

## **MINORITY REPORT**

**Senator N.A. Crichton-Browne  
(Deputy Chairman)**

**Senator I. Campbell**

**Senator W. Crane**



## CHAPTER 1

### ANNUAL REPORTS OF THE AUSTRALIAN SPORTS COMMISSION

1.1 In its report on Annual Reports in December 1990, the Senate Standing Committee on Environment, Recreation and the Arts commended the Australian Sports Commission (ASC) on several aspects of its 1988/89 report. Nevertheless, the Committee noted some shortcomings. In particular, the Committee considered that with regard to Guideline 7 for statutory authorities (requiring a description of major problems that have arisen in the body's activities), there needed to be more coverage of problems faced by the ASC.

1.2 One matter that the 1988/89 ASC annual report did mention concerned this Committee's Drugs in Sport inquiry and allegations relating to involvement with prohibited drugs by past and (then) present athletes of the Australian Institute of Sport (AIS) and the alleged involvement of AIS coaches; it noted this issue under the *Marketing and Public Relations* sub-heading of the *Other Corporate Services* section. Further, under the *Major Corporate Issues* section the ASC report also discussed the Drugs in Sport inquiry; that discussion covered the Committee's Interim Report. In the Committee's Interim Report, the positive drug test recorded by Australian pentathlete Mr Alex Watson at the Seoul Olympics in 1988 was covered (pp. 116-117); it was noted that his appeal was being considered at that time (May 1989) by the AOF appeals committee. By contrast, although it was not transmitted to the Minister until December 1989, the 1988/89 ASC annual report did not comment on Mr Watson's positive drug test or the appeal decision of May 1989.

1.3 Mr Watson is the first (and only) Australian athlete ever disqualified from an Olympic Games for a drug offence. It is remarkable that the ASC did not discuss this matter as a relevant problem in the appropriate annual report; it is the type of problem that should be canvassed because it raises a number of questions

about the ways in which such an occurrence should be handled. Further, despite not covering the problem of Mr Watson's disqualification and the difficulties that he faced by not having an independent tribunal to which he could appeal, the ASC annual report rejected the Interim Report's recommendation for such an authority; the ASC 1988/89 annual report advised:

The Commission also disagreed with the suggestion that such a tribunal should hear appeals from the sporting federations and individual athletes over decisions made in Australia as a result of Australian or international test results. (*Australian Sports Commission Annual Report 1988-89*, p.33)

1.4 Although Mr Watson's appeal to the AOF had been determined and he was still under a (two-year) ban, the ASC 1989/90 annual report also made no reference to Mr Watson's case. This was despite the fact that the report advises (p. 2) that the Commission is concerned with drugs in sport, and the report's advice (p. 8) that in 1989/90 it had allocated \$1 million to the Australian Olympic Committee, the first payment of a total contribution of \$7 million for the preparation of Australian athletes in the leadup to the 1992 Olympic Games. Notably, Mr Watson will compete at Barcelona in 1992.

1.5 With regard to Mr Alex Watson's positive drug test, then, the annual reports of the ASC are less than satisfactory. The Senate Resolution of 14 December 1989, referring annual reports to Senate Standing Committees, provides at para. 5:

That each committee consider in more detail, and report to the Senate on, each annual report which is not apparently satisfactory, and on the other annual reports which it selects for more detailed consideration.

This reference from the Senate has been followed in considering the issue of Mr Watson's positive drug test and the failure of the ASC to discuss the matter in its annual reports for 1988/89 and 1989/90. At a private meeting on 18

September 1990, the Senate Standing Committee on Environment, Recreation and the Arts resolved:

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

