

Questions for Meeting with WADA and AOC on 17 December 2012

*Substances of Concern and the Scheduling Process*

What is the process by which WADA reaches its decision to schedule those substances that are included in S0 and S2 ie how does a substance make the prohibited list?

- *Annually WADA through its List Expert Group, a committee made up of scientists, doctors, pharmacologists from the world in general appointed for their expertise and knowledge, meets on three occasions each year. Its first meeting in January is to review research, discuss trends in the world of doping, receive information gathered through various agencies and discuss the likelihood of change or changes to the current existing prohibited List. The List annually comes into effect on 1 January. The next meeting of the List Committee normally held in April considers the matters that were raised at its first meeting and a draft List is prepared. This draft List intended for the following year is then circulated to all of our signatories (every country and every sport) and those who have expressed an interest in the issue for comment and response. A consultation period of two to three months is provided with a return date generally at the end of July. The List Committee reconvenes again in August and prepares a final draft List which is then submitted to our Health, Medical and Research Committee for its consideration and recommendation. This group under the current chairmanship of Professor Arne Ljungqvist then makes its recommendation, and any changes to the WADA Executive Committee which meets in early September and makes the final decision on the composition of the List for the following year. Once that decision is taken the List is then circulated to all of our signatories by the end of September in order for the three months notice period to be given leading to implementation on 1 January.*

Are there particular concerns in relation to the S0 and S2 substances?

- *This is a very broad subjective question and can only be answered with a broad subjective response. There are always concerns about prohibited substances that might fall into section S0 of the List. Referring to section S2 the concern is different because full knowledge exists of those substances and the ways they are being used to enhance performance. The concern here is rather not related to the presence in section S2 but the detection of the substances when used by athletes, often in very sophisticated ways.*

Does WADA and the AOC believe that the substances in question have particular advantages for athletes who are seeking to improve their performance in breach of the WADA Code?

- *Yes.*

Are there health concerns in relation to the substances?

- *Yes.*

*Involvement of Organised Crime and Market Trends*

What is the assessed value and size of the PEDs market world-wide?

- *We are not in a position to make a flat statement as to the value and size of the world market of supply of PEDs. However we are reliably informed by Interpol and others that the market is significant, and because many countries do not have legislation prohibiting the distribution and trafficking of such substances it is easy for the criminal underworld to make vast profits. In*

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*general the raw materials come from China. The market however is not confined to elite athletes. They represent only a very small proportion of those to whom traffickers are reaching out to. Significant amounts of PEDs are distributed in gyms, to security and armed forces, to our youth, and so on.*

What is WADA's and the AOC's current understanding of organised crime involvement in the trafficking of PEDs and is this an emerging threat?

- *Our current understanding of organized crime involvement is that it is significant and that the same criminals are engaged in other facets of attack upon the integrity of sport, including betting, bribery and corruption. Some have said that organized crime now "control" or perhaps more accurately "have the potential to control" 25% of world sport.*

Does either agency have knowledge of PEDs trafficking to Australia by organised crime or entrepreneurial groups?

- *No specific knowledge.*

*Comment on Response Options*

Would they be supportive of national, state and territory legislation which makes it a criminal offence to knowingly supply a banned substance to an athlete who is covered by the WADA Code?

- *Yes.*

What is the approach taken overseas to investigating breaches of the WADA Code and in their opinion what approach works best?

- *The best practice we have seen in fact involves Australia where there is an opportunity of sharing information between departments and agencies through the current federal laws. Ideally if that were replicated in every country in the world the fight against doping would be better. Regrettably it cannot be so replicated because many countries have quite different systems and WADA is not a position to demand legislative change in any country. That must remain the sovereign right of the government in force.*