

STATEMENT OF EXPECTATIONS – NATIONAL SPORTS TRIBUNAL (NST)

VISION

Sport and physical activity are important to Australians because they bring people together to build stronger communities and healthier citizens.

Following the COVID-19 pandemic, the Australian Government is investing in sport, from the grassroots through to the elite level, to help build a healthier nation and economy. The Government is committed to driving structural change in the sport sector to support gender equity and increase opportunities for girls and women to participate, lead and excel in sport.

Sport has the power and the platform to promote and help achieve a wide range of Government policy priorities including community sport participation, preventive health, social inclusion, high performance success, international and regional engagement (particularly in the South Pacific), economic recovery, trade and tourism.

In the ‘green and gold decade’ Australia will host a series of top-tier international sporting events leading up to the Brisbane 2032 Olympic and Paralympic Games. This provides a great opportunity to deliver impactful growth in sport participation, enable our top athletes to achieve podium success and create socio-economic benefits to drive Australia’s post COVID-19 recovery.

ROLE OF THE NST

The NST was established in 2020 following the Review of Australia’s Sports Integrity Arrangements (the Wood Review) to provide cost effective, independent, transparent, and consistent specialist sports dispute resolution capabilities.

The Government recognises the role and functions of the NST in providing sports dispute resolution services. I expect the NST to provide arbitration, mediation, conciliation, and case appraisal services to eligible individuals and sporting bodies for a range of disputes including:

- Anti-doping rule violations
- Disciplinary
- Selection and eligibility
- Bullying, harassment and discrimination
- Other (NST CEO approved) disputes.

PRIORITIES

Safety and fairness in sport

Sport has an important role in Australian society to promote and uphold inclusion, equality, and fairness. Sport should always be safe for participants and supporters, particularly children and other vulnerable population groups.

The Government is committed to protecting all sporting participants from discrimination based on race, culture, sexual and gender identity as well as abuse and mistreatment. It is also taking strong action to ensure competition is fair across all levels of Australian sport.

Together with Sport Integrity Australia, the NST has an important role in ensuring the safety and fairness of Australian sport. The NST should continue to provide arbitration, mediation, conciliation and case appraisal to eligible individuals and sporting bodies to achieve this.

As the CEO, you will allocate Members to constitute the Tribunal for dealing with disputes.

The NST, led by its staff and Members, is to maintain ethical values, policies, and attitudes to ensure the culture is ethically sound, and responsive to the needs of the parties to disputes. Additionally, the NST is to have established processes in place for ensuring that NST staff and NST Members disclose interests to the CEO and that no Member is appointed to deal with a dispute in which they might have an actual, perceived or potential interest. The NST should also provide assistance to NST Members on the lawful exercise of statutory powers, and administrative guidance for NST Members and staff.

Position the NST as the forum of choice for resolution of sports disputes

I expect the NST to continue to provide timely, high quality and consistent resolution of disputes, positioning it to be the forum of choice for the resolution of sports disputes in Australia.

As the CEO, you are to promote the services of the NST to potential users and any other persons or bodies considered appropriate, as well as representing the NST in its dealings with the press, governments, interest groups and the community.

To facilitate accessibility, the NST should make procedural determinations and issue procedural and other guidance for use by NST users, with the object of ensuring that the NST's processes are as user-friendly as possible for sports and participants.

Additionally, the NST must establish and maintain a panel of legal practitioners who are willing to provide pro bono legal assistance, or services at a reduced cost, to the parties of participants in relation to a dispute before the NST.

As the CEO, you are to develop and implement the fee structure for sustainable operations of the NST services, including the grounds for assessment of applications for hardship assistance.

Corporate strategy and management

As the CEO, you will undertake corporate strategy and management functions of the NST, including:

- setting the strategic direction of the NST, including ensuring alignment with achieving the Tribunal's mission and the Department's objectives,
- managing the NST's resources and performance, including setting remuneration and allowances (if any) for Members and ensuring the NST meets its Key Performance Indicators, annually negotiated and agreed between the Minister and the CEO,
- leading the NST in building relationships with key external entities and persons,
- providing effective management of NST in the parliamentary, political and public service environment, and
- assisting Members in the performance of the Tribunal's functions.

Additionally, the NST is to implement and maintain filing and case management processes that promote the quick determination of disputes that come before the NST in as cost-effective a manner for sports and participants as possible.

ORGANISATIONAL GOVERNANCE

I value your leadership of the NST in performing the CEO functions and exercising the CEO's powers set out in the *National Sports Tribunal Act 2019* and the *National Sports Tribunal Rule 2020*.

The Government expects the NST to be a responsible employer with a positive work culture, in accordance with the Public Service Code of Conduct and the *Public Service Act 1999*.

I ask that you continue to engage in the Government's APS Reform agenda to build a stronger Australian Public Service that delivers better outcomes for the community, acts as a model employer and contributes to a fairer and more inclusive Australia.

As a part of the Department of Health and Aged Care (the Department), the Government expects you to exercise prudence in financial management in the context of your legislative framework and the requirements of the *Public Governance, Performance and Accountability Act 2013*. I expect you to work collaboratively with the Department to develop proposals for Budget processes that address Government priorities.

ADVICE TO GOVERNMENT

I expect the NST to work collaboratively with sport entities in the Health and Aged Care portfolio and stakeholders to leverage effort and resources, to identify and resolve issues and problems, and provide proactive, strategic and coordinated advice to Government. I expect the NST to have processes for addressing critical issues in a timely, responsive and integrated manner.

Finally, I look forward to meeting with the NST leadership and other sport entities to discuss strategic direction in what is a defining period for Australian sport.