



Speech by

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SPORTS DRUG TESTING AMENDMENT BILL

Mr CRIPPS (Hinchinbrook—NPA) (5.47 pm): I rise to make a contribution to the debate on the Sports Drug Testing Amendment Bill. I have been motivated to do so in the wake of recent events involving Andrew Johns, a former Australian Kangaroos captain, winner of the National Rugby League's most prestigious award, the Dally M Medal, in 1998, 1999 and 2002; the Clive Churchill Medal in 2001; the most valuable player of the 1995 Rugby League World Cup; and three times Rugby League's Player of the Year in 1998, 1999 and 2002.

Prior to these events, the Sports Drug Testing Amendment Bill was an important bill that was taking much-needed steps in the area of sports drug testing but was not legislation about which I felt compelled to make a contribution, save to support it in the parliament. I was pleased to see the bill and its proposed legislative changes on the *Notice Paper* but did not think it critical that I put my views on the record. But this view changed when we literally watched a tragic saga very publicly unfold on television involving one of Australia's best known and most talented Rugby League players.

Andrew Johns's career and reputation has disintegrated in very dramatic and controversial circumstances. There was an avalanche of media and public comment from fellow players, fans, journalists, politicians, sports administrators, medical professionals, friends and family. Initially it made the issue of drugs in sport and illegal drug use generally a topic that was being widely discussed across the community. However, more recently there seems to be a trend to refrain from further comment about this issue. I have been very concerned and disillusioned at the attempts by many to be apologists for Andrew Johns and to offer excuses for his repeated use of illicit recreational drugs over many years.

I will make more comment about that issue and its impact on sport and the wider community a bit later in my contribution. The legislation itself deserves some attention. The Australian Sports Drug Agency Act 1990 established the Australian Sports Drug Agency to provide drug testing and educational services for national level athletes. The act did not directly enable the agency to test state-level athletes but provided for state legislation to confer powers on the Commonwealth allowing testing of state athletes under contracts between states and the agency.

In Queensland the Sports Drug Testing Act 2003 enabled testing of state-level athletes to be conducted under contract to facilitate satisfactory levels of service to sports in Queensland. This testing has been a core component of Queensland's Drug-Free Sport Program. In recent years there has been progress towards standardising sports drug testing practices internationally. The Commonwealth government adopted the World Anti-Doping Code in March 2003. In March 2006 the Commonwealth passed the Australian Sports Anti-Doping Authority Act 2006.

This Commonwealth act established the Australian Sports Anti-Doping Authority, which incorporates the prior role of the Australian Sports Drug Agency with wider powers and functions. Since this act has been implemented, the Queensland department of sport and recreation has been reviewing Queensland's legislation with respect to its role and consistency with the new Commonwealth legislation. By aligning the state and Commonwealth's sports drug testing legislation, the bill aims to provide a strong framework to battle drug use in sport. I support the government's efforts to this end. It is important that there is a united

and coordinated approach to the testing of athletes for performance-enhancing and illicit recreational drugs to ensure administrative inconsistencies and bureaucratic loopholes do not allow those athletes who take drugs to avoid detection and/or the punishments that accompany positive tests.

The issue of drugs in sport is an age-old question, but the fight against them has become more and more difficult as pressure on athletes to perform at higher and higher levels has significantly increased following the professionalisation of many sports and the commercialisation of sports for television coverage. The almost fanatical scrutiny of the professional performance and private lives of athletes by all sections of the media—radio, print, television and electronic—has put an enormous amount of pressure on athletes to be role models and ambassadors for their respective sports to the wider community.

We also have a problem with the parallel struggle between fighting against the development of more and more sophisticated performance-enhancing drugs and the development of more and more sophisticated masking agents to cover those drugs. The problem is that these athletes are trained to play sport professionally, not be professional public role models. Many of these athletes are good community role models and have the capacity to handle the scrutiny by the media. There are those, however, as we all too frequently find out, who cannot adjust to or cope with the public obsession with their form on the field, on the court or in the water. This level of scrutiny is a reality and high-profile athletes have responded by engaging the services of professional agents, minders, advisers and personal assistants, reflecting their significant remuneration and the importance of maintaining a good corporate image as well as continuing to perform in their chosen sport.

There has been further media coverage in recent times about the former American athlete Marion Jones, who has pleaded guilty to two felonies in connection with a steroid investigation. That felony has cost her the five medals that she won at the 2000 Sydney Olympics. That is a very high price for an athlete to pay. However, it is obviously the only correct course of action.

Drug use by athletes brings shame and dishonour on the individual. The athlete has not only cheated themselves but their chosen sport, their team mates, their fellow competitors, in many cases their country or their state, their supporters and their local communities. As the youngest member of this House, it is important for me to put on the record the enormous impact that cases like this have on young people in the community who look to their heroes for inspiration.

As a young man growing up in Tully I played a lot of junior cricket and a lot of junior Rugby League. I had heroes whom I sought to emulate. As a junior cricketer my heroes were the great David Boon and Shane Warne. Later in his career Shane Warne served a suspension from representative cricket for testing positive for the use of a banned substance. By that time in his career I was no longer a junior cricketer. I was thankful for that because I could remember how much regard I had for Warne's cricketing ability and how much I would have been terribly disappointed had that occurred earlier thinking Warne had tried to enhance his performance on the field by taking a banned substance.

Playing junior Rugby League my heroes were the great Gary Larson and Andrew Gee, both forwards of course, who represented Australia but, more importantly, represented Queensland. I would have been greatly distressed if either of those great former Queenslanders forwards had been caught using performance-enhancing drugs. For young Queenslanders, their sporting heroes are highly influential people in their lives because their performance, attitude and behaviour are delivered into our homes on a regular basis through the television, on the radio and through the print and, nowadays, electronic media.

This brings me back to the controversy surrounding Andrew Johns. I said earlier that I have been very concerned and disillusioned at the attempts by many people to be an apologist for Andrew Johns and to offer excuses for his repeated use of illicit recreational drugs over many years. One of the typical lines of argument utilised to promote this view is that Johns used illicit recreational drugs to escape problems associated with his reported mental health condition. This excuse is used to engender sympathy for Johns and to divert attention away from the illegal use of illicit recreational drugs over many years.

Mental illness is a very serious issue in Queensland and indeed throughout Australia. In no way do I wish to trivialise or to understate the size or scope of mental illness issues right throughout the community and nor do I deny that there is often a strong link between instances of illicit recreational drug use and mental health issues. There is certainly a link there and perhaps in this particular case Andrew Johns has convinced himself that he needed to use illicit recreational drugs over many years as a mechanism to cope with the highs and lows involved with his particular mental health problems. I think it has been reported that Johns suffers from bipolar disorder.

The question that confronts us as a society is whether or not we can accept that as an excuse for illicit recreational drug use, not just on one occasion but what appears to be a consistent use of illicit recreational drugs over many years. I am very concerned that there has not been sufficient formal pursuit of this issue involving Johns in relation to his illicit recreational drug use. What message is this sending to young people throughout the community? That if they can demonstrate some sort of excuse to justify or explain away their drug use they might be able to avoid the penalties associated with that offence.

Barriers to securing support for mental illness issues frequently but not always relate to access and sometimes the affordability of treatment from mental health professionals. I cannot imagine that any of these barriers were faced by Andrew Johns during the time that he took illicit recreational drugs. I find it very difficult to accept that in the environment that Andrew Johns has been in throughout his career—well remunerated, surrounded by support staff and fellow players, friends and family—he did not have the opportunity to access mental health support to deal with his reported problems with bipolar disorder.

I make those remarks without any particular maliciousness towards Johns personally. But in view of the barriers with respect to access and affordability of mental health support to those on lower incomes or those in rural and regional areas who have access problems, I am not satisfied that we as a community should accept his excuse and the excuse provided by some who have defended and apologised for Johns's behaviour on his behalf that he needed to use illicit drugs to help him cope with the highs and lows that he experienced while dealing with his particular mental health issues.

While Marion Jones lost her medals, what has Johns lost apart from his public credibility? The slight on the reputation of the great game of Rugby League has been much more significant. We must adopt a very strong attitude towards the use of drugs in sport, illegal performance-enhancing drugs and illicit recreational drugs. In view of the impact that it does have on the community when our heroes are caught out, particularly for our young people, I feel strongly that the penalties should be significant. With those comments on the record, I am pleased to support the bill.