

# Policy Guidance to Commonwealth Governments on Protecting the Integrity of Sport



The Commonwealth



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# About the Commonwealth Advisory Body on Sport

CABOS was established by the Commonwealth Heads of Government Meeting (CHOGM) at its meeting in Abuja in 2003 and endorsed by the Commonwealth Sports Ministers in Athens in 2004. Its mandate is to advise the Commonwealth Secretary-General and member governments on sport policy.

The volunteer body of 12 members is appointed by the Secretary-General. CABOS membership is drawn from every region of the Commonwealth and includes representatives of the sports community, development sector, academia and government as well as youth representatives.

The current membership of CABOS (2015-2016) is:

Name	Position	Organisation
Sir Hilary BECKLES	Vice-Chancellor	University of the West Indies
Max FUZANI	Special Adviser to the Minister	Ministry of Sport and Recreation South Africa, Government of South Africa
Jacqueline GERTZE	Head of Women's Football	Namibia Football Association
Andrew GODKIN	Sports Integrity Adviser - National Integrity of Sport Unit	Department of Health, Government of Australia
Dian GOMES	Vice-President	Sri Lanka Olympic Committee (Government of Sri Lanka nominee to CABOS)
David GREVEMBERG CBE	Chief Executive	Commonwealth Games Federation
Assmaah HELAL (2016) /Clare BARRELL (2015)	Chair	Commonwealth Youth Sport for Development and Peace working group
Selina KHOO	Associate Professor	University of Malaya
Louise MARTIN CBE	Chair	sportscotland (Government of United Kingdom nominee to CABOS)
Mark MUNGAL	Director	Caribbean Sport and Development Agency
Seth OSEI-AGYEN	Director	Ministry of Youth and Sports, Government of Ghana
Al-Hassan YAKMUT	Director	Ministry of Niger Delta Affairs, Government of Nigeria

# Summary

At the 6th Commonwealth Sports Ministers Meeting in 2012, Ministers requested that the Commonwealth Advisory Body on Sport (CABOS) 'lead the development of a framework encapsulating Commonwealth consensus on these issues [of integrity in sport] in conjunction with the Commonwealth Secretariat'. Ministers asked that this work be finalised for the 8th Commonwealth Sports Ministers Meeting in 2016, covering the issues of good governance, manipulation of sporting competition (match-fixing), safeguarding, anti-doping and equality.

This *Policy Guidance to Commonwealth Governments on Protecting the Integrity of Sport* is the result of CABOS work in response to this request, supported by the Commonwealth Secretariat. It is intended to support member governments to take practical steps within their own countries to protect the integrity of sport. The Guidance includes simple principles under each area, which, if adopted, should provide each Minister with a basic framework for focusing their government's efforts.

These principles are complemented by an overview of existing relevant international agreements, frameworks and standards. Signposting is also provided to useful resources available to assist government officials to implement the principles. In this way it is hoped that this Policy Guidance will provide a practical tool in efforts to protect the integrity of sport in the Commonwealth.

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# Executive Summary: Integrity of Sport Principles

## Integrity of sport: general principles

Threats to the integrity of sport are complex and the measures required to address them will depend on the nature of the threat. However, there are a cross-cutting principles that should inform all efforts to protect the integrity of sport.

It is recommended that member governments adopt the following general principles related to protecting the integrity of sport:

1. Protecting the integrity of sport requires co-ordinated effort across a range of international and domestic, sporting and non-sporting, governmental and non-governmental organisations. Governments should facilitate partnership working and information-sharing between all relevant stakeholders to strengthen efforts to protect the integrity of sport.
2. Appropriate human and financial resources should be allocated to efforts to protect the integrity of sport.
3. A rights-based approach must be at the centre of efforts to combat threats to the integrity of sport. Efforts to protect the integrity of sport must at all times be consistent with and protect the human rights of all those involved in sport in adherence with agreed human rights instruments.
4. Where sporting or legal sanctions are to be considered in relation to threats to the integrity of sport, procedural fairness must be maintained for all those involved.

## Good governance in sport principles

It is recommended that member governments adopt the following principles related to fostering good governance in sport:

1. Sport in the Commonwealth should be governed in a manner that upholds the values of the Commonwealth as set out in the *Commonwealth Charter* and the Commonwealth Games core values of humanity, destiny and equality, while promoting at all times sporting integrity and fair play.
2. Governments and non-governmental sporting organisations have a shared responsibility for the development of sport. This responsibility recognises a balance between the need for sporting bodies to maintain autonomy while implementing effectively principles of good governance. Sporting bodies shall remain accountable for the effective and appropriate use of public funds. They shall also be properly accountable to all stakeholders within their sport, providing the opportunity to ask questions about their decisions. The autonomy of sporting bodies should include:
  - The independence of all appointments and
  - The right to define sporting rules, competitive structures and selections.

Sporting bodies must ensure compliance with all relevant legislation within the jurisdiction(s) within which they operate.

3. Sport is most effectively governed when government and sporting bodies are committed to a shared vision and goals for sport. The vision and goals should be supported by a clear national policy for sport and collective and organisational strategic plans.
4. National sporting bodies (e.g. National Olympic and Paralympic Committees, Commonwealth Games Associations and national federations) should be governed observing the best standards of democracy, transparency and accountability. The structures of sporting bodies should incorporate democratic processes to ensure stakeholder representation and effective management that preserves the integrity and solidarity of sport. The organisations should be governed by a board, elected through a clear, democratic and transparent process. Elections should be public.
  - The structure of the board should recognise the need for a balance of authority, with no one individual holding undue power.
  - The composition of the board should observe gender equity
  - The introduction of independent non-executive directors in the board is strongly recommended.
  - The democratic process should include all stakeholders.
  - Terms of office should be limited and not automatically renewable.
5. For government and other stakeholders to continue to provide support and finance to sport, sports bodies must be transparent and accountable for the funds they receive. Transparency should include regular reporting against financial and non-financial performance measures, including making details of full financial transactions available to funders upon request. Accountability should include the setting-up of clear structures and processes whereby stakeholders can monitor regularly the performance and decisions of sport organisations. Such structures should define clear responsibilities and accountability mechanisms.
6. Sports bodies should be supported by governments to improve governance in a co-operative manner. Good governance is crucial to the development of sport, and governments should set minimum standards of governance, which should be met for sports bodies to receive public funds.

## Safeguarding in sport principles

1. In keeping with participants' fundamental human rights, including the right to play enshrined in the United Nations Convention on the Rights of the Child, everyone taking part in sport should be able to do so safely. Safeguarding in Sport should therefore be a key priority, ensuring that:
  - Safeguarding applies to all those involved in sporting activity – participants, athletes, coaches, officials, staff, volunteers and spectators.
  - Safeguarding applies to all sporting activity, formal and informal, including activity delivered through both sporting and Sport for Development and Peace organisations.

- While everyone should be able to participate in sport safely, some groups are particularly vulnerable – young people, people with disabilities, minority groups and marginalised populations and, in many instances, girls and women – and should be a focus for safeguarding efforts.
  - Particular risk factors in certain sporting activities, such as elite performance sport and sporting events, should be taken into account.
2. National Safeguarding in Sport policy instruments should be put in place by member governments, backed by appropriate legislation where required.
  3. National Safeguarding in Sport systems and mechanisms should be put in place by member governments and national sporting bodies. These should include the following:
    - A system to undertake appropriate background or criminal record checks of those involved in delivering sport to young people and vulnerable adults should be put in place.
    - Reports of incidents or actions that harm or endanger the safety of those involved in sport should be investigated and acted upon in a timely and respectful manner by appropriate authorities (either judicial or sporting).
    - Individuals subject to complaints should receive due process, within fair and transparent grievance and disciplinary systems.
  4. Organisations delivering sporting activity should adopt the International Safeguards for Children in Sport or an equivalent national standard where this exists.
    - Government and sporting organisations should consider compliance with or progress towards these Safeguards as a condition of funding, recognition or registration to operate in a given member country.
  5. Knowledge and awareness of Safeguarding in Sport and related issues should be increased. This should include:
    - Providing training to those involved in the delivery of sport;
    - Educating athletes, with a particular focus on those who are young or from other vulnerable groups, to understand their rights and how to report any concerns;
    - Educating athletes on what is appropriate and inappropriate behaviour towards each other, so they can interact in a manner that is tolerant, respectful and safe;
    - Increasing the capacity of sporting organisations to ensure they have the ability and expertise to provide a safe environment for all participants;
    - Recording data related to safeguarding in a systematic manner and making anonymised data available to experts and researchers, to support monitoring and evaluation and facilitate research into good practice.
  6. Support the principles developed by the expert grouping Safe Sport International and the concept that the establishment of a global Safeguarding in Sport agency set up by the Sports Movement as a mechanism to monitor and quality assure compliance by international sporting federations, and National Olympic and Paralympic Committees and Commonwealth Games Associations.

## Against the manipulation of sports competition principles

It is recommended that member governments adopt the following principles related to policy against the manipulation of sports competition:

1. The manipulation of sport competition is a cross-border issue that needs a multi-sectoral response if it is to be tackled effectively. Sports organisations must work with government, law enforcement, gambling regulators and gambling operators to tackle this problem. Open and timely communication between these stakeholders will be at the heart of a successful response to the challenge.
2. The Commonwealth endorses the recommendations on the manipulation of sporting competition made in UNESCO's MINEPS V Declaration of Berlin.
3. Governments should put in place a national policy against the manipulation of sport competitions, backed by appropriate legislation where required. This legislation should penalise match-fixing behaviours, making them a criminal offence with significant penalties. National sporting bodies should develop sport-specific policies against the manipulation of sports competition, to include enforceable disciplinary provisions.
  - The CABOS policy templates (2014) provide a potential and appropriate model for such government and sporting body policies.
4. Governments should consider the creation of a national platform or body responsible for the facilitation of dialogue and information-sharing between all relevant stakeholders.
5. Athletes and others involved in sport should be educated to understand the risks involved in manipulating sporting competition and how to respond to any approaches they receive, to protect both themselves and their sport.
6. The Commonwealth is supportive of measures to increase cross-border police and judicial co-operation on the manipulation of sporting competitions both within and beyond the Commonwealth.

## Equality in sport principles

It is recommended that member governments adopt the following principles related to equality in sport:

1. In keeping with the values and principles of the Commonwealth as set out in the Charter and the Commonwealth Games Federation core values of humanity, destiny and equality, every citizen of the Commonwealth should be encouraged to maximise their participation, enjoyment and potential in sport, in an environment of tolerance, respect and understanding, without fear of discrimination of any kind.
2. Equality of opportunity should be available at all levels of sport, from grassroots participation to elite competition, and steps should be taken to ensure that all who are interested are able to take up those opportunities. These should include:
  - Suitable adjustments made to participation opportunities to make them accessible to all (e.g. inclusion of people with disabilities, children and older people, and those requiring accommodations for religious or cultural reasons). Such adjustments should be made in discussion with the people affected.
  - Competition structures that provide opportunities for all.

- Selection policies and practices that do not discriminate for reasons other than sporting performance.
  - The removal of all discriminatory behaviour, including bullying, both on and off the field of play, on the grounds of gender, ethnicity, religion, disability or sexuality.
3. Sport should comply with national equality legislation, with appropriate exceptions made for sporting competition (e.g. to allow single-gender competition). Sporting organisations should be encouraged and supported to put in place suitable equality policies and procedures.
  4. The goal of equality in sport is wider than participation and steps should be taken by sporting organisations to ensure equality among sporting coaches, support staff, officials, volunteers, administrators and leaders.
  5. Education and awareness-raising play a vital role in achieving equality in sport. Governments should work with sporting organisations to ensure all those involved in sport, regardless of role, are aware of their responsibility to foster equality in sport through tolerance, respect and understanding.
  6. Sport can play a positive role in developing inclusion and equality in society. Sports for Development and Peace should be adopted as a national sport policy approach to maximise the use of sport as a tool contributing to equality and inclusion in wider society, in line with the *Commonwealth Guide to Advancing Development through Sport*.

## Anti-doping in sport principles

It is recommended that member governments adopt the following principles related to anti-doping in sport:

1. Doping has no place in sport. Athletes should be able to compete on a fair and level playing field and be confident that they and their competitors are doing so. Doping undermines the sporting experience of athletes, puts athletes' health at risk and devalues sport in the eyes of the public.
2. The Commonwealth supports the World Anti-Doping Agency (WADA) as the lead organisation in the global fight against doping in sport and continues to recognise the World Anti-Doping Code (the Code) as the foundation in that fight. The Commonwealth affirms its support for the UNESCO International Convention against Doping in Sport (2005), which provides a legal framework within which all governments can take action to remove doping from sport and commit to the principles outlined in the Code.
3. Governments should put in place appropriate national legislation, regulation, policies and/or administration practices to comply with the obligations contained in the Convention and principles in the Code. National sports bodies should be encouraged and supported to put in place rules, policies and practices in line with their International Sports Federation and in accordance with WADA's guidelines and model rules.
4. Each government should work together with the relevant Commonwealth Games Association to support (or work towards the establishment of) an autonomous national anti-doping organisation or be a member of a Regional Anti-Doping Organisation, meeting WADA's international standards.

5. Government, public bodies, sports organisations and national anti-doping organisations should share information to support the effective implementation of the Code, including the investigation of anti-doping rule violations, subject to the relevant national laws on privacy and protection of information.
6. Governments are encouraged to facilitate doping controls and provide funding or support for a national testing programme.
7. Sanctions should be imposed consistently by all signatories and nations in accordance with the Code and Convention respectively for those athletes and athlete support personnel who commit an anti-doping rule violation.
8. Governments, national anti-doping organisations and sports organisations should work together to ensure that athletes and athlete support personnel receive suitable values-based preventative education and training in the risks of doping and know how to fulfil their roles and responsibilities under the Code.

# 1. Introduction and Background

## 1.1 Protecting the integrity of sport in the Commonwealth

Sport plays an important role in the shared identity of the Commonwealth.<sup>1</sup> The shared interest in sport across many communities in the Commonwealth plays a key role underpinning 'the unique connections and friendships which bring together a third of the world's population as citizens of the nations and territories of the Commonwealth'.<sup>2</sup>

Commonwealth Heads of Government and Sports Ministers have consistently recognised the potential of sport to be employed as a catalyst for human and social development and to promote respect and understanding.<sup>3</sup> This potential contribution of sport is also reflected in the 2030 Agenda for Sustainable Development, through which the United Nations General Assembly has recognised,

*'the growing contribution of sport to the realization of development, and peace in its promotion of tolerance and respect, and the contributions it makes to the empowerment of women and of young people, individuals and communities, as well as to health, education and social inclusion objectives'.<sup>4</sup>*

At the same time, sport faces a range of internal and external threats to its integrity, an issue that has been on the agenda of Commonwealth Sports Ministers for many years.<sup>5</sup> However, in recent years, a number of major sporting scandals have raised the profile of the integrity of sport. Accusations of corruption and governance issues across sports, increasing instances of doping, betting-related manipulation of competitions and allegations of serious human rights abuses related to the hosting of major sporting events have all contributed to the erosion of public trust in sport.

If the integrity of sport continues to be further damaged and public attitudes to sport are negatively impacted, the ability of governments and other stakeholders to fully harness the potential of sport to contribute towards sustainable development efforts will be undermined. As the reputation of sport is tarnished, its legitimacy as a development tool is eroded.<sup>6</sup>

The Commonwealth has long aimed to protect integrity in public life, with the Charter of the Commonwealth setting out a 'commitment to promote good governance through the rule of law, to ensure transparency and accountability and to root out, both at national and international levels, systemic and systematic corruption'.<sup>7</sup>

This commitment has been reflected by the importance Commonwealth Sports Ministers have given to issues of integrity in sport. From the first Commonwealth Sports Ministers Meeting in 2002, Ministers have focused on supporting the eradication of doping in sport.<sup>8</sup> In 2010, this focus widened to stress that, as a public service, sport must adopt principles of good governance, transparency and accountability.<sup>9</sup>

Commonwealth Sports Ministers have now adopted a holistic approach to protecting the integrity of sport. Not only have they recognised the need to address issues at the elite end of sport, including corruption, doping and match-fixing; but also they

have acknowledged that there are threats to the integrity of sport at all levels and that it is also vital that safeguards are in place to end all forms of abuse of individuals involved in sport and to rid sport of discrimination.<sup>10</sup>

## 1.2 Policy guidance to Commonwealth governments

At the 6th Commonwealth Sports Ministers Meeting (6CSMM) in 2012, Ministers requested that the Commonwealth Advisory Body on Sport (CABOS) 'lead the development of a framework encapsulating Commonwealth consensus on these issues [of integrity in sport] in conjunction with the Commonwealth Secretariat and proactive participation and resourcing by member governments'.<sup>11</sup> Ministers asked that this work be finalised for the 8th Commonwealth Sports Ministers Meeting in 2016 (8CSMM), covering the issues of good governance, manipulation of sporting competition (match-fixing), safeguarding, anti-doping and equality.<sup>12</sup>

This *Policy Guidance to Commonwealth Governments on Protecting the Integrity of Sport* is the result of this work by CABOS and the Commonwealth Secretariat. (See Prelims for membership of CABOS.) It is intended to support member governments to take practical steps within their own countries to protect the integrity of sport. The Guidance includes simple principles under each area, which, if adopted, should provide each Minister with a basic framework for focusing their government's efforts.

These principles are complemented by an overview of existing relevant international agreements, frameworks and standards. Signposting is also provided to useful resources available to assist government officials to implement the principles. In this way it is hoped this *Policy Guidance* will provide a practical tool in efforts to protect the integrity of sport in the Commonwealth.

## 1.3 International efforts to protect the integrity of sport

Many threats to the integrity of sport cut across state borders and require international collaboration if they are to be successfully addressed. By aligning efforts across the Commonwealth and creating consensus around key domestic principles, this guidance will contribute to wider international efforts.

CABOS is clear that efforts to protect the integrity in sport in the Commonwealth must complement and align with existing global international efforts. This Policy Guidance endorses and signposts to agreed international standards or frameworks where these exist, and through the principles encourages governments to comply with these international agreements.

The *Declaration of Berlin*<sup>13</sup> and the *International Charter of Physical Education, Physical Activity and Sport*<sup>14</sup> provide the highest level of international consensus on sports policy. Through the International Charter, the United Nations Educational, Scientific and Cultural Organization (UNESCO) General Conference '[insists] that concerted action and co-operation between stakeholders at all levels is the prerequisite for protecting the integrity and potential benefits of physical education, physical activity and sport from discrimination, racism, homophobia, bullying, doping, manipulation, excessive training of children, sexual exploitation, trafficking, as well as violence'.<sup>15</sup>

CABOS intends that this *Policy Guidance* is complementary to the *Declaration and International Charter* and will strengthen Commonwealth governments' contribution to the Common Framework for follow-up to these agreements, being co-ordinated by UNESCO.



## 1.4 Integrity of sport: general principles

Threats to the integrity of sport are complex and the measures required to address them will depend on the nature of the threat. However, there are a cross-cutting principles that should inform all efforts to protect the integrity of sport.

It is recommended that member governments adopt the following general principles related to protecting the integrity of sport:

1. Protecting the integrity of sport requires co-ordinated effort across a range of international and domestic, sporting and non-sporting, governmental and non-governmental organisations. Governments should facilitate partnership working and information-sharing between all relevant stakeholders to strengthen efforts to protect the integrity of sport.
2. Appropriate human and financial resources should be allocated to efforts to protect the integrity of sport.
3. A rights-based approach must be at the centre of efforts to combat threats to the integrity of sport. Efforts to protect the integrity of sport must at all times be consistent with and protect the human rights of all those involved in sport in adherence with agreed human rights instruments.
4. Where sporting or legal sanctions are to be considered in relation to threats to the integrity of sport, procedural fairness must be maintained for all those involved.

## 2. Good Governance in Sport

The term 'governance' has been used in many different contexts, including in the private sector and by national and local public authorities.<sup>16</sup> In the area of sport, Henry and Lee differentiate between systemic and good governance.<sup>17</sup> The former relates to structures and the relationships among a large number of stakeholders in a specific sporting context; the latter is defined as involving the principles of effective, transparent and democratic management.<sup>18</sup> This means we can use governance frameworks to analyse how sport is organised structurally and to comment on how it is or should be governed. This also means governance relates, at the same time, to the internal structures of sport organisations and the governance and regulation of sport within a specific jurisdiction.

Both dimensions of governance are complementary, though one would expect those organisations and stakeholders involved in sport in a specific system or jurisdiction (systemic governance) to observe principles of good governance. Thus, the principles of good governance are applicable to sport organisations in relation to both their structures but also their policies and management procedures—what is categorised as input and output good governance.

Interest in sports governance is historically linked to the problems sport organisations have had in modernising and adapting to the commercialisation of professional sport. The selection of Salt Lake City as host city of the 2002 Winter Olympic Games and the inefficiency in the fight against doping as demonstrated by the so-called 'Festina team scandal' of the Tour de France in 1999, are normally seen as the focusing events that sparked high-level debates in this area. Thus, since the early 2000s, a growing interest by public authorities, public opinion and non-governmental sport organisations has brought good governance in sport to the fore.

Different interpretations of what good governance in sport is can be found in policy documents of public authorities and sport organisations. Researchers at universities around the world have also made a meaningful contribution. There is a clear need for consensus and clarity, so governance can be strategically implemented across the sports sector in a variety of contexts.

A review of existing good governance texts demonstrates growing international influence and harmonising of arrangements in relation to good governance in sport. There is consensus on the need to identify the importance of democracy, accountability, transparency, integrity and solidarity as key principles of good governance. There is also a clear tendency towards the identification of dimensions and indicators that could allow for the effective assessment of the implementation of those principles.

The governance of sport is generally considered a joint effort of public authorities and non-governmental sport organisations. There is a need for a healthy co-operation of both the public and the sports sector in order to secure the positive development of sport. The definition of sport governance structures relies on an effective relationship between these two levels. In this respect, the autonomy of sport organisations needs to be dependent on them implementing, effectively, good governance structures.

## 2.1 Good governance in sport principles

It is recommended that member governments adopt the following principles related to fostering good governance in sport:

1. Sport in the Commonwealth should be governed in a manner that upholds the values of the Commonwealth as set out in the *Commonwealth Charter* and the Commonwealth Games core values of humanity, destiny and equality, while promoting at all times sporting integrity and fair play.
2. Governments and non-governmental sporting organisations have a shared responsibility for the development of sport. This responsibility recognises a balance between the need for sporting bodies to maintain autonomy while implementing effectively principles of good governance. Sporting bodies shall remain accountable for the effective and appropriate use of public funds. They shall also be properly accountable to all stakeholders within their sport, providing the opportunity to ask questions about their decisions. The autonomy of sporting bodies should include:
  - The independence of all appointments and
  - The right to define sporting rules, competitive structures and selections.

Sporting bodies must ensure compliance with all relevant legislation within the jurisdiction(s) within which they operate.
3. Sport is most effectively governed when government and sporting bodies are committed to a shared vision and goals for sport. The vision and goals should be supported by a clear national policy for sport and collective and organisational strategic plans.
4. National sporting bodies (e.g. National Olympic and Paralympic Committees, Commonwealth Games Associations and national federations) should be governed observing the best standards of democracy, transparency and accountability. The structures of sporting bodies should incorporate democratic processes to ensure stakeholder representation and effective management that preserves the integrity and solidarity of sport. The organisations should be governed by a board, elected through a clear, democratic and transparent process. Elections should be public.
  - The structure of the board should recognise the need for a balance of authority, with no one individual holding undue power.
  - The composition of the board should observe gender equity
  - The introduction of independent non-executive directors in the board is strongly recommended.
  - The democratic process should include all stakeholders.
  - Terms of office should be limited and not automatically renewable.
5. For government and other stakeholders to continue to provide support and finance to sport, sports bodies must be transparent and accountable for the funds they receive. Transparency should include regular reporting against financial and non-financial performance measures, including making details of full financial transactions available to funders upon request. Accountability should include the setting-up of clear structures and processes whereby

stakeholders can monitor regularly the performance and decisions of sport organisations. Such structures should define clear responsibilities and accountability mechanisms.

6. Sports bodies should be supported by governments to improve governance in a co-operative manner. Good governance is crucial to the development of sport, and governments should set minimum standards of governance, which should be met for sports bodies to receive public funds.

## 2.2 Good governance in sport: international agreements, frameworks and standards

### United Nations Educational, Scientific and Cultural Organization

#### 5th International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS V), Declaration of Berlin (2013)

Stresses that integrity of sport could be protected through better governance, where the whole Sports Movement, governments, law enforcement authorities, betting and other related industries, the media, athletes and their close entourage and society at large all support the efforts.

<http://unesdoc.unesco.org/images/0022/002211/221114e.pdf>

### African Union

#### Code of Good Relations between Governments, National and International Sports Federations (2011)

States and governments are responsible for defining and pursuing national sporting policies in the context of an integrated process of social development, and sporting federations are responsible for managing their respective sporting disciplines at the national and international levels.

Not available on the internet.

### Association of South East Asian Nations

#### ASEAN Ministerial Meeting on Sports (2011)

Works to the key principles of 'stakeholder representation', 'solidarity' and 'accountability'.

<http://www.asean.org/asean-socio-cultural/asean-ministerial-meeting-on-sports-amms/overview/>

### Council of Europe

#### Resolution on the Principles of Good Governance in Sport (2004) and Recommendations (2005)

Developed to ensure that the principles of good governance are integrated into sport policies and practices at national level, both in governmental and in non-governmental structures. Encourages sport bodies to use these principles as the basis for setting an equitable partnership between the public authorities and the Sports Movement.

Resolution [https://wcd.coe.int/ViewDoc.jsp?Ref=CM\(2004\)213&Language=lanEnglish&Site=CM](https://wcd.coe.int/ViewDoc.jsp?Ref=CM(2004)213&Language=lanEnglish&Site=CM)

Recommendations <https://wcd.coe.int/ViewDoc.jsp?id=850189&Site=CM>

### Parliamentary Assembly: Good Governance and Ethics in Sport (2012)

Proposed 'good governance and ethics in sports', which will act as guidelines for all the organisations involved. The proposed guidelines emphasise the need to address accountability and transparency (particularly reporting transparency) within sport organisations and advises sport organisations to comply with the International Olympic Committee (IOC) 'Basic Universal Principles of Good Governance of the Olympic and Sports Movement (2008)'.

<http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=18258&lang=en>

### European Union

#### Nice Declaration on the Specific Characteristics of Sport and its Social Function in Europe (2000)

Includes the principles of transparency, democracy, solidarity and ethics.

[www.europarl.europa.eu/summits/nice2\\_en.htm#an4](http://www.europarl.europa.eu/summits/nice2_en.htm#an4)

#### White Paper on Sport (2007)

In addition to the principles of the Nice Declaration, this White Paper argues that, for the principles of 'accountability' and 'representation of stakeholders' the greater responsibility of governance lies within sport governing bodies and to some extent member countries and social partners.

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52007DC0391>

### International Olympic Committee

#### Basic Universal Principles of Good Governance of the Olympic and Sports Movement (2008)

These guidelines clearly explain the movement's structures, regulations and democratic and decision-making processes, along with how to avoid conflict of interests and appeal against any decisions of a disciplinary nature. Among other principles, it explains who is accountable to whom with processes and mechanisms, while suggesting how to handle reporting and organisational transparency. It also explains the competence of members of the executive body and how to maintain integrity and ethical standards, as well as addressing solidarity, athletes' involvement, participation and care.

[http://www.olympic.org/Documents/Conferences\\_Forums\\_and\\_Events/2008\\_seminar\\_autonomy/Basic\\_Universal\\_Principles\\_of\\_Good\\_Governance.pdf](http://www.olympic.org/Documents/Conferences_Forums_and_Events/2008_seminar_autonomy/Basic_Universal_Principles_of_Good_Governance.pdf)

## 2.3 Good governance in sport: resources to support implementation

A number of Commonwealth governments have published online strategies and tools to support the improvement of the governance of domestic sport. These tools are aimed primarily at improving the governance of national sports associations and other sporting organisations (clubs, non-governmental organisations, etc.).

## Government of Australia

### Sports Governance Principles: A Good Practice Guide for Sporting Organisations

The purpose of these guidelines is to assist members of boards, chief executive officers and managers of sporting organisations to develop, implement and maintain a robust system of governance that fits the particular circumstances of their sport; to provide the mechanisms for an entity to establish and maintain an ethical culture through a committed self-regulatory approach; and to provide members and stakeholders with benchmarks against which to gauge the entity's performance. These guidelines include six major principles: 'board composition, roles and powers', 'board processes', 'governance systems', 'board reporting and performance', 'stakeholder relationship and reporting' and 'ethical and responsible decision making'. These principles advocate strengthening structures that support good leadership and decision-making and ensure sound and effective governance.

[http://www.ausport.gov.au/\\_\\_data/assets/pdf\\_file/0020/644303/CORP\\_33978\\_Sports\\_Governance\\_Principles.pdf](http://www.ausport.gov.au/__data/assets/pdf_file/0020/644303/CORP_33978_Sports_Governance_Principles.pdf)

## Government of Canada

### Pursuing Effective Governance in Canada's National Sport Community

Outlines governance principles to be adopted by funded sport organisations. The document offers information with definitions and ideas on how to implement these principles in the national sport context. The document suggests five principles, with a commitment to high standards of ethical behaviour: 'commitment to vision, mission, values and guided by a strategic plan', 'clarity of roles and responsibilities', 'effective financial control', 'focused on human resources' and 'transparent and accountable for outcomes and results'. Each of these principles has been elucidated with 'what, why and how', along with ideas to help those concerned understand each principle in a broader perspective.

<http://www.sportlaw.ca/wp-content/uploads/2011/12/FINALGovernancePrinciplesEN.doc>

## Government of New Zealand

### Nine Steps to Effective Governance: Building High Performing Organisations

Sport New Zealand has developed a nine-step model, which involves: 'get the right people on board', 'define and agree the board's role', 'employ and support a chief executive', 'provide strategic leadership', 'make board meetings count', 'stay on top of the governance role', 'develop the work plan', 'regularly review the board's performance' and 'provide purposeful director induction'.

<http://www.sportnz.org.nz/assets/Uploads/attachments/managing-sport/strong-organisations/Nine-Steps-to-Effective-Governance-Building-High-Performing-Organisations.pdf>

In addition, Sport New Zealand has produced:

- A governance framework for sport and recreation:  
<http://www.sportnz.org.nz/managing-sport/news/governance-framework-for-the-sport-and-recreation-sector>

- An organisation development tool:  
[www.sportnz.org.nz/managing-sport/tools-and-resources/organisational-development-tool-help](http://www.sportnz.org.nz/managing-sport/tools-and-resources/organisational-development-tool-help)
- A guide to managing sport:  
<http://www.sportnz.org.nz/managing-sport/using-managing-sport/>
- Help with board assessment through an online governance evaluation system:  
<http://www.sportnz.org.nz/managing-sport/tools-and-resources/board-assessment-online-governance-evaluation-system->

## Government of the United Kingdom

### Good Governance Guide (Sport England)

The 'good governance guide' developed by Sport England is particularly for not-for-profit organisations (sports bodies) that would like to seek funding for the benefit of their members and community through sports. The guidelines stress the need for not-for-profit organisations to have clear responsibilities and functions for board members, and to be led and controlled by an effective board of trustees that collectively ensures delivery of its objectives. The trustees should collectively be responsible and accountable for ensuring and monitoring the progress of the organisation. The guide emphasises the need for the board of trustees to function to high ethical standards and to deal properly with any conflicts of interest. Finally, the board should be open, responsive and accountable to its users, beneficiaries, members, partners and other interested parties.

<https://www.sportengland.org/about-us/governance/governance-strategy/>

### Voluntary Code of Good Governance for the Sport and Recreation Sector

The sports sector in the UK (through the Sport and Recreation Alliance UK) has produced its own voluntary code of good governance for sports organisations. This code is designed to help the sector aspire to and maintain good governance and to assist board members and executives in performing their role of making the organisation run better. The code presents seven principles for effective governance: 'integrity', 'defining and evaluating the role of the board', 'delivery of vision, mission and purpose', 'objectivity', 'standards, system and controls', 'accountability and transparency' and 'understanding and engaging with sporting landscape'.

<http://www.sportandrecreation.org.uk/governance/voluntary-code-of-good-governance>

## 3. Safeguarding in Sport

Sport provides a context that can promote a range of physical, psychological and social benefits. However, there is a growing awareness among sport organisations, scientists and athlete advocates of the damaging personal and organisational impacts of violence and abuse. There is increasing recognition that this represents a significant threat to the integrity of sport. Safeguarding is an attempt to mitigate these threats through taking actions to ensure everyone connected to sport is safe. Safeguarding can be applied in, around and through sport.<sup>19</sup>

Within sport there are threats to participants at the individual, relational and organisational level. At the individual level there are salient threats including injury, self-harm, disordered eating and depression. Relationships can be developed in sport that can leave participants vulnerable to emotional, physical and sexual abuse as well as sexual harassment and bullying. At the organisational level, systems and cultures can develop that promote over-training, participating with an injury, unhealthy initiation ceremonies and systematic doping. Safeguarding should be considered in the full range of contexts in which sport takes place. This includes organised and competitive sport as well as recreational sport and physical education. Abuse that takes place online in association with participating in sport also merits consideration. It should also be acknowledged that everyone involved in sport has the potential to perpetrate, observe and experience abuse. This includes coaches, parents, participants and their peers.

Research has demonstrated the prevalence of abuse in a range of countries across the Global North and South.<sup>20</sup> Recent research associated with the International Safeguards has involved working with 50 organisations all around the world.<sup>21</sup> This project has demonstrated that safeguarding in sport is an issue for all countries, irrespective of their size or location.

Safeguarding is also relevant around sport, particularly in relation to mega events. The positive 'social legacy' of sport events frequently masks more problematic issues, taking attention away from the safeguarding vulnerabilities. Identified risks have been classified with reference to four themes: child labour, displacement resulting from forced evictions for infrastructure development and street clearance, child sexual exploitation and human trafficking affecting children. Safeguarding thus represents one of a number of salient human rights issues associated with sports events.<sup>22</sup>

There is also potential to safeguard people through sport. This is particularly the case with regard to sport for development programmes.<sup>23</sup> Frequently, sport is used as a mechanism for repairing broken communities after human conflicts or natural disasters. Participants can therefore be safeguarded through the knowledge and skills that can be acquired through sports-based programmes. As emphasised in Principle 4 of the *Commonwealth Guide to Advancing Development through Sport*, there is a need for 'fully accessible programmes ensuring leaders and participants are safeguarded at all times'.<sup>24</sup>

Ministers have previously noted the power of sport to drive and support key developments, which ensures it has relevance with regard to the post-2015 development agenda. For sport to make a contribution to the cultural identity of the Commonwealth, and to the post-2015 Development Agenda, it is essential that sport is a safe context for everyone involved.



Governments can play an important role in facilitating safeguarding in, around and through sport by, for example, funding education programmes and systems to enable criminal background checks and through ensuring that safeguarding is a requirement of government funding. Research associated with the implementation of the International Safeguards has demonstrated the key role partnerships locally, nationally and internationally play.<sup>25</sup> Governments should work to develop and foster partnerships between sport and other organisations such as the police, child protection agencies and NGOs. International standards are emerging in this area, such as the International Safeguards for Children in Sport, and it is important that the work of governments be aligned with these standards.

### 3.1 Safeguarding in sport principles

1. In keeping with participants' fundamental human rights, including the right to play enshrined in the United Nations Convention on the Rights of the Child, everyone taking part in sport should be able to do so safely. Safeguarding in Sport should therefore be a key priority, ensuring that:
  - Safeguarding applies to all those involved in sporting activity – participants, athletes, coaches, officials, staff, volunteers and spectators.
  - Safeguarding applies to all sporting activity, formal and informal, including activity delivered through both sporting and Sport for Development and Peace organisations.
  - While everyone should be able to participate in sport safely, some groups are particularly vulnerable – young people, people with disabilities, minority groups and marginalised populations and, in many instances, girls and women – and should be a focus for safeguarding efforts.
  - Particular risk factors in certain sporting activities, such as elite performance sport and sporting events, should be taken into account.
2. National Safeguarding in Sport policy instruments should be put in place by member governments, backed by appropriate legislation where required.
3. National Safeguarding in Sport systems and mechanisms should be put in place by member governments and national sporting bodies. These should include the following:
  - A system to undertake appropriate background or criminal record checks of those involved in delivering sport to young people and vulnerable adults should be put in place.
  - Reports of incidents or actions that harm or endanger the safety of those involved in sport should be investigated and acted upon in a timely and respectful manner by appropriate authorities (either judicial or sporting).
  - Individuals subject to complaints should receive due process, within fair and transparent grievance and disciplinary systems.
4. Organisations delivering sporting activity should adopt the International Safeguards for Children in Sport or an equivalent national standard where this exists.
  - Government and sporting organisations should consider compliance with or progress towards these Safeguards as a condition of funding, recognition or registration to operate in a given member country.

5. Knowledge and awareness of Safeguarding in Sport and related issues should be increased. This should include:
  - Providing training to those involved in the delivery of sport;
  - Educating athletes, with a particular focus on those who are young or from other vulnerable groups, to understand their rights and how to report any concerns;
  - Educating athletes on what is appropriate and inappropriate behaviour towards each other, so they can interact in a manner that is tolerant, respectful and safe;
  - Increasing the capacity of sporting organisations to ensure they have the ability and expertise to provide a safe environment for all participants;
  - Recording data related to safeguarding in a systematic manner and making anonymised data available to experts and researchers, to support monitoring and evaluation and facilitate research into good practice.
6. Support the principles developed by the expert grouping Safe Sport International and the concept that the establishment of a global Safeguarding in Sport agency set up by the Sports Movement as a mechanism to monitor and quality assure compliance by international sporting federations, and National Olympic and Paralympic Committees and Commonwealth Games Associations.

### 3.2 Safeguarding in sport: international agreements, frameworks and standards

#### The United Nations Convention on the Rights of the Child

On 20 November 1989, the United Nations General Assembly adopted the United Nations Convention on the Rights of the Child (UNCRC), with 191 nations becoming signees. The UNCRC is the most ratified human rights treaty in the world. By signing the treaty, nations indicate their commitment to recognise children's dignity and healthy development as a fundamental right, as well as to incorporate the provisions into national law. Signees also agree to provide institutions and mechanisms to ensure children's rights are met and protected. There are three general categories of rights under the UNCRC: rights of provision, rights of protection and rights of participation. Each of these has relevance to the sports context. The UNCRC is the only legally binding framework with the aim of protecting children in sport.

- Article 19 states that everyone has the responsibility to protect all children from all forms of harm, abuse, neglect and exploitation.
- Article 31 expresses every child's right to participate in play and recreational activities  
[https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11&chapter=4&lang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en)

#### International Charter of Physical Education, Physical Activity and Sport, United Nations Educational, Cultural and Scientific Organization (UNESCO)

The revised International Charter of Physical Education, Physical Activity and Sport was adopted at UNESCO's 38th General Conference in November 2015. It highlights how sport and physical education can impact issues relevant to safeguarding. Article

10 discusses the protection and promotion of the integrity and ethical values of physical education, physical activity and sport and includes recognition that efforts must be made to 'protect the physical, psychological and social capabilities and well-being of participants' and that sport-based employers must respect 'basic human rights in particular to avoid child labour and human trafficking'.

<http://unesdoc.unesco.org/images/0023/002354/235409e.pdf>.

### Panathlon Declaration on Ethics in Youth Sport

Panathlon International is a worldwide network of sport organisations. It encourages sport, with an emphasis on fair play, as a means of promoting friendship and cultural values. Its Panathlon Declaration, formally endorsed on 24 September 2004, aims to encourage the development of positive values in youth sport. This declaration represents a commitment to go beyond discussion and to establish clear rules of conduct in the pursuit of the positive values in youth sport. The Declaration has been adopted by the United Nations Children's Fund (UNICEF), the IOC, SportAccord, international federations and National Olympic Committees.

[http://www.panathlon.net/agenda\\_leggi.asp?lingua=inglese&tabellaMenu=documenti&id\\_menusinistra=7&id\\_sottomenusinistra=0&id=8](http://www.panathlon.net/agenda_leggi.asp?lingua=inglese&tabellaMenu=documenti&id_menusinistra=7&id_sottomenusinistra=0&id=8)

### International Olympic Committee statements

The IOC promotes safe practices in the training of the elite child athlete. The elite child athlete is one who has superior athletic talent, undergoes specialised training, receives expert coaching and is exposed to early competition. This unique athlete population has distinct social, emotional and physical needs, which vary depending on the athlete's particular stage of maturation. The elite child athlete requires appropriate training, coaching and competition that ensure a safe and healthy athletic career and promote future well-being. *The IOC Statement on Training the Elite Athlete* reviews the scientific basis of sports training in the child and the special challenges and unique features of training elite children and provides recommendations to parents, coaches, health care providers, sports governing bodies and significant other parties.

<https://www.olympic.org/news/consensus-statement-adopted-on-training-the-elite-child-athlete>

In sport, sexual harassment and abuse give rise to suffering for athletes and others, and to legal, financial and moral liabilities for sport organisations. *The IOC Statement on Sexual Harassment and Abuse* summarises current scientific knowledge about the different forms of sexual harassment and abuse, the risk factors that might alert the sport community to early intervention and the myths that deflect attention from these problems. It also proposes a set of recommendations for awareness-raising, policy development and implementation, education and prevention and enhancement of good practice.

<https://www.olympic.org/news/ioc-adopts-consensus-statement-on-sexual-harassment-and-abuse-in-sport>

### The International Safeguards for Children in Sport

The recent formalisation and internationalisation of safeguarding in sport has made the issue increasingly significant for organisations that work with children in sport. The work has been driven by the International Safeguarding Children in Sport Founders Group. Working with more than 50 organisations, the group developed

the International Safeguards for Children in Sport. These set out the actions that all organisations working in sport should have in place to ensure children are safe from harm. They have been informed by research with a diverse range of perspectives from different countries and stakeholder groups. The eight safeguards are:

1. Developing Your Policy
2. Procedures for managing safeguarding concerns
3. Advice and Support
4. Minimising Risks to Children
5. Guidelines for Behaviour
6. Recruiting, Training and Communicating
7. Working With Partners
8. Monitoring and Evaluating

These aim to outline the things that should be put in place by any organisation providing sports activities to children and young people. The International Safeguards can be accessed at:

<http://www.sportanddev.org/en/learnmore/safeguarding/>

### Safe Sport International's declaration and principles

Safe Sport International (SSI) is a NGO that seeks to end violence and abuse against athletes. Its focus is on non-accidental harms—that is, those perpetrated knowingly and deliberately, that undermine both the mental and physical health of the athlete and the integrity of sport. SSI identified that the time was right for a co-ordinated international effort to prevent and respond to this violence as part of the global effort to uphold and protect the sporting values that are cherished. After a meeting in July 2014, the SSI launched its Declaration and Principles. This document outlines the principles upon which organisations can develop their safeguarding system. A range of influential organisations across sport have already signed up to this document.

<http://safesportintl.org.uk/education>

## 3.3 Safeguarding in sport: resources to support implementation

A number of international and national organisations have developed tool kits, training resources or templates, which are publicly available.

**IOC training resources:** information and video clips on issues including gender harassment, sexual abuse, homophobia and hazing. Definitions of these different abuses are provided, along with how they can occur. The resources were shared with athletes at the Youth Olympic Games in 2014:

<http://www.olympic.org/sha>

**Australian Sports Commission policy templates:** two separate member protection policy templates—one for sports organisations and one for sports clubs. The template for organisations includes template codes of conduct for coaches, parents, athletes and staff. Many sports organisations, particularly sports clubs and smaller organisations, rarely have sufficient insight and expertise to set up a coherent and structured child protection policy. These documents are fully completed at the

local level and the templates provide a framework to help people begin the process. The Member Protection Policy template reflects current legislative requirements in Australia and emerging issues in sport.

[https://www.clearinghouseforsport.gov.au/knowledge\\_base/organised\\_sport/sport\\_integrity/child\\_protection\\_in\\_sport](https://www.clearinghouseforsport.gov.au/knowledge_base/organised_sport/sport_integrity/child_protection_in_sport)

**Child Protection in Sport Unit's resource library:** establishes and supports sports organisations in the UK working towards standards when safeguarding children in sport. The resource library contains guidance and templates in a range of useful areas (e.g. policies, codes of conduct, video clips, recent research and checklists).

<https://thecpsu.org.uk/resource-library/>

**Respect in Sport online courses:** Respect in Sport has a mission to empower people to recognise and prevent abuse, bullying and harassment. The Respect Group collaborated with the Canadian Red Cross in the development of resources for this online course. It focuses on risk management and behaviour change and is applicable for a range of organisations that work with children, including those in the sports context. The philosophy is not about 'catching the bad guy' but is rather about empowering people to be better through education.

[www.respectinsport.com](http://www.respectinsport.com)

**Safe Network toolkit:** a toolbox of resources designed to help volunteer organisations in the UK to improve their practices with regard to the safeguarding of children. It includes resources to promote safer staff and volunteers, preventing bullying, running safe events, recording and storing information as well as working with partner organisations.

[http://www.safenetwork.org.uk/resources/safe\\_network\\_standards/pages/safe\\_network\\_standards\\_toolboxes.aspx](http://www.safenetwork.org.uk/resources/safe_network_standards/pages/safe_network_standards_toolboxes.aspx)

**Safe4Athletes website:** provides example resources developed in America. These include policies, procedures and guidance on safeguarding athletes in sport. There is also help for parents and videos to guide organisations towards creating a safer organisation.

[www.safe4athletes.org](http://www.safe4athletes.org)

**Child Helpline International:** a global network of 183 members in 142 countries that together receive over 14 million contacts a year from children and young people in need of care and protection. The organisation focuses on:

- providing child helplines in all stages of development with services
- working with the telecommunications sector to ensure free-of-costs access to child helplines for children everywhere
- working to strengthen national child protection systems by using child helpline data to advocate before key decision makers

<http://www.childhelplineinternational.org/>

Other sources of in-depth information on aspects of safeguarding in sport can be found in the following sources.

**Sport, Children's Rights and Violence Prevention:** the findings of a review commissioned by UNICEF of the protection of children against violence in sport. Perspectives from a range of Commonwealth countries are provided (e.g. the UK, Canada and Australia). This also provides summaries of key research findings and global policies and examples of local programmes.

<http://www.brunel.ac.uk/chls/life-sciences/sport-health-and-exercise-sciences/research/bcshaw/birnow>

**Safeguarding Youth Sport:** output of a European Commission project aimed to safeguard athletes through identifying integrity threats and improving conditions around training and competitions. It was informed by a literature review, status quo reports, focus groups with elite athletes and reviewing best practice examples. Key recommendations are made that target policy-makers, coaches, athletes, event and competition organisers and the developers of educational programmes.

<http://www.safeguardingyouthsport.eu/news>

**Preventing Sexualised Violence in Sport: A Catalogue of Good Practice:** European Commission project that aims to sensitise and raise awareness about the prevention of sexualised violence at all levels of the sports environment. The catalogue provides summaries of relevant interventions, safeguarding organisations and key research findings. It contains examples from across Europe and beyond.

<http://www.brunel.ac.uk/chls/life-sciences/sport-health-and-exercise-sciences/research/bcshaw/birnow>

**Women Sport International task forces:** focused on issues in sport including homophobia, sexual harassment and abuse, deaf/hard-of-hearing girls and the female athlete triad. More details on the different task forces can be found on the website.

<http://www.sportsbiz.bz/womensportinternational/>

**The National Child Safeguarding in Sport Panel (UK):** an example governments may wish to consider replicating, with representatives from the police, social services, offender management, family law and the body responsible for child protection in sport. The panel helps organisations in relation to:

- cases that carry a high threshold of risk to children and a reputational risk to the sport
- accessing a quality assured list of investigators and risk assessors who can be appointed to assist with investigations

<https://www.sportresolutions.co.uk/services/national-safeguarding-panel>

## 4. Against the Manipulation of Sports Competition

The international sporting movement has witnessed a proliferation of integrity threats over recent years. The corruption of sports competition contravenes the values and principles outlined in the Commonwealth Charter and undermines the positive impacts on social and economic development that sport provides. It also undermines public confidence in the integrity of sport and sporting events and is an area of growing concern, for not only the Commonwealth but all nations.

A concerted effort in strengthening the sports integrity environment is essential for the continued success of the sports sector and in maintaining public confidence that sporting competition is played on a level field and is free from all forms of corruption.

One of the most pressing integrity threats is the manipulation of sports competitions, or match-fixing. This form of corruption has undermined public confidence in sport on a global basis, with abundant examples of match fixing over recent years across a wide array of sports and countries. This threat is being driven by the growing popularity of sports betting, the increasing ease of access to online gambling products, inconsistency of legislative responses and sanctions and rapidly expanding partially regulated and unregulated sports wagering markets. Organised crime syndicates, operating across national boundaries and attracted by a low-risk/high-profit equation and money laundering opportunities, have increasingly focused efforts on corrupting sporting competitions.

The manipulation of sports competitions is not limited to professional or high-profile national sporting competitions. Lower-tier competitions attract match-fixing efforts because of the ubiquity of betting markets, lesser integrity protocols and, in many situations, the higher vulnerability of participants owing to inferior remuneration, a lack of education and awareness and other factors.

The threats posed to the integrity of sport from match-fixing and illegal gambling raise a number of complex challenges beyond the control of individual sporting codes. While international sporting organisations are actively seeking to improve public confidence in their competitions and mitigate the risk of match-fixing and other forms of corruption, reliance on the efforts of sports alone is insufficient to meet the challenge. To adequately address this issue, cooperation is essential across governments, sporting organisations, betting providers and law enforcement agencies.

Throughout the Commonwealth, many governments are actively working with the sporting movement, both within jurisdictions and at an international level, to address the threat of corruption to sports. The commissioning of the guiding principles against the manipulation of sporting competitions is another significant development in supporting Commonwealth countries to meet this challenge.

## 4.1 Against the manipulation of sports competition principles

It is recommended that member governments adopt the following principles related to policy against the manipulation of sports competition:

1. The manipulation of sport competition is a cross-border issue that needs a multi-sectoral response if it is to be tackled effectively. Sports organisations must work with government, law enforcement, gambling regulators and gambling operators to tackle this problem. Open and timely communication between these stakeholders will be at the heart of a successful response to the challenge.
2. The Commonwealth endorses the recommendations on the manipulation of sporting competition made in UNESCO's MINEPS V Declaration of Berlin.
3. Governments should put in place a national policy against the manipulation of sport competitions, backed by appropriate legislation where required. This legislation should penalise match-fixing behaviours, making them a criminal offence with significant penalties. National sporting bodies should develop sport-specific policies against the manipulation of sports competition, to include enforceable disciplinary provisions.
  - The CABOS policy templates (2014) provide a potential and appropriate model for such government and sporting body policies.
4. Governments should consider the creation of a national platform or body responsible for the facilitation of dialogue and information-sharing between all relevant stakeholders.
5. Athletes and others involved in sport should be educated to understand the risks involved in manipulating sporting competition and how to respond to any approaches they receive, to protect both themselves and their sport.
6. The Commonwealth is supportive of measures to increase cross-border police and judicial co-operation on the manipulation of sporting competitions both within and beyond the Commonwealth.

## 4.2 Against the manipulation of sports competition: international agreements, frameworks and standards

A summary of relevant current international agreements, standards, frameworks and initiatives has been developed to support the Commonwealth guiding principles against the manipulation of sports competitions.

### The Council of Europe Convention on the Manipulation of Sport Competitions

The Council of Europe Convention on the Manipulation of Sport Competitions (Macolin Convention) is the only transnational government initiative working towards a binding international convention to combat the manipulation of sports competitions.

The Macolin Convention recognises the role of all stakeholders in designing and implementing responses to match-fixing. It calls for parties to the Convention to adopt legislative, or other measures as necessary, to ensure effective co-operation between government, sports organisations, betting operators and other stakeholders at national and international levels.



To ensure the growing problem of the manipulation of sports competitions is addressed in the global context, the Macolin Convention allows ratification by states that are not members of the Council of Europe. The Macolin Convention currently has 22 Signatories.

[http://www.coe.int/t/dg4/epas/resources/convention-MF\\_EN.pdf](http://www.coe.int/t/dg4/epas/resources/convention-MF_EN.pdf)

### **The United Nations Educational, Scientific and Cultural Organization (UNESCO) International Conference of Ministers for Physical Education and Sport**

MINEPS is a forum facilitating knowledge exchange in the field of physical education and sport. In May 2013, more than 600 participants gathered in Berlin, Germany, for the 5th MINEPS Conference (MINEPS V). One of the key themes of the Conference was 'safeguarding the integrity of sport from the fraudulent manipulation of sport competitions'. The Declaration of Berlin was unanimously adopted by 121 represented Member States.

Commission III of the Declaration – *Preserving the Integrity of Sport*, contains a range of commitments key stakeholders agreed to undertake to address the manipulation of sporting events.

<http://unesdoc.unesco.org/images/0022/002211/221114e.pdf>

### **The International Olympic Committee Integrity Betting Intelligence System**

The IOC recognises that sports must work with government, law enforcement, gambling regulators and gambling operators to tackle the manipulation of sport competitions. Consistent with this principle, the IOC has developed the Integrity Betting Intelligence System (IBIS) as a source of betting information for the Olympic Movement.

The IOC launched IBIS in 2014 and the system was operating in time for the Sochi Winter Olympics.

IBIS collects alerts and information from betting operators and regulators in relation to suspicious sports betting activity on IOC events, and collates and analyses it before distributing it to relevant partners under Memoranda of Understanding.

[http://www.olympic.org/Documents/Reference\\_documents\\_Factsheets/Integrity\\_Betting\\_Intelligence\\_System\\_IBIS.pdf](http://www.olympic.org/Documents/Reference_documents_Factsheets/Integrity_Betting_Intelligence_System_IBIS.pdf)

## **4.3 Against the manipulation of sports competition: resources to support implementation**

### **The UK Sport and Sports Betting Integrity Action Plan**

The UK Sport and Sports Betting Integrity Action Plan ('the Plan') outlines the UK's approach to address risks to the integrity of sport and sports betting. The Plan sets out what is expected of sports governing bodies, athlete associations, betting operators and government in identifying and controlling risks associated with match-fixing and sports betting integrity.

The Plan acts to establish a framework to prevent sporting events and sports betting markets from being corrupted and recognises the need for stakeholders to act within their areas of responsibility, support others where appropriate and work as part of the broader British national platform.

<http://www.sbif.uk/images/Documents/FINAL-SBI-Action-Plan-V2.0.pdf>

### **The UK Sports Betting Integrity Forum**

The Sports Betting Integrity Forum has responsibility for implementing the Sport and Sports Betting Integrity Action Plan ('the Plan').

The Forum brings together representatives from sports governing bodies, betting operators, sport and betting trade associations, law enforcement and gambling regulation to support and co-ordinate individual and collective efforts in developing the Plan for enhancing integrity in sport and sports betting.

The Forum's website contains examples of industry best practice, education and case studies that members of the Commonwealth may find useful.

<http://www.sbif.uk/About-the-SBIF/Terms-of-Reference.aspx>

### **The Australian National Policy on Match-Fixing in Sport**

The Australian Government's National Policy on Match-Fixing in Sport ('the Policy') represents a commitment by the Australian government, along with its federated state and territory governments, to work together to address the issue of inappropriate and fraudulent sports betting and match-fixing activities.

The Policy articulates the roles and responsibilities of all Australian governments, sporting organisations and the betting industry; commits to nationally consistent legislative arrangements across all governments, sporting organisations and the betting industry; and details the approach to implementation of the Policy.

The Australian Policy is underpinned by a nationally consistent approach to dealing with match-fixing in Australia; information-sharing between governments, major sports betting operators and law enforcement; consistent national code of conduct principles for sport; and active participation in international efforts to combat corruption in sport, including an international code of conduct and an international body.

<http://www.health.gov.au/internet/main/publishing.nsf/Content/national-policy-on-match-fixing-in-sport>

### **The New Zealand Policy on Sports Match-Fixing and Related Corruption**

The New Zealand Policy on Sports Match-Fixing and Related Corruption ('the Policy') provides a national approach to address risks from match-fixing to the integrity of New Zealand sport. It acknowledges that a comprehensive approach to match-fixing needs to include integrated measures in both the government and the sport sector specific context.

Accordingly, the Policy comprises two distinct but linked parts. The first outlines a co-ordinated national policy approach involving relevant government agencies, the sports sector and the betting industry working together to address the issue of inappropriate and fraudulent sports betting, match-fixing and related corruption.

The second outlines the responsibilities of national sporting organisations in relation to the Policy, including compliance, adopting match-fixing rules, education programmes, sports betting agreements and information sharing.

<http://www.sportnz.org.nz/managing-sport/strategy-and-policy/match-fixing>

### **CABOS policy templates: against the manipulation of sports competitions**

In 2014, the Australian Government's National Integrity of Sport Unit (NISU) developed a number of policy templates to assist Commonwealth countries to implement their own rules to address the manipulation of sports competitions.

In developing the templates, it was recognised that each nation would approach the legality or otherwise of sports gambling differently. With this in mind, four policy templates were prepared (two for governments and two for sports) under scenarios in which sports gambling is either legal or illegal.

The government templates are designed to set in place a system of co-operative relationships between sporting organisations, governments and betting agencies, where appropriate. They also clearly identify the role of law enforcement in addressing the issue of manipulation of sports competitions.

The sports policy templates set out model provisions, rules and procedures as a guide for sporting organisations to develop and implement their own match-fixing policies, enabling them to establish their role in combatting the fraudulent manipulation of sports competitions as well as the roles of governments and betting agencies.

The content of the templates are drawn from Australia's existing match-fixing framework.

<http://assets.thecommonwealth.org/assetbank-commonwealth/action/viewAsset?id=27774>

### **The Sorbonne-ICSS Guiding Principles for Protecting the Integrity of Sports Competitions**

The Sorbonne-ICSS Guiding Principles for Protecting the Integrity of Sports Competitions provide a framework to protect the integrity of sport for stakeholders, including governments, sports, associated industries and betting operators.

The principles provide guidance to the legal, law enforcement and regulatory frameworks needed to help combat match-fixing and safeguard sports integrity. The principles are intended to be used and adapted by stakeholders with an interest in protecting sport from the threat of manipulation of sporting competitions.

The principles seek to contribute to greater harmonisation of legal and regulatory frameworks, and promote national and international co-operation between governments, sports organisations and sports betting operators.

The principles borrow from existing legislation, regulations or codes of conduct already in use, with some alignment to the provisions of the Council of Europe Macolin Convention on the Manipulation of Sports Competitions.

[http://www.theicss.org/images/uploads/Sorbonne-ICSS\\_Report\\_Guiding\\_Principles\\_WEB.pdf?lbisphreq=1](http://www.theicss.org/images/uploads/Sorbonne-ICSS_Report_Guiding_Principles_WEB.pdf?lbisphreq=1)

## Australian Keep Sport Honest e-learning program

The Australian *Keep Sport Honest* e-learning program is an integrity tool developed to assist Australian sports to educate athletes, support personnel, officials and others on identifying match-fixing, understanding its consequences and reporting incidents.

The program is an interactive online tool consisting of four modules, each providing a short quiz to test the participant's understanding of the content of each section. Participants must achieve a score of 100 per cent in order to receive an acknowledgment of completion.

In Australia, sports are required to adopt, and ensure compliance with, a formally endorsed match-fixing policy as part of their obligations in receiving government funding. These match-fixing policies require that all 'relevant persons' (those competing in events on which betting markets are available) undertake and complete the *Keep Sport Honest* e-learning program before competition.

<https://elearning.sport.gov.au/>

## Sport New Zealand match-fixing guiding principles poster and brochure

Underpinning the New Zealand Policy on *Sports Match-Fixing and Related Corruption* are guiding principles designed to assist people involved in sport. The guiding principles summarise the Policy in five simple rules to assist individuals to avoid match-fixing and inappropriate sports-betting incidents. The rules include:

1. be smart – know your sport's rules
2. be safe – don't bet on your sport
3. be clean – never fix a match
4. be open – tell your sport if you suspect match-fixing
5. be careful – don't share sensitive information

The guiding principles poster and brochure are designed to be easily accessible, highly visible documentation for individuals in sport. These references are designed to be readily available in highly trafficked locations that sporting individuals frequent, such as club rooms, sporting venues and training facilities.

<http://www.sportnz.org.nz/managing-sport/tools-and-resources/match-fixing-guiding-principles-brochure>

## Sport New Zealand Fight Match-Fixing online education tool

The New Zealand *Fight Match-Fixing* online education tool has been designed to help athletes, coaches, match officials and others to recognise match-fixing and understand its consequences.

The course is an interactive program featuring well-known New Zealand sporting identities. The course has four components to complete and features a short quiz after each component, seeking to reinforce the learnings provided in the course. The resource is a collaboration between Sport New Zealand and the New Zealand Olympic Committee and is available online for anyone to use.

<http://www.sportnz.org.nz/managing-sport/tools-and-resources/anti-match-fixing-course>

### **INTERPOL Integrity in Sport e-learning course**

INTERPOL has developed a global training, education and prevention initiative with a focus on match-fixing. The program offers a number of tools to protect sport from corruption, including national and regional workshops and e-learning modules.

The e-learning programs have been developed to educate the primary targets of match-fixers within the football community – with four separate modules for young players, players, referees and coaches. The aim of the modules is to help participants recognise, resist and report any form of match manipulation.

The e-learning modules are available online in English, French, Spanish and Dutch.

<http://www.interpol.int/Crime-areas/Crimes-in-sport/Integrity-in-sport>

## 5. Equality in Sport

A key value of organised sport is that it is grounded in fairness. Thus, we assume that the competitors are, to the greatest extent possible, evenly matched, and that they will make every effort to compete to the best of their ability. We acknowledge that, if some athletes are doping and others are not, the competition will not be fair, just as we acknowledge that it is not fair competition if some competitors, for whatever reason, are not competing to the best of their ability and are attempting to manipulate the outcome.

This emphasis on fairness extends to fair treatment of the participants in a sport. Those involved should not be treated unfairly by those charged with administering the sport; there should be rules and regulations that effectively safeguard the participants from injury and abuse and that protect them from those (e.g., administrators or gamblers) who seek unlawful or unfair financial gain from the competitors.

This value of fairness extends to equality in sport, not only in terms of equality of competition (e.g., establishing age or weight or skill or gender categories in an attempt to equalise the competition; establishing rules that preclude individual athletes from gaining an unfair advantage over others) but also in terms of who is able to participate. Modern organised sports, starting in the 1850s, were codified by male elites who established regulations (e.g. club membership rules, the rules of amateurism) that prevented non-elites from competing with or against them.

Organised sports democratised slowly up to the mid-20th century, but since that time have experienced a widespread change in terms of who is able to participate. This shift toward more inclusive participation is grounded in the human rights, civil rights and anti-colonial movements that followed the Second World War. If sport is, as is widely acknowledged, a 'social good', with value in terms of (among other things) physical, mental and community health, the integrity of sport based in principles of fairness is not served by an activity that is reserved for elites.

Despite a great many evident struggles to achieve the right to participate in sport – struggles that were often caught up in larger liberation and rights movements (e.g. the anti-apartheid movement and other struggles for racial inclusion in sport; the women's, gay, disability and aboriginal rights movements that include demands for greater fairness and inclusion in sport) – sport is still slowly moving towards the achievement of equality. For example, many elite athletes competing in the Olympics have had access to private education; women, persons with a disability and racial minorities are still struggling for greater/more equal access; gay athletes still feel threatened in many sporting contexts; and transgender athletes are just beginning their struggle for recognition in sport.

These movements were enabled during the 1950s and the 1960s by a growing sense, in the Global North, that everyone has a right to participate in sport, and that right was finally given form by the Council of Europe (1975) in the *Sport for All Charter*. The first article stated:

*Every individual shall have the right to participate in sport*

This was followed by UNESCO's *International Charter of Physical Education and Sport* (1978); the first article stated:

*The practice of sport and physical education is a fundamental right for all.*

As noted in the following section on relevant international conventions, this sense of the right to participate has been captured in many subsequent official documents, and has helped strengthen and justify the various struggles to achieve more access to participation in sport.

## 5.1 Equality in sport principles

It is recommended that member governments adopt the following principles related to equality in sport:

1. In keeping with the values and principles of the Commonwealth as set out in the Charter and the Commonwealth Games Federation core values of humanity, destiny and equality, every citizen of the Commonwealth should be encouraged to maximise their participation, enjoyment and potential in sport, in an environment of tolerance, respect and understanding, without fear of discrimination of any kind.
2. Equality of opportunity should be available at all levels of sport, from grassroots participation to elite competition, and steps should be taken to ensure that all who are interested are able to take up those opportunities. These should include:
  - Suitable adjustments made to participation opportunities to make them accessible to all (e.g. inclusion of people with disabilities, children and older people, and those requiring accommodations for religious or cultural reasons). Such adjustments should be made in discussion with the people affected.
  - Competition structures that provide opportunities for all.
  - Selection policies and practices that do not discriminate for reasons other than sporting performance.
  - The removal of all discriminatory behaviour, including bullying, both on and off the field of play, on the grounds of gender, ethnicity, religion, disability or sexuality.
3. Sport should comply with national equality legislation, with appropriate exceptions made for sporting competition (e.g. to allow single-gender competition). Sporting organisations should be encouraged and supported to put in place suitable equality policies and procedures.
4. The goal of equality in sport is wider than participation and steps should be taken by sporting organisations to ensure equality among sporting coaches, support staff, officials, volunteers, administrators and leaders.
5. Education and awareness-raising play a vital role in achieving equality in sport. Governments should work with sporting organisations to ensure all those involved in sport, regardless of role, are aware of their responsibility to foster equality in sport through tolerance, respect and understanding.
6. Sport can play a positive role in developing inclusion and equality in society. Sports for Development and Peace should be adopted as a national sport policy approach to maximise the use of sport as a tool contributing to equality and inclusion in wider society, in line with the *Commonwealth Guide to Advancing Development through Sport*.

## 5.2 Equality in sport: international agreements, frameworks and standards

### Universal Declaration of Human Rights (1948)

The right to participate in sport and recreation is implicit in these articles, which were reiterated in the subsequent United Nations International Covenant on Economic, Social and Cultural Rights (1966/1976).

Article 24: Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 27: (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

<http://www.un.org/en/universal-declaration-human-rights/>

The international framework for equality in sport is underpinned by the Universal Declaration of Human Rights and a number of international conventions and declarations on equality and non-discrimination that reference sport explicitly or implicitly.

### International Convention on the Elimination of All Forms of Racial Discrimination (1965)

Sport is not mentioned explicitly in this Convention, but is implicitly covered by 'the right to equal participation in cultural activities' [Article 5 (e)].

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>

### Convention on the Elimination of All Forms of Discrimination Against Women (1979)

This Convention includes the first explicit mentions of sport in a UN Convention. This includes 'the same opportunities (for women) to participate actively in sport and physical education' [Article 10 (g)] and 'the right (of women) to participate in recreational activities, sports and all aspects of cultural life' [Article 13(c)].

<http://www.un.org/womenwatch/daw/cedaw/>

### United Nations Convention on the Rights of the Child (1989)

This Convention includes a requirement for State Parties to 'recognise the right of the child to rest, leisure, to engage in play and recreational activities appropriate to the age of the child' [Article 31(1)] and to 'encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activities' [Article 31(2)].

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

### Convention on the Rights of Persons with Disabilities (2006)

This Convention includes a responsibility on state parties:

- a. to encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels
- b. to ensure that persons with disabilities have an opportunity to organise, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources



- c. to ensure that persons with disabilities have access to sporting, recreational and tourism venues
- d. to ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system
- e. to ensure that persons with disabilities have access to services from those involved in the organization of recreational, tourism, leisure and sporting activities [Article 30(5)]

<http://www.un.org/disabilities/convention/conventionfull.shtml>

### **Declaration on the Rights of Indigenous Peoples (2008)**

This asserts the right of indigenous peoples to 'maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions... including sports and traditional games' [Article 31(1)].

[http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

An international framework for equality in sport is also provided by sport-specific international agreements.

### **International Charter of Physical Education, Physical Activity and Sport (2015)**

In its first Article, the International Charter asserts that 'the practice of physical education, physical activity and sport is a fundamental right for all' and notes that this right is 'without discrimination on the basis of ethnicity, gender, sexual orientation, language, religion, political or other opinion, national or social origin, property or any other basis'. It states that 'inclusive, adapted and safe opportunities must be available to all' and that this extends to supervision and decision-making levels of physical education, physical activity and sport. It also requires the protection and promotion of traditional and indigenous games. [Article 1]

In highlighting the role physical education, physical activity and sport can play in the realisation of development, peace and post-conflict and post-disaster objectives, the Charter includes the role that sport for development and peace initiatives can play in promoting equality, while requiring that sport for development and peace initiatives be inclusive and culture-, gender-, age- and disability-sensitive.

<http://unesdoc.unesco.org/images/0023/002354/235409e.pdf>

The IOCs provide the Sports Movement framework for equality in sport.

### **Olympic Charter (IOC, 2013)**

The Charter is the guiding document of the IOC. Recognition of sport as a 'human right' was added during the 1990s, given that 'every individual must have the possibility of practising sport, without discrimination of any kind' [Article 4]. The Charter recognises that all the rights and freedoms in the Charter 'shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status' [Article 6].

[http://www.olympic.org/Documents/olympic\\_charter\\_en.pdf](http://www.olympic.org/Documents/olympic_charter_en.pdf)

Within the Commonwealth, equality is formalised within the Commonwealth Charter. The Commonwealth Games Federation provides the agreement on equality within the Commonwealth Sports Movement, and the Commonwealth Secretariat has developed a framework for promoting equality through sport.

The Charter of the Commonwealth (2013)

Whilst not explicitly mentioning sport, the Charter of the Commonwealth outlines the Commonwealth position on equality. This includes a commitment to human rights including equality without discrimination on any grounds, 'whether rooted in gender, race, colour, creed, political belief or other grounds' [Principle 2], accepts the Commonwealth's diversity [Principle 4] and recognises 'that gender equality and women's empowerment are essential components of human development and basic human rights' [Principle 12].

<http://thecommonwealth.org/our-charter>

### Constitution, Commonwealth Games Federation (2014)

The Constitution of the Commonwealth Games Federation asserts that 'there shall be no discrimination against any country or person on any grounds whatsoever, including race, colour, gender, religion or politics' [Article 7].

<http://www.thecgf.com/about/constitution.pdf>

The International Working Group on Women and Sport provides a strong framework for promoting gender equality in sport.

### Brighton Declaration on Women in Sport

Gender equality in sport has been specifically promoted through the creation of the International Working Group on Women and Sport. *The Brighton Declaration on Women in Sport* (1994) is considered a landmark statement on women's rights in sport.

<http://iwg-gti.org/the-brighton-declaration-on-women-and-sport/>

## 5.3 Equality in sport: resources to support implementation

**The Commonwealth Guide to Advancing Development through Sport (2013):** This Commonwealth publication includes guidance on advancing gender equality through sport and advancing equality and inclusion through sport.

<http://assets.thecommonwealth.org/assetbank-commonwealth/action/viewAsset?id=23162>

**International Working Group on Women in Sport resources:** The Montreal Tool Kit provides 20 tools in four areas: advocating for change, changing organisations, individual development and taking action.

[http://iwg-gti.org/wpiwg/wp-content/uploads/2015/05/Montreal-Toolkit\\_e.pdf](http://iwg-gti.org/wpiwg/wp-content/uploads/2015/05/Montreal-Toolkit_e.pdf)

The Sydney Scorecard provides data on women's global organisational leadership in sport organisations.

<http://www.sydneyscoreboard.com>

A number of Commonwealth governments have published online strategies and tools to promote equality in sport and prevent discrimination.

## Government of Australia

The Australian Sports Commission has produced a range of fact sheets and programme overviews:

- disability inclusion [www.ausport.gov.au/participating/resources/disability](http://www.ausport.gov.au/participating/resources/disability)
- indigenous Australians [www.ausport.gov.au/participating/resources/indigenous](http://www.ausport.gov.au/participating/resources/indigenous) and [www.ausport.gov.au/participating/eitaap](http://www.ausport.gov.au/participating/eitaap)
- women in sport [www.ausport.gov.au/participating/women](http://www.ausport.gov.au/participating/women) and [www.ausport.gov.au/supporting/governance/sport\\_leadership\\_register](http://www.ausport.gov.au/supporting/governance/sport_leadership_register)
- fact sheets [www.ausport.gov.au/participating/resources/resources/fact\\_sheets](http://www.ausport.gov.au/participating/resources/resources/fact_sheets)
- coaching tools [www.ausport.gov.au/participating/resources/coaches](http://www.ausport.gov.au/participating/resources/coaches)
- useful resources [www.ausport.gov.au/participating/resources](http://www.ausport.gov.au/participating/resources)
- Play By the Rules: The Australian Sports Commission and Australian Human Rights Commission have developed a range of resources promoting and reinforcing the messages of safety, fairness and inclusion on and off the sporting field. These provide a diverse range of information, resources, tools and free online training to increase the capacity and capability of administrators, coaches, officials, players and spectators. These tools assist them in preventing and dealing with discrimination, harassment and child safety issues in sport. [www.playbytherules.net.au/](http://www.playbytherules.net.au/)

## Government of Canada

The Government of Canada has created a number of policy instruments aimed at promoting equality in sport, which may provide useful examples for other Commonwealth governments to take learnings from:

- The Physical Activity and Sport Act <http://laws-lois.justice.gc.ca/PDF/P-13.4.pdf>
- Canadian Sport Policy [http://sirc.ca/sites/default/files/content/docs/pdf/csp2012\\_en.pdf](http://sirc.ca/sites/default/files/content/docs/pdf/csp2012_en.pdf)
- Actively Engaged: A Policy on Sport for Women and Girls <http://canada.pch.gc.ca/eng/1414511367652/1414602693839>
- Policy on Aboriginal Peoples' Participation in Sport [http://canada.pch.gc.ca/DAMAssetPub/DAM-PCH2-sport-sport/STAGING/texte-text/aboriginal\\_v4\\_1427718207856\\_eng.pdf?WT.contentAuthority=13.0](http://canada.pch.gc.ca/DAMAssetPub/DAM-PCH2-sport-sport/STAGING/texte-text/aboriginal_v4_1427718207856_eng.pdf?WT.contentAuthority=13.0)
- Policy on Sport for Persons with a Disability <http://canada.pch.gc.ca/eng/1414513635858/1414513676681>
- The Sport Funding and Accountability Framework includes annual requirements that organisations receiving funding are in compliance with the policies on gender, disability, aboriginal and linguistic inclusion (French and English), and a policy to prevent harassment.
- <http://canada.pch.gc.ca/eng/1414085666196>

## Government of New Zealand

The New Zealand Sports Council, Sport NZ, supports three programmes that aim to increase opportunity in sport and recreation for specific groups, including two for the indigenous Māori population:

- He Oranga Poutama has the 'goal of increasing participation and leadership as Māori in sport and traditional physical recreation at community level' <http://www.sportnz.org.nz/managing-sport/programmes-and-projects/he-oranga-poutama>
- Kori ki te kura offers 'resources to help Maori schools develop and maintain a physically active school community' <http://www.sportnz.org.nz/managing-sport/guides/kori-ki-te-kura>
- KiwiSport aims to increase the accessibility and availability of sport for all children in schools <http://www.sportnz.org.nz/managing-sport/programmes-and-projects/kiwisport>

## Government of the UK

Sport in the UK is devolved. England, Scotland, Wales and Northern Ireland have developed a range of resources:

- Sports Club Equity Policy Statement template [www.sportni.net/sportni/wp-content/uploads/2013/03/02-Template-Equity-Policy-Statement.docx](http://www.sportni.net/sportni/wp-content/uploads/2013/03/02-Template-Equity-Policy-Statement.docx)
- women and sport factsheet <https://www.sportengland.org/our-work/women/>
- women and sport online guide [www.sportengland.org/our-work/equality-diversity/women/helping-women-and-girls-get-active/](http://www.sportengland.org/our-work/equality-diversity/women/helping-women-and-girls-get-active/)
- women and sport research on barriers [www.sportengland.org/research/encouraging-take-up/key-influences/sport-and-women](http://www.sportengland.org/research/encouraging-take-up/key-influences/sport-and-women)
- women and sport example programme [www.sportengland.org/our-work/national-work/this-girl-can/](http://www.sportengland.org/our-work/national-work/this-girl-can/)
- people with disabilities research <https://www.sportengland.org/our-work/disability-sport/>
- including people with disabilities in a sports club template [www.sportni.net/sportni/wp-content/uploads/2013/03/03-Including-People-with-Disabilities-in-Your-Club-Guidelines.docx](http://www.sportni.net/sportni/wp-content/uploads/2013/03/03-Including-People-with-Disabilities-in-Your-Club-Guidelines.docx)
- appropriate facilities fact sheet, which includes a section on appropriate facility construction and maintenance in 'disadvantaged communities' [http://sport.wales/media/929206/appropriate\\_facilities.pdf](http://sport.wales/media/929206/appropriate_facilities.pdf) (p. 2)

## 6. Anti-Doping in Sport

Anti-doping programmes seek to preserve the essence of sport, which is characterised by values such as honesty, fairness, respect, courage, commitment and solidarity.

Doping is harmful to athletes, destroys equitable competition and does irreparable damage to the credibility of sport. The impact of doping extends beyond the athletes concerned; it undermines the intrinsic value of sport.

Sport can be a powerful vehicle for peace by forging social ties and networks as well as mutual respect and understanding between peoples. Sport contributes to development. It is also an important learning tool for young people, where they learn about fair play, teamwork and cooperation. These lessons help shape lasting attitudes and values.

The fight against doping in sport and protecting the rights of the clean athlete depends on international harmonisation as well as a partnership between governments and the Sports Movement. This approach is embodied by the World Anti-Doping Agency (WADA), established in 1999 with equal funding and representation from governments, and the Sports Movement, WADA's primary function is to oversee the World Anti-Doping Programme, which consists of the World Anti-Doping Code ('the Code'), a series of international standards and models of best practice.

The Code provides a comprehensive framework to protect the fundamental right of athletes to participate in doping-free sport. It establishes obligations on all signatories that harmonise, co-ordinate and ensure the delivery effective of anti-doping programmes at the international and national levels with regard to the detection, deterrence and prevention of doping. WADA closely monitors signatories' compliance with the Code.

Governments have obligations under the International Convention against Doping in Sport Convention (2005, 'the Convention'). The purpose of this Convention is to promote the prevention of, and the fight against, doping in sport with a view to its elimination. It represented the first time that governments around the world agreed to apply the force of international law to anti-doping. This is important because there are specific areas where only governments possess the means to take the fight against doping forward. Action is required to target athlete support personnel, to curtail the trafficking of prohibited substances and to regulate dietary or nutritional supplements. The Convention also helps ensure co-ordination of testing and the development of education, training and research programmes.

Through the Convention, governments support the principles of the Code and recognise the importance of other international standards developed by WADA in harmonising policy and practice worldwide. Together, the Convention and the Code help provide an honest and equitable playing environment for all athletes.

The Copenhagen Declaration on Anti-Doping and Sport (2003) laid the foundation for sustained intergovernmental co-operation and harmonisation of anti-doping policies and practices. The purpose of the declaration was to provide a mechanism for governments to recognise and support WADA leading to the development of the Convention.

## 6.1 Anti-doping in sport principles

It is recommended that member governments adopt the following principles related to anti-doping in sport:

1. Doping has no place in sport. Athletes should be able to compete on a fair and level playing field and be confident that they and their competitors are doing so. Doping undermines the sporting experience of athletes, puts athletes' health at risk and devalues sport in the eyes of the public.
2. The Commonwealth supports the World Anti-Doping Agency (WADA) as the lead organisation in the global fight against doping in sport and continues to recognise the World Anti-Doping Code (the Code) as the foundation in that fight. The Commonwealth affirms its support for the UNESCO International Convention against Doping in Sport (2005), which provides a legal framework within which all governments can take action to remove doping from sport and commit to the principles outlined in the Code.
3. Governments should put in place appropriate national legislation, regulation, policies and/or administration practices to comply with the obligations contained in the Convention and principles in the Code. National sports bodies should be encouraged and supported to put in place rules, policies and practices in line with their International Sports Federation and in accordance with WADA's guidelines and model rules.
4. Each government should work together with the relevant Commonwealth Games Association to support (or work towards the establishment of) an autonomous national anti-doping organisation or be a member of a Regional Anti-Doping Organisation, meeting WADA's international standards.
5. Government, public bodies, sports organisations and national anti-doping organisations should share information to support the effective implementation of the Code, including the investigation of anti-doping rule violations, subject to the relevant national laws on privacy and protection of information.
6. Governments are encouraged to facilitate doping controls and provide funding or support for a national testing programme.
7. Sanctions should be imposed consistently by all signatories and nations in accordance with the Code and Convention respectively for those athletes and athlete support personnel who commit an anti-doping rule violation.
8. Governments, national anti-doping organisations and sports organisations should work together to ensure that athletes and athlete support personnel receive suitable values-based preventative education and training in the risks of doping and know how to fulfil their roles and responsibilities under the Code.

## 6.2 Anti-doping in sport: international agreements, frameworks and standards

### United Nations Educational, Scientific and Cultural Organization (UNESCO) International Convention against Doping in Sport 2005

The purpose of the Convention is to promote the prevention of, and the fight against, doping in sport, with a view to its elimination. Such an international legal framework is needed to give effect to the Code and to formalise global anti-doping rules, policies and guidelines that provide a healthy and equitable environment for all athletes.

There is a degree of flexibility in the approach governments can take to give effect to the Convention, by way of legislation, regulation, policies or administrative practices. However, it is anticipated that governments will take specific action to:

- restrict the availability of prohibited substances or methods to athletes (except for legitimate medical purposes) including measures against trafficking
- facilitate doping controls and support national testing programmes
- withhold financial support from athletes and athlete support personnel who commit an anti-doping rule violation, or sporting organisations that are not in compliance with the Code
- encourage producers and distributors of nutritional supplements to establish 'best practice' in the labelling, marketing and distribution of products that might contain prohibited substances
- support the provision of anti-doping education to athletes and the wider sporting community.

<http://www.unesco.org/new/en/social-and-human-sciences/themes/anti-doping/international-convention-against-doping-in-sport/>

### Anti-Doping Convention 1989 (Council of Europe)

The Anti-Doping Convention, developed by the Council of Europe, entered into force on 1 March 1990. It has been ratified by 52 states and it is open to non-Member States of the Council of Europe (for example Australia and Canada are States Parties).

The main objective of the Convention is to promote the national and international harmonisation of the measures to be taken against doping.

States parties to the Convention have a legal obligation to adopt legislative, financial, technical, educational and other measures to address doping in sport. Key obligations include:

- creation of a national co-ordinating body
- reducing the trafficking of doping substances and the use of banned doping agents
- reinforcing doping controls and improving detection techniques
- supporting education and awareness-raising programmes
- guaranteeing the efficiency of sanctions taken against offenders
- collaboration with sports organisations at all levels, including at the international level
- use of accredited anti-doping laboratories

An Additional Protocol to the Convention entered into force on 1 April 2004. The protocol aims to ensure the mutual recognition of anti-doping controls and implementation of the Convention.

[http://www.coe.int/t/dg4/sport/doping/convention\\_en.asp](http://www.coe.int/t/dg4/sport/doping/convention_en.asp)

## World Anti-Doping Code 2015 (WADA)

The World Anti-Doping Code is the core document that harmonises anti-doping policies, rules and regulations within sport organisations and among public authorities around the world.

It works in conjunction with five international standards that aim to foster consistency among anti-doping organisations in various areas: testing; laboratories; therapeutic use exemptions; the list of prohibited substances and methods; and the protection of privacy and personal information.

This unified approach addresses problems that previously arose from disjointed and unco-ordinated anti-doping efforts, including, among others, a scarcity and splintering of resources required to conduct research and testing; a lack of knowledge about specific substances and procedures being used and to what degree; and an inconsistent approach to sanctions for those athletes found guilty of doping.

The latest version of the Code entered into force on 1 January 2015.

<https://www.wada-ama.org/en/resources/the-code/world-anti-doping-code>

## United Nations Educational, Scientific and Cultural Organization (UNESCO) International Charter of Physical Education, Physical Activity and Sport 2015

The International Charter of Physical Education, Physical Activity and Sport, first developed in 1978, was revised in 2015 to highlight the health benefits of physical activity, the inclusion of persons with disabilities, the protection of children, the role of sport for development and peace and the need to protect the integrity of sport from doping, violence, manipulation and corruption.

Article 10 focuses on the protection and promotion of the integrity and ethical values of physical education, physical activity and sport. The Charter notes that:

*Every effort must be made to counter the harmful effects of doping, and to protect the physical, psychological and social capabilities and well-being of participants, the virtues of fair play and competition, the integrity of the sporting community and the rights of people involved at every level. The universally adopted anti-doping rules must be implemented at all levels of performance by the competent international and national authorities.*

<http://unesdoc.unesco.org/images/0023/002354/235409e.pdf>

## Declaration of Berlin 2013 from the Fifth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport

Commission III of MINEPS V focused on preserving the integrity of sport. Through the Declaration of Berlin, Ministers committed to an ongoing information exchange among all stakeholder groups to secure the integrity of sport as well as raising public awareness about the risks of doping. All governments were called upon to implement, to the greatest extent possible, measures consistent with the Convention to assist in the fight against doping in sport. The importance of investigations and intelligence-gathering was also acknowledged.

<http://unesdoc.unesco.org/images/0022/002211/221114e.pdf>



## Copenhagen Declaration on Anti-Doping and Sport 2003

The Second World Conference on Doping in Sport approved the first World Anti-Doping Code in 2003. The government representatives at the conference also approved the Copenhagen Declaration on Anti-Doping and Sports. Government signatories of the Declaration have given a moral and political commitment to the Code and agreed to recognise and support of WADA. The Declaration also signalled the intention of governments to develop an international legal framework to combat doping in sport (the Convention).

Governments cannot be legally bound by the Code because it is a non-governmental document that operates in the realm of private or contractual law and because WADA was legally established as a private foundation under Swiss law. Only an international convention can create binding obligations on governments.

[https://wada-main-prod.s3.amazonaws.com/resources/files/WADA\\_Copenhagen\\_Declaration\\_EN.pdf](https://wada-main-prod.s3.amazonaws.com/resources/files/WADA_Copenhagen_Declaration_EN.pdf)

## 6.3 Anti-doping in sport: resources to support implementation

### United Nations Educational, Scientific and Cultural Organization (UNESCO) Fund for the Elimination of Doping in Sport

The Fund for the Elimination of Doping in Sport was established to help states parties meet their obligations under the Convention.

It has been designed to ensure that all governments are able to play an active role in combatting doping in sport. Priority is given to applications from least developed states parties or low-income countries as defined by the United Nations Economic and Social Council's Committee for Development Policy.

Financial assistance can be used for:

- preventative education programmes
- the alignment of legislation, regulations or policies with the Convention
- activities that help build anti-doping capacity

State parties applying must have ratified the Convention and submitted a report on their compliance with the Convention in order to be eligible to receive funding.

Applications for national projects should not exceed US\$ 20,000. The maximum amount of assistance for each sub-regional, inter-regional or regional project is US\$ 50,000.

There is no set deadline for applications to the Fund.

Requests for assistance under the Fund should be made through the National Commission for UNESCO or a designated government channel.

<http://www.unesco.org/new/en/social-and-human-sciences/themes/anti-doping/fund-for-the-elimination-of-doping-in-sport/>

### Regional Anti-Doping Organisations (WADA)

Regional Anti-Doping Organisations (RADOs) have been established by WADA, through partnerships with a range of public authorities (including initial support from the Commonwealth Secretariat) and sporting bodies, to help countries and develop

anti-doping programmes that are in regions of the world where no quality anti-doping activities have been established. These RADOs bring together several countries within a geographic area to mobilise and pool for anti-doping resources. They help ensure that all athletes in all countries and in all sports are subject to the same anti-doping protocols and processes, including doping controls.

<https://www.wada-ama.org/en/regional-anti-doping-organizations-rado>

### **Anti-doping educational tools (WADA)**

WADA has developed a broad range of freely available education tools and resources to help stakeholders promote doping-free sport. These include:

- toolkits for teachers, coaches, doping control officers and medical staff
- videos about doping controls
- an interactive quiz
- books for young people

Model guidelines for effective education programmes have also been developed in conjunction with the Council of Europe.

<https://www.wada-ama.org/en/tools-for-stakeholders>

### **Institute of National Anti-Doping Organisations (iNADO)**

iNADO is the peak body for National Anti-Doping Organisations (NADOs) and their staff. Its mission is to promote and share best practices among its members and to be NADOs' international voice.

There are currently 56 members of iNADO. The organisation serves its members by:

- sharing anti-doping resources, including template documents, legal notes and intelligence and investigation resources
- working with members to solve technical anti-doping issues
- providing a training programme for new NADO staff
- supporting professional development through an annual workshop, and by supporting the seminars, conferences and meetings offered by its members
- providing regular communications and updates on anti-doping developments and issues
- establishing expert networks in areas such as testing and WADA's technical documents, law, intelligence and investigations
- facilitating co-operation with anti-doping stakeholders

<http://www.inado.org/home.html>

# Endnotes

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