

## Editorial

*By Michele Verroken, Director Sporting Integrity Ltd. UK*



### **Will 2012 be the year for anti-doping resolution?**

This could be an important year in anti-doping; a turning-point no less. There have been turning points in anti-doping before. In 1988, the world stood still to witness the 'fastest man on earth' test positive for steroids at the Seoul Olympics. In 1999 sports organisations, the IOC, governments and athletes finally sat down together in one room and decided the only way to create an anti-doping system each could trust, was for sport and governments to share responsibility for an international agency to deliver an international code of anti-doping regulations. Then in 2003 that Code was adopted by acclaim – a strange way of clapping in agreement (and who was looking out for the 'non-clappers?'). Perhaps not so startling was the revision of the World Anti-Doping Code in 2009, and now we are at 2012. A year in which life-changing events in the sporting world could happen and in the anti-doping world, perhaps they will. To start the year in INHDR editorials, we take a look at some of the upcoming issues in doping and anti-doping. It's an Olympic (and Paralympic year), hosted in London where the sports media take no prisoners. When we reach the end of 2012, will the credibility of anti-doping be endorsed or endangered?

Currently the sporting world is increasingly focussed on other forms of corruption, in particular insider betting, match or spot fixing. Evidence of corruption and the potential for the corrupting sporting contests, whilst not a new phenomenon, is dominating the headlines, the political agenda and the attention of sports organisations. Gambling and fixing corruption appears to be impacting on doping's place as the '*biggest threat to the integrity of sport*'. Observers may be thinking, do we really need a competition between corruption activities to be the biggest (and the best) in sport? Isn't time better

spent tackling these issues? Does corruption or sport attract this type of competitiveness?

Comparison of betting and fixing with the evolution of anti-doping is remarkable. With various degrees of enthusiasm, responses of sports and governments are emerging. Sporting integrity units are being established and criminal prosecutions are taking place. Perhaps developing legislation and criminal convictions of high profile athletes will provide better deterrence and punishment for illegal betting, match or spot fixing than the tariff of doping regulations and sanctions. Is it time for legislation to address the doping problem? Aren't athletes defrauding their opponents, their sponsors? Is legislation likely if doping is not the biggest threat to sport?

The gambling industry became a stakeholder in anti-corruption systems from the outset, recognising the potential damage to their business. By stark contrast; the pharmaceutical industry has only recently become more publicly concerned about the misuse of their products. Few label their medicinal products as permitted or prohibited in sport. Wouldn't this kind of useful information help athletes and medical professionals avoid inadvertent doping violations? Will the investment of pharmaceutical giant GSK into laboratory facilities and services for London Games encourage a more proactive response from the industry?

Does the nature of anti-doping regulation make partnerships with associated industries difficult? Anti-Doping regulation based on one prohibited list should offer a clear operating standard that pharmaceutical companies could work with. However the Code requires an annual review of the prohibited list, as well as its sub-division into in and out of competition prohibited lists, adding a level of complexity. Athletes in therapeutic need of certain prohibited medications need to calculate when they are able to take those medications, knowing that its presence in the body could result in a positive test in competition. Isn't it time to revisit this additional and unnecessary complication? One prohibited list, at all times. Is that so hard? Could it encourage pharmaceutical companies to promote helpful information to athletes; *'this medication is permitted'*. Maybe the sports market sector is too small, but the positive PR from 'permitted' labels could be useful in promoting understanding among the general public about how athletes try to stay doping-free.

Anti-doping suffers from a credibility gap. Is it clear that doping is cheating? A doping violation can arise from using the wrong medication, submitting the wrong paperwork for a therapeutic use exemption, maybe to the wrong organisation, maybe it involves a young athlete and an older influential professional – a coach or doctor, (probably of a certain gender and certain nationality). Perhaps the violation arose from a contaminated, inadequately labelled supplement; as sports bodies themselves promote a culture of supplement use to 'maximise performance', some liability must fall to those who pressure athletes in this mindset, even if they are not providing the supplements. What if the violation occurs from a simple misunderstanding about location, or a serious personal commitment that, at short notice,

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unavoidably took the athlete away from their 1 hour availability slot for no notice testing? Anti-doping has created a culture of suspicion. It has often been difficult to distinguish the dopers from those who just fall foul of strict liability rules. Cases of misfortune sit alongside out and out cheats who use a cocktail of substances, micro-dose hormones, titrate blood cells, or simply walk away from a drug test. I have said before that there is a belief among athletes that it is better to miss a test than fail a test. Could 2012 be the year to bring greater certainty to who really is doping?

In March the Court of Arbitration for Sport hearing into the compliance of the British Olympic Association by-law with the World Anti-Doping Code provisions will begin. Another turning point for the credibility of anti-doping. Do we protect the clean athlete by allowing cheats to compete in the Olympic Games? Arguments will continue in the media until the decision is issued. For every athlete in support the BOA by-law interviewed, another will be found who complains of its unfairness or its impact on medal potential. Will this be the first round of the BOA v WADA contest? Will this lead to world wide adoption of a Games exclusion penalty? Is there capacity for doped sporting celebrities alongside drug-free sporting celebrities? Will doped athletes be demanding their place in sporting Halls of Fame? Whatever the outcome, the only winners will be the lawyers.

During 2012, consultation on revisions to the World Anti-Doping Code will commence in earnest. If, as expected, the Olympic Movement lobbies for a reintroduction of the IOC Rule 45 through revision of the articles of the World Anti-Doping Code, it could enliven the debate that the current suspension period of two years is too short for certain types of offences. Hopefully it will also help to air a debate around the more significant impact of suspension from team training for doping offenders from team sports. Suspended cyclists and runners can still train, cricket, rugby, football and hockey players cannot, at least not in the same way to permit them to return to their sport ready to compete again. If we are demanding fairness, then let fairness be applied across sport.

Another hope is that the debate will trigger research into the residual benefits, both physiological and psychological, of doping. And what about the pressure on the drug-free athlete who lines up alongside the returned doped athlete? Is there a case for a handicap system? I digress.

Anti-doping is in itself a multi-million dollar business. Are the costs of drug testing against an outcome of uncertain success sustainable? If testing is not as effective as we hoped, are we in danger of losing the confidence and trust of those the anti-doping system should be protecting? Is the only way to make testing more effective, to make it more intrusive? The real cost of doping in sport is the absolute suspicion with which we view our athletes. The Olympics in London will see an unprecedented level of testing; some 450000 ml of urine will be collected. About half will be analysed within 24 hours, the remainder stored for up to 8 years whilst the search goes on for more

sophisticated detection methods that could reveal doping violations up to 2020. New blood tests will be used to identify those athletes who have stored and transfused their own blood; improvements to the detection of blood transfusions from relatives are also thought to be available.

Will there be positive doping offences at the Games in 2012? A lot of people will be hoping so, how else do you measure whether the anti-doping system is working or not? Will intelligence led anti-doping offer value for money, or increase suspicion as it decreases trust? Who knows? Deterrence is subjective and detection is not always absolute. Looking ahead, one can only hope that we will learn something in 2012 and will have the foresight and integrity to do something about it!

### **Citation suggestion**

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