

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

ADDITIONAL ESTIMATES 2010-2011

Prime Minister and Cabinet Portfolio

Sports Agencies

Australian Sports Anti-Doping Authority

Question: PM56

Asked By: Senator XENOPHON

Topic: ASADA – Independency and transparency

Type of Question: Hansard F&PA page, 130, 21 February 2011

Date set by the committee for the return of answer: 15 April 2011

Number of pages: 3

Senator XENOPHON—An issue raised with me is how ASADA can claim to be providing an independent, robust and transparent anti-doping program when sports have the power to decide what their program looks like. Is that a fair accusation? To what extent can the actual sporting code determine the nature of any testing regime or program?

Ms Andruska—I do not believe that is a fair accusation, and I would be happy to give you some more detail about that. I do not know if one of the team want to talk about the issue of the contract and so forth.

Senator XENOPHON—You can provide that on notice.

Answer:

- ASADA is the Australian Government's independent agency responsible for implementing the World Anti-Doping Code (the Code), consistent with Australia's obligations as a signatory to the UNESCO convention against doping in sport.
- ASADA fulfils this role by providing an integrated anti-doping program encompassing deterrence, detection and enforcement in accordance with the Code and associated International Standards.

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- ASADA's annual testing program is risk based and designed to provide assurance that athletes are participating on a level playing field as well as driving pure performance in sport.
- In fulfilling its objectives, ASADA conducts approximately 6500 tests annually across a wide range of sports. In the 2009-10 financial year, ASADA conducted 6,606 tests, comprising both urine and blood samples.
- Of the 6,606 tests, 2,777 tests were undertaken by ASADA on a fee for service basis consistent with cost recovery arrangements.
- Under fee for service arrangements, while ASADA works with sporting organisations to develop an optimum testing program (numbers and events), it is ASADA which largely determines the selection of athletes for testing without advance notice to either the athlete or sporting organisation.
- A sport may request that a certain category of player or match is tested, for example all nationally contracted players, or all finals matches. This does not preclude ASADA from testing other athletes or testing at other matches.
- ASADA considers any specific testing requests carefully and will not agree to them if it is not in accordance with the Code or the International Standard for Testing (IST).
- ASADA maintains its ability to test any athlete anywhere, any time. If ASADA obtains new information about a sport or determines that there is a gap in any User Pays program for a professional sport, it has the authority under its legislation to conduct Government Funded testing as required.
- An example of this occurred in the NRL in 2010 when ASADA identified a gap in the NRL testing program and conducted large numbers of Government Funded human Growth Hormone tests in addition to the NRL's User Pays contract.

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- All sports that engage in a User Pays contract with ASADA are bound by confidentiality undertakings to ensure they keep all information about their testing program confidential.