

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Additional Estimates 2015 - 16, 3 March 2016

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OUTCOME: 10 - Sport and Recreation

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Senator: Back, Chris

Question:

Senator BACK: Thank you, Senator Di Natale, that is fine. The advice to me was that they did receive assurance in writing from the Essendon Football Club that the product they were to be given was legal. Can you respond to that or can you take that on notice and advise the committee whether or not my assumption is accurate? Mr McDevitt: I am not aware of that. I will take it on notice.

Answer:

The Essendon players were provided with a form titled 'Patient Information/Informed Consent Form' from Stephen Dank. The document was not on an Essendon letterhead and did not mention the Essendon Football Club.

A copy of a redacted Patient Information/Informed Consent Form signed by an Essendon player giving consent to injections of "Thymosin" is attached.

The document states that "All components of the intervention/s are in compliance with current World Anti-Doping Authority (WADA) anti-doping policy and guidelines (see appendix for documentation to this effect) as of 1st January 2012". No appendix was located from Essendon computer servers or files during Australian Sports Anti-Doping Authority's (ASADA) investigation. Moreover, players who were asked by ASADA investigators about the appendix did not recall seeing any appendix with the form.

The consent form also asserts that:

"I base this recommendation on the visual examination(s) I have performed, on x-rays, models, photos and other diagnostic tests that have been taken, and on my knowledge of your medical and physiological history."

In their interviews, players also stated that they signed the forms despite no visual examinations being performed on them, and in the absence of x-rays, models, photos or other diagnostic tests. Nor were any players asked about their medical or physiological history.