sample.

Source: ANAO analysis of SIA's test distribution planning, ADAMS data and SIA's analysis of MLAs.

Table A.2: Sampled user pays sports, 2023 and 2024

Sport/ discipline	Risk rating		Planned sample collections			TDSSA MLAs		Samples collected			Results	
	2022– 23	2023– 24	Total ^a	In competition	Out of competition	Planned ^b	Tested ^c	Total ^d	In competition	Out of competition	AAF ^e	ATF
Australian football	Not rated	Not rated	305	156	149	✘	✓	316	167	149	4	1
Cricket	Medium	Not rated	128	28	100	✓	✓	123	35	88	0	0
Football (soccer)	Medium-high	Medium	289	70	219	✘	✓	333	78	255	0	1
Rugby league	Not rated	Not rated	627	182	445	✘	✘	718	220	498	1	1
Rugby union (15's)	Medium-high	Not rated	248	82	166	✓	✓	246	89	157	1	0

Key:

✓ Minimum levels of analysis for both erythropoietin receptor agonists (ERA) and growth hormone releasing factors (GHRF) analysis types were planned/tested at the required levels or above.

✘ Minimum levels of analysis for both ERAs and GHRF analysis types were not planned/tested at the required levels.

Note a: Test planning is based on the competition season covering 2023 and 2024.

Note b: Australian football and rugby league are not included in the TDSSA. The MLAs for rugby union have been applied by the ANAO for these sports based on WADA test distribution plan guidance to use MLAs from a similar sport, where a specific sport is not included.

Note c: Analysis of actual MLAs in the samples collected is based on SIA's analysis from 1 July 2023 to 31 October 2024 and has not been independently verified by the ANAO.

Note d: For football (soccer) and cricket, analysis of tested outcomes is from 1 October 2023 to 30 September 2024. For Australian football, rugby union and rugby league, analysis is from 1 November 2023 to 31 October 2024. This is due to SIA's planning being based on professional league seasons rather than the financial year.

Note e: Adverse analytical findings (AAF) may not progress to be anti-doping rule violations. ATF refers to atypical findings (see Table 4.4).

Source: ANAO analysis of SIA's test distribution planning, ADAMS data and SIA's analysis of MLAs.