



## **INTEGRITY REVIEW**

<b>Subject:</b>	Terms of Reference
<b>Date:</b>	7 September 2015
<b>Executive Sponsors:</b>	Nick Rust and Adam Brickell
<b>Non-Executive Sponsor:</b>	Sir Paul Stephenson

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### **1. Purpose of the Review**

It has been widely recognised for a number of years that the BHA Integrity Unit is a model for others to follow, particularly in the areas of intelligence management and betting and race monitoring. The BHA is one of the very few organisations internationally (including sports' governing bodies, regulators and law enforcement) with the willingness and ability to investigate and prosecute betting-related corruption, and one of the very few with a track record of bringing corruption cases to successful prosecutions.

However, there is always room for improvement, particularly in response to genuinely held stakeholder concerns. Over recent years, the BHA team has sought to improve its processes and ensure it is continuing to do all it can to address current and future threats to the integrity of our sport, and make efforts to deter, disrupt, and investigate corrupt activity. Whilst improvements have been achieved, there is a desire to go further, and to address specific concerns which are raised, particularly when they indicate the development of common themes. It is crucial that the BHA Integrity Team has the confidence and support of the industry in relation to the way it operates. These terms of reference set out how that will be achieved.

Hopefully, this review will also provide an opportunity to explain to stakeholders the challenges we face, and ensure a better understanding of the BHA's role and the difficulties it has to overcome in fulfilling that role.

### **2. Aims and Objectives**

The broad aims of the review are to establish how the BHA will:

- Ensure the confidence and support of the industry.
- Develop a modern and contemporary approach.
- Improve efficiency and consistency of regulation, standards and prosecution process.
- Improve communication with stakeholders and wider public.
- Demonstrate greater openness.
- Show that we are in-tune, fair, accountable, open, aware and collaborative.
- Confirm our status as world leaders in this area.
- Ensure we are robustly addressing current and future threats to the integrity of our sport, and making effective efforts to deter, disrupt, and investigate corrupt activity.

### **3. Scope**

The Project Team anticipates the conclusions of this review to fall into five broad areas as follows:

- Personnel – Structure, Governance, Resources, Capacity, Capability.
- Policies
- Processes
- Technical capability
- Other Initiatives

More specifically, the areas which the review will focus on are as follows:

- Timeliness of investigations (including role of Strategic and Tactical Tasking processes and meetings), case management, and licence applications.
- Dealing with non-cooperation and delays outside of the BHA's control.
- Communications:
  - generally (e.g. public, stakeholder, media) to include policy on publication of charges; and
  - specifically (e.g. those involved in investigations etc).
- Participant education programmes and building greater trust between the BHA and the sport's participants.
- Reporting of suspicious approaches and misconduct.
- Internal structure and resourcing model.
- Internal processes to include prioritisation of investigations and decision making methodologies.
- Performance data capture, reporting, monitoring, and publication.
- Race reading and expert evidence.
- Risk/Threat Assessments.
- Intelligence network and access to information.
- Technology - threats and opportunities.

The following areas are out of scope as far as this review is concerned:

- Specific detailed forensic analysis of the McGrath and Aspey case, which is not the sole driver for this review, and will be the subject of a separate process. However, recurring themes which arose in that case, and the outcomes of the detailed case review, will be addressed as part of this review, and some of those persons consulted may wish to use aspects of this case as evidence to support their comments.
- Rules, in particular Inside Information, as there are separate work streams already underway in relation to these areas.
- Disciplinary Panel and Appeal Board structure, composition and procedures. Responsibility for administering these external tribunals sits within a separate functional area of the BHA, under "Raceday Operations and Regulation" rather than "Integrity, Legal and Risk". This helps to maintain an appropriate separation between the "judicial" and the "investigative/prosecutorial" functions. Further, there are separate on-going discussions in relation to these areas which are likely to be picked up as part of a separate piece of work.
- Stewards Enquiries, and appeals, relating to on-course offences. As above, this sits within a separate functional area within the BHA.