



Sports betting, integrity and courtsiding

On 15 January 2014, a man was arrested for “courtsiding” at the Australian Open. Reports indicate this arrest represents the first in the world for tennis and is the first tennis related arrest in Victoria since the introduction of new legislation in 2013. Prior to the introduction of new legislation, the Australian Open had event rules in place that banned courtsiding and those suspected of doing it could be expelled from Melbourne Park where the event takes place. The change in legislation means they can now be charged with an offence.

Courtsiding

Courtsiding involves placing bets with the help of courtside information, allowing a gambler to place a bet during the time delay between live play and broadcast or transmission of events to those not at the event.

The law in Victoria

On 24 April 2013, the *Crimes Amendment (Sports Integrity) Act* came into effect. This Act amended the *Crimes Act 1958* in Victoria to create offences in relation to match fixing, race fixing and cheating at gambling.

Background

The Victorian Government amended the *Crimes Act 1958* as part of an Australian-wide **National Policy on Match Fixing in Sport**. This policy, endorsed in June 2011 by all state and federal sports ministers, aims to protect the integrity of Australian sport, keeping it free from cheating and incentives for cheating. It does this via agreement between the states, territories and the Commonwealth to implement consistent criminal laws in relation to match fixing and cheating at gambling.

Although it is common in many tennis and other sporting events around the world for courtsiding to be banned, the move among Australian states to make it criminal is indicative of increasing concern in Australia with protecting the integrity of sport. The increase in offerings and advertising of bets on sport by corporate bookmakers over the last five years has driven this concern, which traditionally only arose in relation to horse and dog racing.

Victoria has also responded to this increasing concern by placing control over what bets could be offered on a sport in the hands of the regulator, in conjunction with the sporting bodies concerned. For example, bets on events in sports such as the AFL or NRL require permission from these bodies for each type of bet and final approval for them from the Victorian Commission for Gambling and Liquor Regulation.

Offences

In Victoria it is now illegal to:

- 'Engage' in or 'facilitate' conduct that corrupts or would corrupt a betting outcome of an event or event contingency
- Conceal such conduct, agreements or arrangements
- Use corrupt information for betting purposes.

Each of these offences carries a maximum penalty of 10 years imprisonment.

What does the law mean for sports betting?

When placing a sports bet, it is illegal to affect the outcome of a bet in any event or event contingency. This means a punter cannot act 'contrary to the standards of a reasonable person' when placing a bet. This legal terminology may be taken to mean, not betting in a manner ordinary people would consider cheating.

Under the new legislation, a sports betting 'event' is defined broadly to capture all events that take place in Victoria or elsewhere in Australia, whether in sport or another activity. Furthermore, the law includes any contingencies connected to an event on which a bet can be made. For example, which team will score next during a football match or which player will win the next game in a tennis match.

Other Jurisdictions

In response to the 'National Policy on Match Fixing in Sport' New South Wales passed the [Crimes Amendment \(Cheating at Gambling\) Act 2012](#), South Australia passed the [Criminal Law Consolidation \(Cheating at Gambling\) Amendment Act 2013](#), the Australian Capital Territory passed the [Criminal Code \(Cheating at Gambling\) Amendment Act 2013](#), and the Northern Territory passed the [Criminal Code Amendment \(Cheating at Gambling\) Act 2013](#).

More information

[Crimes Act 1958 \(Vic\)](#)

[Crimes Amendment \(Sports Integrity\) Act 2013 \(Vic\)](#)

[GIRO Information Sheet, Sports betting: rules, regulation and agreements](#)

[National Policy on Match Fixing in Sport June 2011](#)

[Scammer aces: closing the Australian Open's betting window, The Age Victoria, 18 Jan 2014](#)

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