



One voice for sport and recreation

## **DCMS Consultation on Establishing a new UK Anti-Doping Organisation**

### **CCPR Response**

CCPR is the representative body for 290 national sport and recreational organisations, including the national governing bodies of sport. CCPR exists to promote the role of sport and recreation in healthy and active lifestyles, to encourage a policy and regulatory environment in which sport from grassroots through to elite level can flourish, and to provide high quality services to help its members to continually improve and progress.

In the context of this consultation, CCPR is the representative body for the national governing bodies of sport, from which the proposed national anti-doping organisation (UKAD) will acquire certain responsibilities, either via statute or policy direction. The Professional Players Federation (PPF) and some of their constituent members, such as the Professional Footballers Association (PFA) are also CCPR members.

As with any threat to a sport's integrity, as is the case with betting, challenges in relation to doping differ in type and scale across CCPR's membership. Different governing bodies will have different views on the details of the new UKAD, and it would be impossible for CCPR to accurately represent the views of them all here. Governing bodies will be responding to the consultation individually with their own specific views, therefore CCPR will use this consultation response to articulate a set of general principles in relation to doping and the new UKAD that apply across the body of membership.

### **Doping in Sport**

Doping is a problem in sport. It is cheating, and cheating has a malignant effect on the integrity of sporting competition. It is not only an individual event or competition that is tarnished, but the image of the entire sport. Belief that results emerge from outstanding skill, maximum effort and no little chance is the essence of sport and honest competition. If spectators believe that competition is being manipulated by the use of banned substances they are less likely to watch or participate in that sport.

CCPR therefore welcomes the commitment of UK Sport and the Government to ensuring that the UK's anti-doping framework is as robust as possible. This is particularly important in the run up to London 2012, where the UK as hosts must

set an example to the rest of the world. CCPR and its members broadly welcome the creation of an independent anti-doping organisation, which will provide a clear lead and primary responsibility for anti-doping on behalf of all sports bodies. As David Sparkes, Chief Executive of British Swimming, said:

*“British Swimming welcomes this initiative. It moves UK doping control very much into the 21st Century and we feel confident that, with the expertise currently in place combined with a clear focus, we will become one of the leading anti-doping agencies in the world.*

*“It’s been a long-held view that this was sorely needed in order to fight the challenge of establishing drug-free sport. With 2012 on the horizon this will be even more important and it a huge step in the right direction.”<sup>1</sup>*

UK Athletics added that the “...creation of a NADO should have a positive effect on the situation.”<sup>2</sup>

The increase in anti-doping funding to £7.2 million from £4.3 million is also welcome, despite the fact that UKAD’s £7.2 million budget is considerably less than the £8-9 million initially earmarked.

It is worth noting that CCPR welcomes the willingness of the personnel overseeing the establishment of the UKAD to engage with our members up to this point, having been represented at a meeting of CCPR’s Major Spectator Sports Division in September 2008 and provided regular progress reports since.

However, despite CCPR’s view that the establishment of a stand-alone anti-doping organisation is a positive step, members still have understandable concerns about how it will operate, particularly in relation to partnership working, funding and UKAD’s power to sanction.

This response will seek to articulate those concerns in the context of the four key themes dictating the composition of UKAD; Policy Framework, Information Sharing Powers, Statutory Framework and Funding.

## **Policy Framework**

CCPR shares UK Sport’s view that UK’s anti-doping framework should be based on the agreed WADA Code. International agreement and consistency on this cross-border threat are key to tackling it. However, there are well-documented concerns about some of WADA’s policy statements, such as with the ‘whereabouts rule’ that has provoked much international comment and debate. It is essential that UKAD works in partnership with governing bodies and player organisations to influence WADA on behalf of British sport.

---

<sup>1</sup> [www.uk sport.gov.uk](http://www.uk sport.gov.uk)

<sup>2</sup> <http://www.uka.org.uk/governance/anti-doping-review>

In addition, it is essential that UKAD's partnership with governing bodies and player organisations is consistent, balanced and with all stakeholders. CCPR obviously welcomes the engagement that has taken place with amateur/Olympic sports, but believes that the fact that professional sports account for 45% of all drug tests should ensure that their governing bodies and player organisations should also be integral to the debate. The PPF argue that any "...*lack of representation threatens to undermine support for the new agency and could reduce its effectiveness.*"<sup>3</sup>

## **Information Sharing Powers**

CCPR and its members welcome the emphasis on cooperation with law enforcement on this issue that the UKAD will have. As the consultation document notes, 28% of substance violations detected in Australia in 2007/2008 were as a result of their independent anti-doping organisation's new investigative powers. CCPR hopes that UKAD's partnership with the Serious Organised Crime Agency can be similarly effective. However, it is crucial that, when operational, UKAD does not place too much emphasis on this relationship at the expense of its cooperation with governing bodies. It should always be remembered that governing bodies know their sport better than any other individual or organisation, and must remain integral to the investigation process.

## **Statutory Framework**

Because of the diverse nature of its membership, CCPR remains neutral on the statutory mechanism used to establish and govern UKAD. If this consultation establishes a consensus in favour of legislation, however, the Government should not be deterred by the length of the process and should take heart from examples of statutory anti-doping organisations in Australia and New Zealand, which have proved effective.

Whether established by legislation or an agreed policy statement, the crucial thing is developing an acceptable, workable formal relationship in UK anti-doping policy that ensures the main responsibilities lie with UKAD but that governing bodies and player organisations remain central to anti-doping policy, enforcement, education, investigation and punishment.

There is deep concern among CCPR members about the sanctions that UKAD's powers could allow, against governing bodies as well as individuals. The suggestion that, should an athlete/competitor be found guilty of a rule violation, a governing body's sports council funding could be affected is very worrying. Punishments should be handed down to those individuals who break the rules and cheat, yet an ability for UKAD to cut the funding that governing bodies receive from the sports councils (both UK Sport **and** Sport England) could further damage the sport. It would be inconsistent for a governing body's grassroots

---

<sup>3</sup> <http://www.ppf.org.uk/mbrdata/pdf/7mGx5s.pdf>

funding to be cut because of a doping violation by a professional/elite competitor in that sport. Such a step would damage the governing body's ability to deliver grassroots initiatives and affect its ability to rebuild the reputation of a sport damaged by individual cheats.

## **Funding**

Having established the principle that the main responsibility for anti-doping in the UK lies centrally, with a stand-alone UKAD, it follows that the cost should be met centrally. CCPR and its members believe that UKAD should be funded exclusively by the Exchequer, and that this funding should be in addition to what governing bodies receive from the public purse. In other words, it would be wrong to justify any funding cuts for governing bodies to pay for UKAD. If the responsibility for anti-doping is to be taken away from governing bodies, so should the cost. This is particularly justified because crime prevention is the responsibility of the Government, and doping is so closely linked to organised crime. CCPR and its members therefore reject mixed anti-doping funding models, such as that which exists in Denmark, and believe the cost should be met by the state.

## **Conclusion**

CCPR welcomes the opportunity to respond to this debate. CCPR and its members broadly welcome the establishment of a stand-alone anti-doping organisation, which aims to take on the main policy responsibility and cost of tackling anti-doping in the UK. Doping is a significant threat to the integrity of sporting competition and a consistent approach is required to tackle it. However, it is absolutely crucial that the national governing bodies of sport and player representative bodies remain integral to anti-doping policy, investigation, education and punishment in the UK. It is also very important that UKAD's ability to impose sanctions is proportionate to the offence, and it would be wrong for a governing body's sports council funding to be cut because of the behaviour of an individual.

CCPR and its members look forward to the outcome of this consultation, and await UKAD becoming operational at the end of the year. If the views of governing bodies and player representative bodies are taken on board, CCPR is confident that the UK can lead the world on anti-doping, as it does in so many other areas.

Dominic Goggins  
CCPR Policy Officer  
[dgoggins@ccpr.org.uk](mailto:dgoggins@ccpr.org.uk)

September 2009