



House of Commons

Digital, Culture, Media and  
Sport Committee

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**Combatting doping  
in sport: Government  
Response to the  
Committee's Fourth  
Report of Session  
2017—19**

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**Second Special Report of Session  
2017–19**

*Ordered by the House of Commons  
to be printed 15 May 2018*

## The Digital, Culture, Media and Sport Committee

The Digital, Culture, Media and Sport Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Department for Digital, Culture, Media and Sport and its associated public bodies.

### Current membership

[Damian Collins MP](#) (*Conservative, Folkestone and Hythe*) (Chair)

[Julie Elliott MP](#) (*Labour, Sunderland Central*)

[Paul Farrelly MP](#) (*Labour, Newcastle-under-Lyme*)

[Simon Hart MP](#) (*Conservative, Carmarthen West and South Pembrokeshire*)

[Julian Knight MP](#) (*Conservative, Solihull*)

[Ian C. Lucas MP](#) (*Labour, Wrexham*)

[Christian Matheson MP](#) (*Labour, City of Chester*)

[Brendan O'Hara MP](#) (*Scottish National Party, Argyll and Bute*)

[Rebecca Pow MP](#) (*Conservative, Taunton Deane*)

[Jo Stevens MP](#) (*Labour, Cardiff Central*)

[Giles Watling MP](#) (*Conservative, Clacton*)

The following were also members of the predecessor Committee during the last Parliament who took evidence in this inquiry:

[Nigel Adams MP](#) (*Conservative, Selby and Ainsty*)

[Andrew Bingham MP](#) (*Conservative, High Peak*)

[Nigel Huddleston MP](#) (*Conservative, Mid Worcestershire*)

[Jason McCartney MP](#) (*Conservative, Colne Valley*)

[John Nicholson MP](#) (*Scottish National Party, East Dunbartonshire*)

### Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

Committee reports are published on the Committee's website at [www.parliament.uk/dcmscom](http://www.parliament.uk/dcmscom) and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

### Committee staff

The current staff of the Committee are Chloe Challender (Clerk), Joe Watt (Second Clerk), Lauren Boyer (Second Clerk), Josephine Willows (Senior Committee Specialist), Lois Jeary (Committee Specialist), Andy Boyd (Senior Committee Assistant), Keely Bishop (Committee Assistant), Grace Camba (Sandwich Student), Lucy Dargahi (Media Officer) and Janet Coull Trisic (Media Officer).

### Contacts

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## Second Special Report

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The Digital, Culture, Media and Sport Committee published its Fourth Report of Session 2017–19, [Combating doping in sport](#) (HC 366) on 05 March 2018. The Government's response was received on 11 May 2018 and is appended to this report.

## Appendix: Government Response

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Government welcomes the Select Committee's report 'Combating doping in Sport'. During a period where media stories on doping in sport have become all too prevalent, it is important that the Select Committee's inquiry met those who have knowledge of the issues involved, from both a sporting and an anti-doping perspective.

The UK Government has traditionally taken a tough stance on doping in sport, but I am also aware that complacency can open the door to drug cheats in the same way as poor practice. As a result, I commissioned two reports: Review of Criminalisation of Doping in Sport; and a Tailored Review of UK Anti-Doping (UKAD), both of which have now been published.

The conclusions and recommendations of both Reviews further strengthen the UK's commitment to combating doping in sport. Government is working with UKAD and a range of other agencies in implementing the recommendations of both reviews.

### Review of Criminalisation of Doping in Sport

I would like to respond to the Select Committee's calls for Government to consider additional legislation to combat doping in sport in the UK.

Paragraph 148 of the Select Committee's Report states that UKAD had been 'tasked by Government to examine whether doping should be made a criminal offence'. In fact, that work was undertaken by DCMS officials, who assessed whether the existing UK legislative framework remains sufficiently robust, or whether additional legislative measures are necessary to criminalise the act of doping. UKAD was a contributor to this review.

The last similar such review was commissioned in 2010, with a cross-departmental group concluding there was no argument for criminalising doping.

The latest Review was conducted in two stages: i) a comprehensive assessment of the effectiveness of the UK's existing anti-doping measures and compliance with World Anti-Doping Agency protocols, and ii) targeted interviews with key expert stakeholders on the merits of strengthening UK anti-doping provisions, including the feasibility and practicalities of criminalising the act of doping.

Published in October 2017, the Review found that there was no compelling case at this time to criminalise the act of doping in the UK, and it would be disproportionate in the battle to keep sport clean. This reflected the strong consensus of those interviewed.

It is, however, important to note that doping in sport is already captured by existing legislation. The Misuse of Drugs Act and the Medicines Act 1968 carry sanctions of up to 14 years imprisonment for the trafficking and supply of banned substances.

While the Review felt there is no need to introduce fresh legislation, it did advise that doping could be combatted through better use of existing powers, improved data sharing and more effective liaison between sports governing bodies. As a result, the Review set out a number of recommendations that government is taking forward, alongside the recommendations from the Tailored Review of UKAD. These include;

- Highlighting the risks of Image & Performance Enhancing Drugs into health and education programmes through work with Home Office and related Whitehall departments.
- To push WADA to make the Therapeutic Use Exemptions process more transparent.
- UKAD doping control officers should be able to gain access to all sporting events to enable random testing at competitions.

I am content with the overall conclusion of the Review and the recommendations it has set, and do not feel there is a case to revisit this matter at the current time. I am, however, of the view that this is an area that government should continue to keep under review.

While criminalisation of doping was the only point on which the Select Committee's Report specifically seeks Government consideration, I would like to comment on some of the other areas which are also referenced.

### **Tailored Review of UKAD**

I welcome the Select Committee's endorsement of the Tailored Review of UKAD and the £6.1m additional funding government has committed to UKAD. This honours the undertaking set out in Sporting Future, the government strategy for sport, to protect UKAD's position as a world leading national anti-doping organisation and to keep them on a strong financial footing.

I am pleased to say that the Tailored Review found UKAD to be efficiently run, well respected—both domestically and internationally—with knowledgeable, experienced staff committed to mitigating doping in sport.

While those findings are reassuring, it was right that the Tailored Review also explored how UKAD can continue to improve as an organisation and ensure it is prepared as effectively as possible for future challenges. Its recommendations include:

- Greater education for athletes and support personnel on the harms of doping.
- UKAD to produce a proposal to increase testing by 50%.
- A review of UKAD's Memorandums of Understanding with the National Crime Agency and Border Force.
- UKAD undertakes a skills and systems review of the investigations and intelligence function by end of 2018 to ensure that regulatory best practice is taken into account in approaches.

- A values-based programme focusing on ‘healthy training’ (nutrition, sleep, good training practice) is developed to reach young people via the curriculum and early sports pathways, led by Sport England to include Whitehall departments and sports organisations with a relevant interest.
- UKAD, through an assurance framework, to consider reframing its education function into an assurance programme to support NGBs who have varying levels of capacity.
- DCMS undertakes a consultation as part of the review of the National Anti-Doping Policy.

## National Anti-Doping Panel

I would like to clarify the UK’s position on the arbitration of disputed doping cases.

Paragraph 128 of the Select Committee’s Report makes reference to concerns that ‘UKAD was running the courts that they are trying athletes in’ along with a recommendation on the arbitration of doping decisions.

UKAD is not responsible for arbitration and, in line with the World Anti-Doping Code, the UK has an independent arbitration service. Sports Resolutions operates the National Anti-Doping Panel, under a contract from DCMS and in accordance with the UK National Anti-Doping Policy.

## Conclusion

I would like to thank the Select Committee for its work on this inquiry. It clearly helped highlight issues and concerns, particularly around the anti-doping processes of some high profile sports. As a result, I am pleased to see that both cycling and athletics are reviewing and implementing changes to governance procedures to ensure such issues are not repeated in the future.

The Review of Criminalisation of Doping and the Tailored Review of UKAD are not an end to government’s focus on anti-doping. The revision of the UK’s National Anti-Doping Policy is about to begin, and will help shape the direction of anti-doping in the UK over the next few years.

Combating doping is a collective responsibility for UKAD, government and sport, something that both the Review of Criminalisation of Doping and the Tailored Review of UKAD acknowledge.

Government has already underlined its commitment to anti-doping by increasing UKAD’s funding by £6.1m. As part of that collective responsibility, I now expect sport to look at how best it can contribute further to the vital work of anti-doping in the UK.

I believe that the outcomes and recommendations from the Select Committee’s Report, alongside Government’s Criminalisation Review and Tailored Review of UKAD—and indeed UKAD’s recently launched Strategic Plan—will help collectively provide a clean and fair environment for sport and bring reassurance to those that participate in and follow sport in the UK.

**Tracey Crouch MP**

Minister for Sport and Civil Society