

## Sport Integrity Australia – JCPAA Inquiry into the effectiveness of Australia's national anti-doping scheme – Updated Responses to Questions on Notice

### Question 8—renumbered by SIA as question 7(d)

**What was the rationale for SIA choosing in March 2024 to 'assess' an allegation of possible anti-doping rule violations (see paragraphs 4.28–4.29) rather than following its normal documented procedures?**

*Comment from JCPAA Committee: The response provided does not explain why SIA deviated from its standard investigation process when the intelligence was received. SIA is asked to respond to the particular findings of the ANAO in paragraphs 4.28-4.29 when it provides a rationale for its decision to 'assess' an allegation of possible anti-doping rule violations rather than following its normal documented procedures.*

### **Updated Response:**

SIA did not deviate from its standard investigation process. The International Standard for Testing and Investigations (11.3.1) articulates that intelligence should first be assessed before considering further investigative actions. The International Standard (11.3.2 and 12.2) details “reasonable cause to suspect” as the relevant standard at which an anti-doping rule violation (ADRDV) should be commenced. Based on the information disclosed in Parliament and provided to SIA, the information did not reach the reasonable cause to suspect standard.

The publicly available SIA assessment articulates the reasons why there are no ADRV's to be considered in this case – largely centred around a clear distinction between possible out-of-competition use (and actions of support staff) and in competition use.

The ANAO report suggests the allegations were not entered into the case management system – however we note the first entry into the case management system was an incident report based on media reporting on 27 March 2024 (one day following the disclosure in parliament), and then a generic case created on 3 April 2024 shortly after this).

The ANAO report correctly identifies that all information received was not triaged into the case management system in exactly the same manner as other intelligence received by the agency, nor all decision making documented. SIA accepts this and notes the opportunity for continuous improvement, including documenting operational decision making, including based on intelligence /information received.

Improvements have already been made in response to the ANAO report, including the formation of a new Anti-Doping Intelligence and Investigations Panel weekly meeting. The panel discusses and documents decision making on intelligence received that may (or may not) warrant any further assessment or eventual investigation. These are documented in the recently launched new case management system.

#### Further Information

SIA receives a volume of information/intelligence each week which is triaged (assessed) by the agency. Only a small percentage of that information may prompt an ADRV investigation. For the information that does not trigger an ADRV investigation, or meet the threshold, a range of other steps are available to the agency in how it deals with intelligence, including no further action at all. These actions are available through SIA's role and functions as set out in the Sport Integrity Australia Act 2020 and the Sport Integrity Australia Regulations 2020, and include playing a national coordination role for all sport integrity related matters, investigating threats to sports integrity and providing assistance and advice to sports administrators.

It was considered at the time, that although the information did not meet the threshold to commence an ADRV investigation, the information could inform SIA's national coordination role for sport integrity related matters and potential advice to sports as it relates to illicit drug use in sports. One tangible outcome of the report has been a SIA led national round table on illicit drugs in sport (August 2025).

**Question 16—renumbered by SIA as question 14**

- (a ) Which user-pays sports put forward a list of names for testing in each year since 2022, and how many names were on each list?**
- (b) How many athletes were tested from each of these lists in each year since 2022?**
- (c) How many athletes were tested more than once in a year in each year since 2022?**

*Comment from JCPAA Committee: SIA declined to provide the requested information for operational reasons, in addition to the protected information provisions in the Sport Integrity Australia 2020 Act (ss4, 67A-70).*

*Parliamentary privilege is not affected by provisions in statutes which prohibit in general terms the disclosure of categories of information.*

*Statutory provisions of this type do not prevent the disclosure of information covered by the provisions to a House of the Parliament or to a parliamentary committee in the course of a parliamentary inquiry. They have no effect on the powers of the Houses and their committees to conduct inquiries, and do not prevent committees seeking the information covered by such provisions or persons who have that information providing it to committees. <sup>[1]</sup>*

**Updated Response:**

a.

The WADA International Standard for Testing and Investigations includes at clause 4.5.3 a list of factors relevant to determine which athletes should be subject to targeted testing by an anti-doping organisation such as SIA. This list among other items includes *reliable information from a third party. Information provided by sports fits within this definition and specific provision from the World Anti Doping Code.*

We receive information from many sports and international partners who identify individuals of interest from an anti-doping perspective. Information from sport partners represents an important part of the operational information we rely on in the fight against doping.

We work closely with our government funded and User Pays sports to support their testing programs. We approach all sports and actively seek input from each sport regarding which athletes should be considered for testing. Prior to any information being shared, we engage in a detailed discussion with the sport to identify relevant athlete risk factors, these typically include specific risk factors that that we consider relevant in determining who to test.

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<sup>[1]</sup> Odgers' Australian Senate Practice, 14<sup>th</sup> Edition, 2016, p. 68.

Following these discussions, sports then provide a name/(s) for our consideration. The number of athletes for each sport vary year to year. We review the lists provided and consider our own internal holdings/intelligence against these athletes when determining who we place onto a Testing Pool or who is suitable for testing.

SIA undertakes all decision making for who is tested in each sport for both our Government Funded and User Pays programs.

In respect to the user pays sports, the AFL and NRL have provided lists of athletes.

**Australian Football League (AFL)**

- 2022 (season 2023) = 95
- 2023 (season 2024) = 37
- 2024 (season 2025) = 51 (as per ANAO report)

**Australian Rugby League Commission (NRL)**

- 2022 (season 2023) = Not provided
- 2023 (season 2024) = 31
- 2024 (season 2025) = 178

b.

**Australian Football League (AFL)**

- 2022 (season 2023) = 36 of 95
- 2023 (season 2024) = 22 of 37
- 2024 (season 2025) = 50 of 51 (as per ANAO report)

**Australian Rugby League Commission (NRL)**

- 2022 (season 2023) = Not provided
- 2023 (season 2024) = 18 of 31
- 2024 (season 2025) = 108 of 178

c.

**Australian Football League (AFL)**

- 2022 (season 2023) = 1
- 2023 (season 2024) = 2
- 2024 (season 2025) = 13

**Australian Rugby League Commission (NRL)**

- 2022 (season 2023) = Not provided
- 2023 (season 2024) = 2
- 2024 (season 2025) = 14

*Note: These figures refer to multiple tests on athletes included on the list from sport (not multiple tests on all athletes in the sport that year)*

d.

Sport	2022*	2023*	2024*
AFL (Includes AFL, AFLW, WAFL and SANFL)	248	336	248
Basketball	97	56	75
Cricket	44	116	105
Football (Includes both A Leagues)	271	367	240
Rugby League (Includes NRL, NRLW, NSWRL and QRL)	704	699	715
Rugby Union	252	260	182

\* This is the number of Tests collected. Meaning, multiple samples such as blood and urine could have been collected from 1 test.