

The Parliament of the Commonwealth of Australia

**THE CIRCUMSTANCES SURROUNDING THE POSITIVE
DRUG TEST ON MR ALEX WATSON**

A report by the Senate Standing Committee on
Environment, Recreation and the Arts

MAY 1992

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PREFACE

At Seoul in September 1988, Mr Alex Watson became the first Australian athlete ever disqualified from an Olympic Games for a drug offence. The disqualification raised a number of questions about the ways in which such an occurrence should be handled. Accordingly, under its reference for examining issues relevant to annual reports, the Senate Standing Committee on Environment, Recreation and the Arts resolved at a private meeting on 18 September 1990:

That this Committee inquire into the circumstances surrounding the positive drug test on Mr Alex Watson.

ACKNOWLEDGMENTS

The Committee is mindful of the assistance of Secretariat staff under the direction of the Secretary. For this report the Committee acknowledges Dr Anne-Gabrielle Thompson and Mr Derek Drinkwater (Research Officers), and Ms Angela Misic (Executive Assistant).

ACRONYMS AND ABBREVIATIONS

AIS	Australian Institute of Sport
AOC	Australian Olympic Committee
AOF	Australian Olympic Federation
ASC	Australian Sports Commission
ASDA	Australian Sports Drug Agency
ASMF	Australian Sports Medicine Federation
BOA	British Olympic Association
CAS	Court of Arbitration for Sport
IOC	International Olympic Committee
UIPMB	Union Internationale de Pentathlon Moderne et Biathlon

RECOMMENDATIONS - COMMITTEE REPORT

Recommendation 1

The Committee's inquiry has revealed that scientific knowledge about Caffeine blood and urine levels reached by drinking coffee, the effects of Caffeine ingestion, particularly the effects on athletic performance, the individual variation in effects and the reliability of urine analysis to determine levels of ingestion, is inadequate. It therefore recommends:

- A. That until the performance enhancing effects and the likelihood of athletes exceeding the International Olympic Committee (IOC) Caffeine limit are clarified, the Australian Olympic Committee (AOC) recommend to the IOC the removal of Caffeine from the list of proscribed drugs.

- B. That the Australian Sports Drug Agency commission research into:
 - (i) the ingestion of Caffeine comparing alternative routes; for example: by drinking, by suppository, by injection;
 - (ii) the likelihood of athletes exceeding the IOC Caffeine limit;
 - (iii) reliable measurements of Caffeine levels;
 - (iv) the effects on performance;and that it report its findings to the Minister for the Arts, Sport, the Environment and Territories.

Recommendation 2

The Committee heard evidence about the ready availability of coffee by the Games organisers on the day Mr Watson was drug-tested. The Committee recommends:

- . That the AOC recommend to the IOC that while Caffeine remains on the IOC list of proscribed drugs, Caffeine beverages not be available at Olympic Games competition venues and athletes be advised of the possibility of exceeding the proscribed limit by simply drinking coffee.

Recommendation 3

In view of the events leading to Mr Watson's disqualification at Seoul, the Committee recommends:

- . That the AOC provide comprehensive drug briefings for Australian Olympic athletes both at the time of selection and immediately prior to departure for future Olympic Games.

Recommendation 4

The Committee has noted that an advocate was not available to assist Mr Watson before the IOC at Seoul, but that an Australian advocate will be present at Barcelona in 1992. To ensure that athletes receive the fairest representation of any case arising from drug testing procedures at Olympic Games, the Committee recommends:

- . That the AOC:
 - (i) formulate comprehensive procedures for when Australian athletes are found to have positive drug tests or infringe IOC drug rules at Olympic Games;
 - (ii) provide all Australian Olympic athletes with a copy of the procedures; and
 - (iii) ensure the availability of an appropriately qualified advocate for any Australian athlete infringing IOC drug rules.

- . That Australian athletes found to have breached drug guidelines be penalised in accordance with internationally accepted standards: up to three months ban for inadvertent use, two years for a first offence, and a life ban for any subsequent offence.

Recommendation 5

The Committee considers that the significance of positive drug tests on prominent Australian athletes justifies discussion in relevant annual reports. The Committee therefore recommends:

- . That the Australian Sports Commission comment in its annual reports on positive drug tests by prominent Australian athletes and the procedures established to deal with them.

RECOMMENDATIONS - MINORITY REPORT

Recommendation 1

Given the lack of conclusive scientific evidence and knowledge about Caffeine blood and urine levels reached by drinking coffee, the individual variations in Caffeine readings, even with uniform consumption by athletes and the reliability of urine analysis to determine levels of ingestion, we support the initiative of the Australian Sports Drug Agency (ASDA) in commissioning research into these and related matters. It is our understanding that the ASDA will be reporting on its findings during the first half of this year, and it is recommended:

- . That the details of this research and the subsequent findings be made available to the Australian Olympic Committee (AOC) and the International Olympic Committee (IOC) Medical Commission.

Recommendation 2

In view of the events leading to Mr Watson's disqualification at Seoul, we recommend:

- . That the AOC provide a thoroughly detailed and comprehensive drug briefing for Australian Olympic athletes both at the time of selection and immediately prior to departure for future Olympic Games.

Recommendation 3

In order to ensure that Australian Olympic athletes may appeal against any drug bans it is recommended:

- . That the Australian Olympic Committee appoint an independent Sports Drug Tribunal to hear disputed cases of positive drug tests and to facilitate any appeals to international authorities.

Recommendation 4

While it may have been of limited assistance in Mr Watson's case, the Australian Institute of Sport (AIS) could assist athletes testing drug positive in the future. For this reason we recommend:

- . That the AIS rule prohibiting access by (drug) banned athletes be amended to permit assistance to such athletes who may require AIS facilities in order to appeal against positive drug tests.

Recommendation 5

The Committee has noted that an advocate was not available to assist Mr Watson before the IOC at Seoul, but that an Australian advocate will be present at Barcelona in 1992. To ensure that athletes receive proper and qualified representation in cases arising from drug testing procedures and findings at Olympic Games, it is recommended:

- . That the AOC:
 - (i) provide a legal adviser who can assist;
 - (ii) provide a technical expert;
 - (iii) formulate comprehensive procedures for Australian athletes found to have positive drug tests or alleged to have infringed IOC drug rules at Olympic Games;
 - (iv) provide all Australian Olympic athletes with a copy of the procedures; and

- (v) ensure the availability of an appropriately qualified independent advocate for any Australian athlete infringing IOC drug rules.

That Australian athletes found to have breached drug guidelines be penalised in accordance with internationally accepted standards: up to three months ban for inadvertent use, two years for a first offence, and a life ban for any subsequent offence.

Recommendation 6

Mr Watson's experience on returning to Seoul on 24 September was unwise and unhelpful to the rest of the team and officials. In order to avoid a recurrence we recommend:

That the AOC devise and publish a protocol to be signed by Australian Olympic athletes covering the manner in which any athlete would return to Australia if disqualified from a Games. Such a protocol would determine aspects of travel, escort arrangements, communications with family, protection from media attention and the particular requirements of adolescent athletes.

Recommendation 7

Until the risks of exceeding the present IOC proscribed level of Caffeine are established it is recommended:

- That Caffeine in any concentration in the urine be proscribed.
- That an appeal against the finding of Caffeine in a sample could be based on inadvertent use and that a level for inadvertency be set.

Recommendation 8

The Committee considers that the significance of positive drug tests on prominent Australian athletes justifies discussion in relevant annual reports. We therefore recommend:

- . That the Australian Sports Commission comment in its annual reports on positive drug tests by prominent Australian athletes and the procedures established to deal with them and other investigations conducted by the ASC into alleged doping practices including self admission of the use of banned drugs and possession of banned drugs.

Recommendation 9

That the IOC adopt the hearing and appeal provisions as set out in their brochure Annex 6 headed 'Rights and Responsibilities of Sports Organisations, Athletes and their Entourage' together with Annex 7 'Guidelines for Sanctions and Penalties'.

COMMITTEE REPORT

