

Stephen White

From: Tony Baccari
Sent: 21 August 2014 9:40 AM
To: Ben McDevitt
Cc: ASADA media; Helen Thorne
Subject: Media requests for interviews [SEC=UNCLASSIFIED]

Hi Ben

When you have a moment, I would like to discuss how you would like us to manage media requests for interviews going forward.

I took a call this morning from the ABC who has requested your appearance on Offsiders this Sunday. The interview will be with Gerard Whateley and will focus on the process. I'm awaiting their formal request by email.

Thanks
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority


www.asada.gov.au

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

Stephen White

From: Kate Tozer <Tozer.Kate@abc.net.au>
Sent: 21 August 2014 9:47 AM
To: ASADA media
Subject: Interview Request

Dear Tony,

As discussed, I'm hoping Ben McDevitt will consider an interview with Gerard Whateley on the processes surrounding this week's developments in the NRL, keeping in mind obvious restrictions on specifics of the show cause notices.

The interview would run on Offsiders on ABC TV at 10am Sunday as a pre-recorded segment.

I look forward to your response.

Kate



Kate Tozer
 Executive Producer Offsiders
 [Redacted] tozer.kate@abc.net.au
 @katetozer



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Stephen White

From: Tony Baccari
Sent: 21 August 2014 1:40 PM
To: Ben McDevitt; Elen Perdikogiannis
Cc: ASADA media; Helen Thorne
Subject: TRIM: FOR APPROVAL: Response to enquiries about the offer made to NRL players yesterday [SEC=UNCLASSIFIED]
Attachments: Media enquiry David Mark (ABC).docx
Importance: High

Hi Ben and Elen

We have received two enquiries (ABC PM program and ABC TV News) questioning us regarding the proposal/deal put to Cronulla players yesterday.

Please find attached for your approval my suggested response to David Mark. While we could have given just the general line, I think the additional information (if appropriate) will help frame our actions.

So far today we have received the following requests for an interview:

- David Mark (ABC PM program)
- ABC Offsiders program
- Chris Barrett (Sydney Morning Herald) – forwarded to us from Kay.

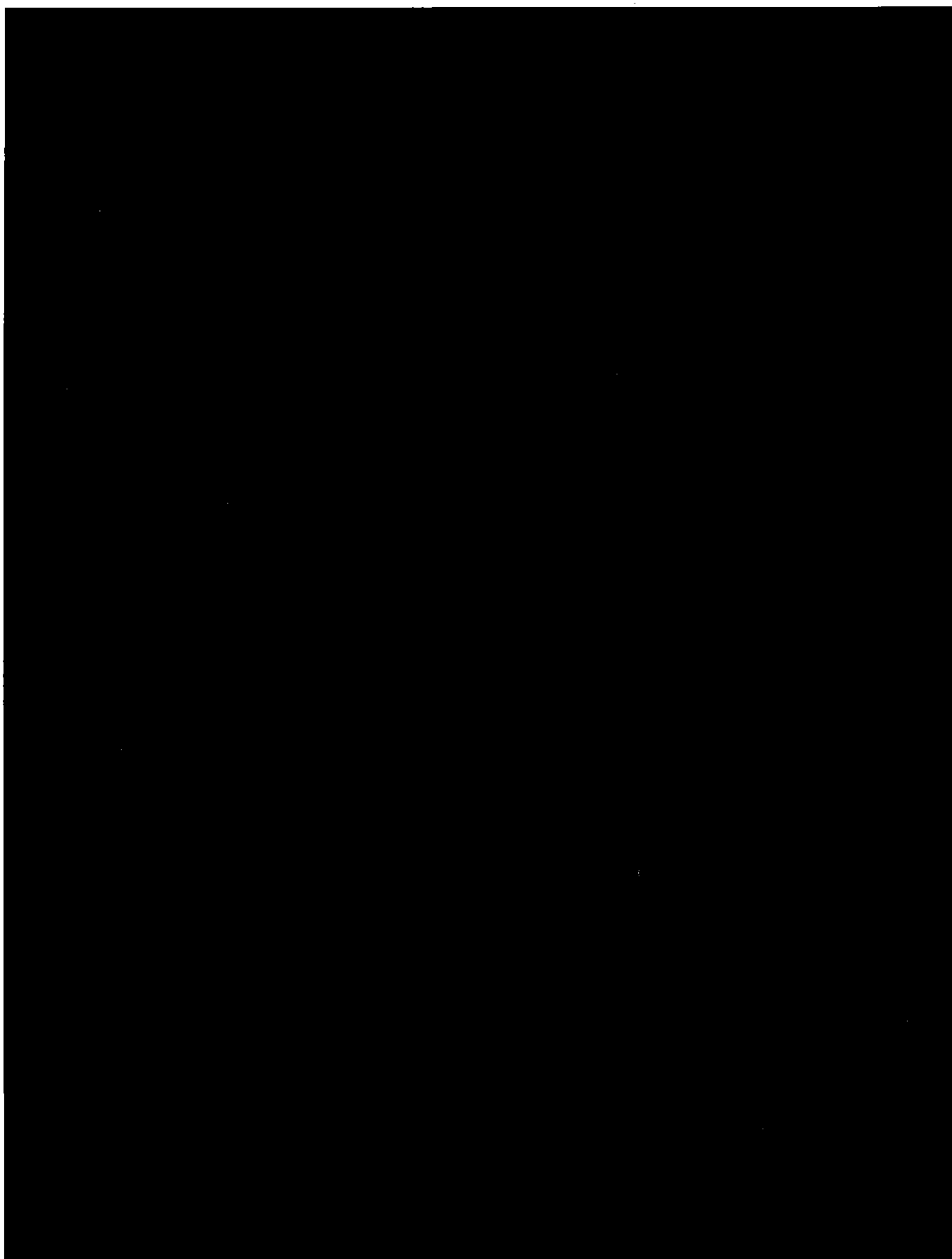
As discussed, I will decline all requests, except for Offsiders (which is still under consideration).

Regards
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority


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Stephen White

From: ASADA media
Sent: 21 August 2014 3:19 PM
To: 'Kate Tozer'
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hi Kate

Ben is still considering your request, but there are some logistical issues as he is travelling interstate and has limited availability. He is a fan of the Offsiders program and is keen to do something with Gerard for the program.

To help Ben get a sense of your request, are you able to provide options for how we might do the interview (noting Ben will be interstate). Will it be a pre-record? Will it just be Gerard interviewing Ben? How long will you need him for? While we appreciate you can't give us the exact questions, are you able to elaborate any further as to what topics Gerard wishes to cover in the interview (noting our restrictions).

We may not be in a position until tomorrow to give you an answer, but Ben is giving it serious consideration.

Regards
Tony

ASADA Media
Australian Sports Anti-Doping Authority

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F +61 (0) 2 6222 4201
E media@asada.gov.au

www.asada.gov.au

From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]
Sent: 21 August 2014 9:47 AM
To: ASADA media
Subject: Interview Request

Dear Tony,

As discussed, I'm hoping Ben McDevitt will consider an interview with Gerard Whateley on the processes surrounding this week's developments in the NRL, keeping in mind obvious restrictions on specifics of the show cause notices.

The interview would run on Offsiders on ABC TV at 10am Sunday as a pre-recorded segment.

I look forward to your response.

Kate



Kate Tozer
Executive Producer Offsiders



@katetozer



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Stephen White

From: ASADA media
Sent: 21 August 2014 6:15 PM
To: Ben McDevitt
Subject: Offsiders: Interview Request [SEC=UNCLASSIFIED]

See below FYI ...

I'll talk to you tomorrow ... [REDACTED]

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority

[REDACTED]
www.asada.gov.au

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From: Kate Tozer [mailto:Tozer.Kate@abc.net.au]
Sent: 21 August 2014 3:37 PM
To: ASADA media
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hi Tony,

The interview would be pre-recorded with Gerard.

It's too early to know the exact topics which might be covered until the events of tomorrow unfold, however Gerard is happy to speak with Ben for a briefing whenever he is available.

It would be my preference to do the interview on Saturday or Sunday morning before the show. If Ben isn't in Melbourne over the weekend, we can get a camera to him. He would hear Gerard's questions down the phone line.

Let me know if I can help with any other info.

Thanks,

Kate



Kate Tozer
Executive Producer Offsiders

[REDACTED] | @katetozer



From: ASADA media [mailto:media@asada.gov.au]
Sent: Thursday, 21 August 2014 3:19 PM
To: Kate Tozer
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hi Kate

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To help Ben get a sense of your request, are you able to provide options for how we might do the interview (noting Ben will be interstate). Will it be a pre-record? Will it just be Gerard interviewing Ben? How long will you need him for? While we appreciate you can't give us the exact questions, are you able to elaborate any further as to what topics Gerard wishes to cover in the interview (noting our restrictions).

We may not be in a position until tomorrow to give you an answer, but Ben is giving it serious consideration.

Regards
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The interview would run on Offsiders on ABC TV at 10am Sunday as a pre-recorded segment.

I look forward to your response.

Kate



Kate Tozer
Executive Producer Offsiders
tozer.kate@abc.net.au
@katetozer



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Stephen White

From: ASADA media
Sent: 22 August 2014 12:58 PM
To: 'Kate Tozer'
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Thanks Kate ... I'll get back to you as soon as I can.

Regards
Tony

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Australian Sports Anti-Doping Authority

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E media@asada.gov.au

www.asada.gov.au

From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]
Sent: 22 August 2014 12:56 PM
To: ASADA media
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Thanks for your help with this Tony.

Ben can chat with Gerard any time tomorrow morning. Gerard's mobile number is [REDACTED]
Find out where Ben would prefer to do it. I can send a camera to him or he can go into the ABC's Brisbane studios at Southbank.

In terms of a time, Gerard could do the interview at 11.30am or after 5pm. He'll be on air calling the football between 12-5.

Let me know as soon as you find out so I can book cameramen etc.

Cheers,
Kate



Kate Tozer
Executive Producer Offsiders
[REDACTED] tozer.kate@abc.net.au
[REDACTED] @katetozer



From: ASADA media [<mailto:media@asada.gov.au>]
Sent: Friday, 22 August 2014 12:37 PM
To: Kate Tozer
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hi Kate

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Ben's preference is to have a pre-interview discussion with Gerard tomorrow morning and then do the interview tomorrow afternoon (Ben will be in Brisbane).

Are you able to provide me with the best contact number which Ben can call Gerard tomorrow morning?

From your perspective, what is the best way to do the interview – will you send a camera to Ben or would you prefer Ben to go into a studio? If we have both options, I can put it to Ben when I speak to him again and see his preference.

Once I speak to Ben I will hopefully be able to firm up his participation.

Regards
Tony

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E media@asada.gov.au

www.asada.gov.au

From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]
Sent: 22 August 2014 12:23 PM
To: ASADA media
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hey Tony. Any word?



Kate Tozer
Executive Producer Offsiders
tozer.kate@abc.net.au
@katetozer



From: ASADA media [<mailto:media@asada.gov.au>]
Sent: Thursday, 21 August 2014 3:19 PM
To: Kate Tozer
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hi Kate

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To help Ben get a sense of your request, are you able to provide options for how we might do the interview (noting Ben will be interstate). Will it be a pre-record? Will it just be Gerard interviewing Ben? How long will you need him for? While we appreciate you can't give us the exact questions, are you able to elaborate any further as to what topics Gerard wishes to cover in the interview (noting our restrictions).

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From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]
Sent: 21 August 2014 9:47 AM
To: ASADA media
Subject: Interview Request

Dear Tony,

As discussed, I'm hoping Ben McDevitt will consider an interview with Gerard Whateley on the processes surrounding this week's developments in the NRL, keeping in mind obvious restrictions on specifics of the show cause notices.

The interview would run on Offsiders on ABC TV at 10am Sunday as a pre-recorded segment.

I look forward to your response.

Kate



Kate Tozer

Executive Producer Offsiders

tozer.kate@abc.net.au

@katetozer



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Stephen White

From: Tony Baccari
Sent: 22 August 2014 1:11 PM
To: Ben McDevitt
Cc: Helen Thorne
Subject: Offsiders interview [SEC=UNCLASSIFIED]

Hi Ben

I've spoken to Kate at the ABC about the interview for Offsiders.

You can have your pre-interview with Gerard any time tomorrow morning. Gerard's mobile number is [REDACTED]

In relation to the interview, they are willing to fit in with your circumstances. They can either send a camera to you, or you can go into the ABC's Brisbane studios at Southbank.

In terms of a time, Gerard could do the interview at 11.30am or after 5pm. He'll be on air calling the football between 12 and 5.

Kate has informed me that Gerard's interview would concentrate on the developments in the NRL. Gerard might have one question on the AFL investigation, but NRL is the main focus for them this week.

Please let me know:

- if you want me to firm up the interview (it's penciled in at this stage).
- If you go ahead with the interview, your time preference.
- If you go ahead with the interview, your preference of going to the studio or a cameraman at a location of your choosing.
- if the cameraman option, I'll need a location and time that I can pass onto them (note: if you choose your home, be comfortable with the fact that they'll record it in their system for future use).

Regards
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority

[REDACTED]
www.asada.gov.au

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Stephen White

From: ASADA media
Sent: 22 August 2014 1:21 PM
To: 'Kate Tozer'
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

At this stage Ben is unavailable for interviews. Not sure if this will change over the weekend.

Tony

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From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]
Sent: 22 August 2014 1:15 PM
To: ASADA media
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Out of interest, will Ben be doing other media over the weekend?



Kate Tozer
 Executive Producer Offsiders
 [Redacted] tozer.kate@abc.net.au
 @katetozer



From: ASADA media [<mailto:media@asada.gov.au>]
Sent: Friday, 22 August 2014 12:58 PM
To: Kate Tozer
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Thanks Kate ... I'll get back to you as soon as I can.

Regards
 Tony

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From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]
Sent: 22 August 2014 12:56 PM
To: ASADA media
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Thanks for your help with this Tony.

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Find out where Ben would prefer to do it. I can send a camera to him or he can go into the ABC's Brisbane studios at Southbank.

In terms of a time, Gerard could do the interview at 11.30am or after 5pm. He'll be on air calling the football between 12-5.

Let me know as soon as you find out so I can book cameramen etc.

Cheers,

Kate



Kate Tozer

Executive Producer Offsiders

tozer.kate@abc.net.au

@katetozer



From: ASADA media [<mailto:media@asada.gov.au>]

Sent: Friday, 22 August 2014 12:37 PM

To: Kate Tozer

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Hi Kate

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Ben's preference is to have a pre-interview discussion with Gerard tomorrow morning and then do the interview tomorrow afternoon (Ben will be in Brisbane).

Are you able to provide me with the best contact number which Ben can call Gerard tomorrow morning?

From your perspective, what is the best way to do the interview – will you send a camera to Ben or would you prefer Ben to go into a studio? If we have both options, I can put it to Ben when I speak to him again and see his preference.

Once I speak to Ben I will hopefully be able to firm up his participation.

Regards

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From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]

Sent: 22 August 2014 12:23 PM

To: ASADA media

Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hey Tony. Any word?



Kate Tozer

Executive Producer Offsiders

tozer.kate@abc.net.au

@katetozer



From: ASADA media [<mailto:media@asada.gov.au>]
Sent: Thursday, 21 August 2014 3:19 PM
To: Kate Tozer
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hi Kate

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To help Ben get a sense of your request, are you able to provide options for how we might do the interview (noting Ben will be interstate). Will it be a pre-record? Will it just be Gerard interviewing Ben? How long will you need him for? While we appreciate you can't give us the exact questions, are you able to elaborate any further as to what topics Gerard wishes to cover in the interview (noting our restrictions).

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Regards
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From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]
Sent: 21 August 2014 9:47 AM
To: ASADA media
Subject: Interview Request

Dear Tony,

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The interview would run on Offsiders on ABC TV at 10am Sunday as a pre-recorded segment.

Look forward to your response.

Kate



Kate Tozer
Executive Producer Offsiders
 tozer.kate@abc.net.au
@katetozer



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Stephen White

From: Ben McDevitt
Sent: 22 August 2014 2:50 PM
To: Tony Baccari
Subject: Re: Offsiders interview [SEC=UNCLASSIFIED]

Hi Tony - I will call Gerard about 0830 tomorrow morning if that suits him (0900 if that is better for him) and if they can send a camera to me to do the interview itself at 1130 that would be good. Address is [REDACTED]
B

Sent from my iPad

On 22 Aug 2014, at 1:10 pm, "Tony Baccari" <Tony.Baccari@asada.gov.au> wrote:

Hi Ben

I've spoken to Kate at the ABC about the interview for Offsiders.

You can have your pre-interview with Gerard any time tomorrow morning. Gerard's mobile number is [REDACTED]

In relation to the interview, they are willing to fit in with your circumstances. They can either send a camera to you, or you can go into the ABC's Brisbane studios at Southbank.

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- if you go ahead with the interview, your preference of going to the studio or a cameraman at a location of your choosing.
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Australian Sports Anti-Doping Authority

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Stephen White

From: ASADA media
Sent: 22 August 2014 3:19 PM
To: 'Kate Tozer'
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hi Kate

Ben has confirmed that he will call Gerard about 8.30am tomorrow morning if that suits him (9.00am if that is better for him) for the pre-interview discussion.

Ben said that the 11.30am slot for the interview suits him better. He has advised if you can send the cameramen to him at [REDACTED] Can you confirm the time Ben should expect them.

Regards
 Tony

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 Australian Sports Anti-Doping Authority

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From: Kate Tozer [<mailto:Tozer.Kate@abc.net.au>]
Sent: 22 August 2014 12:56 PM
To: ASADA media
Subject: RE: Interview Request [SEC=UNCLASSIFIED]

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Cheers,
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Kate Tozer
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Hey Tony. Any word?



Kate Tozer
Executive Producer Offsiders
[redacted] tozer.kate@abc.net.au
[redacted] @katetozer



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Subject: RE: Interview Request [SEC=UNCLASSIFIED]

Hi Kate

Ben is still considering your request, but there are some logistical issues as he is travelling interstate and has limited availability. He is a fan of the Offsiders program and is keen to do something with Gerard for the program.

To help Ben get a sense of your request, are you able to provide options for how we might do the interview (noting Ben will be interstate). Will it be a pre-record? Will it just be Gerard interviewing Ben? How long will you need him for? While we appreciate you can't give us the exact questions, are you able to elaborate any further as to what topics Gerard wishes to cover in the interview (noting our restrictions).

We may not be in a position until tomorrow to give you an answer, but Ben is giving it serious consideration.

Regards
Tony

ASADA Media
Australian Sports Anti-Doping Authority

T +61 (0) 2 6222 4263
F +61 (0) 2 6222 4201
E media@asada.gov.au

www.asada.gov.au

From: Kate Tozer [mailto:Tozer.Kate@abc.net.au]

Sent: 21 August 2014 9:47 AM

To: ASADA media

Subject: Interview Request

Dear Tony,

As discussed, I'm hoping Ben McDevitt will consider an interview with Gerard Whateley on the processes surrounding this week's developments in the NRL, keeping in mind obvious restrictions on specifics of the show cause notices.

The interview would run on Offsiders on ABC TV at 10am Sunday as a pre-recorded segment.

I look forward to your response.

Kate



Kate Tozer

Executive Producer Offsiders

tozer.kate@abc.net.au

@katetozer



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email from your system. The ABC does not represent or warrant that this transmission is secure or virus free. Before opening any attachment you should check for viruses. The ABC's liability is limited to resupplying any email and attachments.

Stephen White

From: Tony Baccari
Sent: 22 August 2014 3:36 PM
To: Ben McDevitt
Subject: RE: Offsiders interview [SEC=UNCLASSIFIED]

Hi Ben

Kate (the Executive Producer) has suggested 9am for the pre-interview phone call with Gerard.

The cameraman is Matt Guest. He'll arrive 15 minutes prior to set-up so you should expect him at **11:15am**. Matt will have a look around and make a decision on the best location for the interview, whether that be inside or out. (Kate prefers somewhere inside if possible, but do it where you are comfortable).

Kate's mobile is [REDACTED] in case you are held up or there is any issue.

Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority

[REDACTED]
www.asada.gov.au

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

From: Ben McDevitt
Sent: 22 August 2014 2:50 PM
To: Tony Baccari
Subject: Re: Offsiders interview [SEC=UNCLASSIFIED]

Hi Tony - I will call Gerard about 0830 tomorrow morning if that suits him (0900 if that is better for him) and if they can send a camera to me to do the interview itself at 1130 that would be good. Address is [REDACTED]
B

Sent from my iPad

On 22 Aug 2014, at 1:10 pm, "Tony Baccari" <Tony.Baccari@asada.gov.au> wrote:

Hi Ben

I've spoken to Kate at the ABC about the interview for Offsiders.

You can have your pre-interview with Gerard any time tomorrow morning. Gerard's mobile number is [REDACTED]
[REDACTED]

In relation to the interview, they are willing to fit in with your circumstances. They can either send a camera to you, or you can go into the ABC's Brisbane studios at Southbank.

In terms of a time, Gerard could do the interview at 11.30am or after 5pm. He'll be on air calling the football between 12 and 5.

Kate has informed me that Gerard's interview would concentrate on the developments in the NRL. Gerard might have one question on the AFL investigation, but NRL is the main focus for them this week.

Please let me know:

- if you want me to firm up the interview (it's penciled in at this stage).
- if you go ahead with the interview, your time preference

- if you go ahead with the interview, your preference of going to the studio or a cameraman at a location of your choosing.
- if the cameraman option, I'll need a location and time that I can pass onto them (note: if you choose your home, be comfortable with the fact that they'll record it in their system for future use).

Regards
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority



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Stephen White

From: Ben McDevitt
Sent: 22 August 2014 4:31 PM
To: Tony Baccari
Subject: Re: Offsiders interview [SEC=UNCLASSIFIED]

Great no probs Tony.

Sent from my iPad

On 22 Aug 2014, at 3:36 pm, "Tony Baccari" <Tony.Baccari@asada.gov.au> wrote:

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Tony Baccari

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To: Tony Baccari

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Regards

Tony

Tony Baccari

Communications and Media Manager

Australian Sports Anti-Doping Authority


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Stephen White

From: Kate Tozer <Tozer.Kate@abc.net.au>
Sent: 24 August 2014 11:07 AM
To: ASADA media
Subject: Offsiders ABC TV

Hi Tony,
 I'm sending through Gerard Whateley's extended interview with Ben McDevitt for your records.
 Cheers,
 Kate

GW
 Ben McDevitt welcome to Offsiders.

BM
 Thanks Gerard

GW
 Did Cronulla players definitively use performance enhancing drugs?

BM
 Well Gerard at this stage we have a number of players who have admitted exactly that that they have used performance enhancing drugs.

GW
 Are these players then to be regarded as drug cheats?

22.30

BM
 Interesting question but it's not for me to name call. People will come to their own conclusions and decide to use that terminology. My job as the regulator of the code, and I note WADA code that we administer doesn't contain the word cheats but let's just talk about the facts here. What we've got is players who have taken performance enhancing drugs. That's a fact. These players have gone onto the field of play with those substances in their systems and that has given them an unfair advantage. That's a fact. Players have admitted having these substances administered to them. That's a fact. Under the code each player is responsible for what enters their body. That personal responsibility is a fact. In relation to these particular players, their claim is that they took performance enhancing drugs unwittingly. They are saying were doped and they were duped and on the evidence that we have gathered that also is a fact and that entitles them to a reduction in the penalty and the use of these substances normally under the code carries a two year penalty. It is a fact that they have a claim here to be able to reduce that penalty to a one year penalty due to having no significant fault.

GW
 So players took to the field with an unfair advantage. Ben, that being the case how are penalties that in practical terms amount to 3 matches and a couple of weeks of pre-season training how can that be regarded as proportional?

BM
 This is really a difficult and complex situation. We've got to look at the circumstances of each case in a very specific and separate way. What we actually have here is an investigation that has gone on for months, and months and months. It's gone on under a very public spotlight. The fact these players have actually had the sword of possible issuance of notices against them, is actually something that can be counted lawfully under the interpretation of the code as a reason for being able to commence a backdating provision. What has occurred here is the players in facing a 12 month potential sanction have claimed that they should be given a backdating provision due to the fact there are issues about delays which are not attributable to the athlete. Things like ASADA and Gvt, Parliament was

required to amend the ASADA legislation once this investigation had already started in order for ASADA to be able to conduct the sort of inquiries and interviews it actually did. Don't forget this didn't start with a positive test. There hasn't been a single positive test in relation to these players at Cronulla so we've had a lot of delays not attributable to the players involved and that entitles them under the code to seek these backdating provisions. Whilst it might seem unfair to some and some would say three matches is too little of a penalty, let's remember the sanction is a 12 month sanction that will go on the record. Yes it's true it has been backdated, it has been backdated for logical reasons. and in terms of the advice here, let's just have a think about this. I have spoken to WADA throughout this investigation in terms of when I arrived. I've only been here for three months. I established an early relationship with David Howman, the director general of WADA and I've kept him in the loop on the progress of the investigation. The last time I spoke to him was yesterday, I spoke to him a couple of times the day before. He has been involved with this and has assured me that he has a level of comfort about where we have arrived here. In addition I've sought and had the views of Rich Young. Rich Young wrote the World Anti-Doping Code. I've spoken to him about these backdating provisions. I've said to him do you think it is fair and reasonable when you are at a point where players have already moved from a position of saying there's no significant fault, they're saying they were unwittingly subject to the administration of these substances, the evidence shows in all likelihood that that was the case and significant blame actually lies elsewhere and we can come onto that later but Rich Young says, I wrote the code, I wrote the provisions, these players would certainly be entitled on the basis of significant delays not due to them, to claim backdating penalties and that's where we've arrived at.

GW

As we sit here now how would you categorise the chances of WADA appealing these penalties?

BM

Well I think we're on extremely firm ground. I've been consulting with WADA and the advice I have from WADA is that they are very comfortable with how this has been handled and the landing point that we have arrived at. Obviously WADA, they will always retain their right to appeal. In fairness to them they haven't seen all the intimate, intricacies of this brief, they haven't been exposed to the thousands and thousands of pages of documents but they are aware of how it's panned out, the general flow of it, aware of what players have said, general nature of the evidence that is being produced. They'll never give an iron-clad guarantee, of course they'll reserve their right but I'm extremely comfortable that they believe what we have done here is consistent with the code and in accordance with the code and I can tell you as the administrator and guardian of the code here in Australia there is no way I would possibly allow us to get into a situation where what we were doing was in breach of the provisions of that code.

GW

Do you feel a moral obligation to the players to ensure the deal that was accepted is the penalty that is served?

30.33

BM

I have entered into an arrangement with these players. They were served notices giving them details, showing them quite considerable evidence that had been amassed against them following a long investigation. They were invited to respond to that, they were entitled to have discussions about what that might mean in terms of provisions of the code. Those discussions have taken place, our sense was there were legitimate claims for these players to be able to claim no significant fault to say they unwittingly received substances, to therefore mean that there, you could also go to a point where they could legitimately claim there were undue delays in this that were totally not attributable to them so where we landed was fair and appropriate and ASADA stands by the positions that we are at now and that is on no personal view of mine about favouritism or malice or ill-will against anybody else, it's on strict interpretation of the code.

32.01

GW

In what you would describe as the unlikely event that WADA did exercise its right to appeal, you would essentially stand with the players?

BM

Absolutely. It's not a matter of standing with the players. It's a matter of me as the guarding of the code, standing by the actions that we have taken and standing by the fact we have arrived at the point we have arrived at in terms of recommended sanctions, applied by the NRL, but in terms of the recommended sanctions and the backdating provisions and the entitlement to those provisions, we have done that in a fair and proper and consistent way and of course I will stand by the actions of this organisation but my strong view is you are talking something that is theoretical and that will just not happen because I know that WADA are comfortable with where we've come.

33.17

GW

Were the players this week presented with the evidence that you had gathered against them?

BM

They were presented with show cause notices which had an attachment to them which shows the general nature of the evidence which was gathered in support of our case. Obviously they were then in a position where they needed to determine what their response would be. The notices I gave to those players said you have 10 days in which to give me a submission to respond to these notices. They chose to respond in a shorter time period and make admissions and on that basis to seek access to these other provisions we have just discussed.

GW

You have previously issued show-cause notices to Essendon players. Did the Cronulla letters contain more information of the specifics of the case against them than what you did with Essendon?

BM

I think that probably is correct. Probably the attachments to the documentation given to Essendon was not as comprehensive as that given to the Cronulla players and following the issuance of the documentation to the Essendon players I actually sought advice from the Australian Government Solicitor on this at to the level of documentation that we should make available at that point. Don't forget there's a series of steps here and every player is entitled to view all the evidence, it's at what point they get to see it all. The advice I got back from the Australian Gvt Solicitor was that they were of the feeling at the point of show cause notice we should give more evidence so that is what we've done in this case.

GW

If ASADA had been adequately set up and fortified in preparation for this investigation do you think the penalties would be harsher than we're seeing now?

BM

Tell that's a hypothetical question. The end state may well have been the same but may have been arrived at through different interpretations of the code which is a complex document. The reality is I don't think ASADA was ready for an investigation of this magnitude, and it's not just ASADA. I don't think any national anti-doping organisation in the world would have been ready for something of this magnitude, complexity, this enormity which was immediately made public and needed to be conducted under the public eye and in terms of resources and capabilities there significant delays in relation to, for example interviews where we had players ready for interview but for a variety of reasons we weren't ready to actually conduct those interviews until some months later, a reason right there that players could seek backdating of penalties just for that and it's fair and reasonable and I've got to do this without fear or favour or malice or ill-will. I have no special affinity involved in any of these matters. I have no favourite sport or code or anything else. All I'm doing is to the best of my ability interpreting the code as the regulator. I cannot allow emotion to take over here. There's the code this is the set of rules, this is what the investigation is showing us and this therefore is the way we've moved forward.

GW

You came to the job amid mounting pressure for ASADA to resolve these matters. Do you feel like you've held up your end of the bargain in recent days?

BM

I took this role on 90 days ago and I've got to say it had been running under a public spotlight for many many months. I said I would work at this with urgency but that I wouldn't sacrifice certainty for that urgency. The ASADA

team has worked hard and diligently and under constant pressure from the media and others to actually get this resolved but I've got to do it properly. On day 25 I issued the notices to Essendon after due consideration, after strong legal advice which I've had every step of the way, we've continued the work simultaneously in relation to the Cronulla matters. They weren't set aside, we've been working on them both continuously but it took longer, we got to where we were and again after legal advice when I felt I was comfortable and I'd reached a state of mind that I need to, and I don't issue show cause notices on a willy nilly basis, I issue them after due consideration, and on Tuesday I felt I had reached that point.

39.28

GW

How do you respond to John Fahey's accusation that Australia's anti doping integrity is a joke?

BM

John Fahey is a man of great integrity and I have a great deal of respect for John and I've spoken to John several times over the past few months and I appreciate his wise counsel. The reality is that my job is as the regulator here I am responsible as the CEO I need to fulfil my responsibilities as I see them as being most appropriate. I need to liaise with WADA, I do that, I get constant advice from them and that heavily influences the actions I've taken with the best advice and experience I'm able to gather from them. I've also been influenced by the review conducted by Garry Downes in relation to these matters and again I can't go into the Garry Downes report. It's legally privileged but the Garry Downes position is consistent with where we have landed under these circumstances and so I can only say I maintain my greatest respect for John and I believe he is a man of great integrity.

GW

Is Australia's anti-doping integrity intact as a result of what's happened this week?

BM

I believe everything that has happened this week is totally in line with my obligations, it is totally in line with the national anti-doping scheme. It follows months and months of extensive investigations conducted under the public spotlight very very good work conducted by investigators in bringing together evidence, extremely lengthy legal advice sought from multiple sources, including from the person who wrote the code so I'm very comfortable the system being what it is, the code being what it is, and that's what I've got to stick to and maintain the integrity of the code.

GW

How do you answer the outcry from Olympic athletes who are outraged at what I suspect they see as blatant favouritism to populist domestic football.

BM

Well I can tell you from the person who is the regulator, I have no view about any favourable approach to any particular sport. We administer 93 separate sports across this country and we do it without fear or favour and in the 3 months that I've been in this role I haven't just issued show cause notices to two sports, I've issued 60+ notices to 6 different sports. Every athlete from every sport negotiates the same code. The same set of rules apply. Any athlete can apply, and they're entitled to do it under the provisions of the code and if they want to say and every circumstance is separate, I would like to apply for no significant fault if they can demonstrate that then it is applied. If they can apply for and want to claim substantial assistance then that is applied, it's assessed and applied. If they want to apply for backdating provisions for reasons of extended delays not attributable to them, they can apply for that, if they want to apply for timely admissions and for backdating in relation to that then they can. Look, athletes can say what they like, there's 93 sports, one set of rules, they each negotiate it separately as individuals and we apply the rules fairly and impartially and without favour.

GW

Will ASADA release a reasoned decision outlining why these players were found to have doped?

BM

I think in time it's fair and reasonable and I think we need to be as transparent as we can because as I said at first blush people might look at these penalties, these sanctions and think that's unfair, that doesn't seem appropriate to

me, so I think it is in our interest to be able to demonstrate and step through the investigation process, the way the code is actually applied, the way that individuals can actually apply for reductions or for a retro-active commencement of their period of ineligibility, I think that is in the public interest but I must hasten to add that right now isn't the time because right now this still isn't resolved. We've still got a number of players who have yet 10 days, or the remainder of the 10 days to actually respond to the infraction notices which I have issued and they may respond in a range of different ways and in all likelihood we will have a number of these matters that will end up before the tribunal so it's live, it's moving, it will be before the court, but in answer to your question, yes, at the end of the day here I would like to be able to lay all this out and let everybody see what the circumstances actually were here and how we have arrived where we are now.

GW

Have the players who have made admission been entered yet on the register of findings?

BM

Yes they have. The ADRVP actually convened last night and that panel has made its decisions and its decisions were to actually place these names on its register of findings and again in terms of the process here, the end to end processes under the national anti-doping scheme and the framework that we use are quite long in terms of time frames and there's some good reasons for that in terms of players being able to seek legal redress, to appeal at multiple steps along the way so for some pretty good reasons they're very convoluted and can be quite drawn out.

But my guarantee is that when somebody enters into this framework that wherever possible when it's in ASADA's court we will deal with these matters as effectively and efficiently as we can.

GW

Ben how would you depict the conduct of Stephen Dank in what you've become aware of?

BM

The notices that I issued on Tuesday relate to players who believe that they have doped, that they've been the subject of doping and they have now admitted that. They've also claimed, and as I said the evidence we have thus far is that they did this unwittingly, that they doped and were duped. They claim no significant fault, I accept that is applicable. In my view the fault doesn't go away. If the fault doesn't lie or significant elements of it don't lie with the player, then where do they lie? In my view when we're talking about these sort of scenarios there are responsibilities at a player level, there are responsibilities at a club level, and there are responsibilities at a code level and everybody at all levels need to be held accountable. In relation to Stephen Dank if what we have gathered in relation to Stephen Dank's activities is tested and is proven then my view and my strong recommendation is that Stephen Dank never ever should be allowed near any sporting venue or any athlete anywhere in the world, ever.

W

As a line of evidence what has been built against Dank?

BM

I've just expressed my view in relation to Dank. In relation to doping generally my sense is that for every doping offence, or for most doping offences particularly where you see something that seems to be quite broad and the sort of features we're seeing here, then there are people above that. There are people involved in trafficking, there are people involved in aiding and abetting, there are people involved in encouraging activities, there are duty of care issues, there are people who turn a blind eye wilfully to what's happening, there are people who don't ask questions, there are people in positions of authority, in positions of significant influence over athletes who need to be held accountable and in this case I'll continue the ongoing discussions with David Smith and with Nick Weeks and his team, and they've put in a lot of effort and energy in this and all I'm sensing is resolve to work with us to make sure those people are also dealt with in an appropriate manner.

GW

Has Stephen Dank been placed on the register of findings?

BM

Yes he has been placed on the register of findings. and I have written letters to both the heads of the NRL David Smith and the head of the AFL (***** edit) in relation to Mister Dank.

GW

What have you asked the NRL and AFL to do in relation to Dank?

BM

What I've asked them to do is issue infraction notices against Mister Dank and I have recommended that I believe he should be subject to a penalty of a lifetime ban.

GW

Is there any other action ASADA can take against him?

BM

My mandate is limited to enforcement of the national, Australia's national anti doping scheme which is drawn from the provisions of the World Anti-Doping Code. Sports administrations have a range of other activities and actions that they can take beyond what I can take. I've got to stick to anti-doping violations and to the range of possible sanctions that can be brought down within that regime.

GW

Ben what are you able to tell us about the case of Sandor Earl?

BM

I can say very little in relation to the case of Sandor Earl. I know it is in the public arena that Sandor Earl is at the moment, there are court matters that are being heard in relation to Sandor Earl's appeal to the administrative appeals tribunal. That's his right and again when we talk about the end-to-end processes here he has chosen to make that decision and my only point there would be that the circumstances, without going into detail from my perspective relating to Sandor Earl, as opposed to the sort of matters we've been talking about this morning, are absolutely fundamentally different and I think that's about all I can say.

GW

So has he been treated fairly on what you've just said?

BM

I believe absolutely he has been fairly treated.

What needs to be made apparent in all of these matters is what we are talking about here is not decisions made by Ben McDevitt on Tuesday of this week or Ben McDevitt on Day 25 of being in the job in relation to issuing notices against Essendon, what we are talking about here is decisions made by athletes in 2011 and 2012 and we need to bear that in mind.

GW

Are you trying to bring matters at Essendon to a close before the Federal Court ruling is brought down?

BM

Absolutely not. That would be entirely inappropriate and in fact that would be quite contemptuous. We have a learned Federal Court Judge, Justice Middleton who has heard 3 days of extensive argument, legal debate, I am respecting that process, I'm awaiting his judgement on those matters and I would do nothing whatsoever to try to circumvent any of those processes or do anything which would impact in any way on the Essendon players involved there because that would be entirely inappropriate.

GW

So there are no active offers before Essendon players from ASADA at the moment?

BM

Absolutely not.

7.38

GW

What will you do when Justice Middleton hands down his findings?

BM

That's a really difficult question. The first thing I'll do is seek legal advice, I'll consider the finding and the ramifications of that finding for ASADA and for the other parties involved and I will reassess it. In fairness I would reassess it as quickly as possible then I would consider what further options would be available to ASADA in those matters.

GW

Do you hold to your previous determination that you will continue to pursue this case regardless of the ruling?

BM

Well I think very much depends on the findings, the recommendations, the judgement that would then flow from whatever Justice Middleton decides. That could have quite far-reaching implications for all of the parties involved here. Do I think it is the public interest to know what happened at Essendon in 2012? Absolutely I do.

GW

I detect that you're a little less strident today that ASADA will pursue the case against Essendon players regardless of the Federal Court outcome?

BM

Well Gerard as I've said I'm passionate about knowing what happened at Essendon in 2012. I think we need to actually know whether or not the environment of experimentation described by Switkowski was true. Did that actually exist? What I can't do is I can't say this will forge on regardless when I don't know what Judge Middleton is going to determine and when I don't know exactly for example if notices were permanently set aside, for example, and I would hope that wouldn't be the case but if that was the case then quite frankly I might be in a position where I'm legally restrained and unable to take certain other action but all I can say to you is yes, I believe it's in the public interest to know what happened at Essendon in 2012 and I remain committed to that as an objection.

GW

Are the delays experienced in the process the same for Essendon players as they were for Cronulla players?

BM

Look again it's just an extraordinarily difficult question to answer because the circumstances involved here in many ways are just so different.

GW

Is it possible though that in future then Essendon players could be offered the same backdated bans as what were offered to Cronulla players?

BM

There is just no way that I could contemplate answering that question at this point in time until I'm able to fully consider the judgement which will come from Justice Middleton and the implications of that for all parties.

GW

Ben thanks for your time on Offsiders.

BM

Thanks very much Gerard.



Kate Tozer
Executive Producer Offsiders

tozer.kate@abc.net.au

@katetozer



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Stephen White

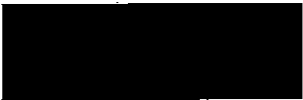
From: Melissa Munro
Sent: 25 August 2014 11:57 AM
To: Tony Baccari
Subject: Media Enquiry - David Mark - questions relating to Mr McDevitt's interview on Offsiders
 [SEC=UNCLASSIFIED]

Hi Tony

David has followed up with another questions which he needs a response to ASAP. He would like us to confirm if Stephen Dank has been informed that his name has been entered onto the RoF. Are you happy for me to go back to him with the following response:



Melissa Munro
 Communications Officer
 Australian Sports Anti-Doping Authority



E Melissa.Munro@asada.gov.au
 W www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

From: Melissa Munro
Sent: 25 August 2014 11:05 AM
To: Tony Baccari
Subject: Media Enquiry - David Mark - questions relating to Mr McDevitt's interview on Offsiders
 [SEC=UNCLASSIFIED]

Hi Tony

As discussed, David Mark from ABC Radio called enquiring about specific questions relating to Ben's interview on Offsider yesterday.

He noted that Ben confirmed that Stephen Dank has been placed on the Register of Findings. His question is under what Act is Mr McDevitt permitted to publicly comment on who has been entered onto the Register of Findings before a decision has been handed down by the Sport.

His second question related to Mr McDevitt commenting that he would like to see a penalty of a lifetime ban for Mr Dank. The NRL have indicated to him that no action will be taken against Mr Dank. What is ASADA's response to that?

David's deadline is for 12pm today but indicated he would prefer a short interview with Ben if possible.

Happy to discuss further.

Thanks
 Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority



E Melissa.Munro@asada.gov.au
W www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

Stephen White

From: Tony Baccari
Sent: 25 August 2014 1:53 PM
To: Ben McDevitt
Cc: ASADA media
Subject: FOR APPROVAL: media enquiry - David Mark - ABC PM program
[SEC=UNCLASSIFIED]
Attachments: Media enquiry David Mark (ABC PM program).docx

Hi Ben

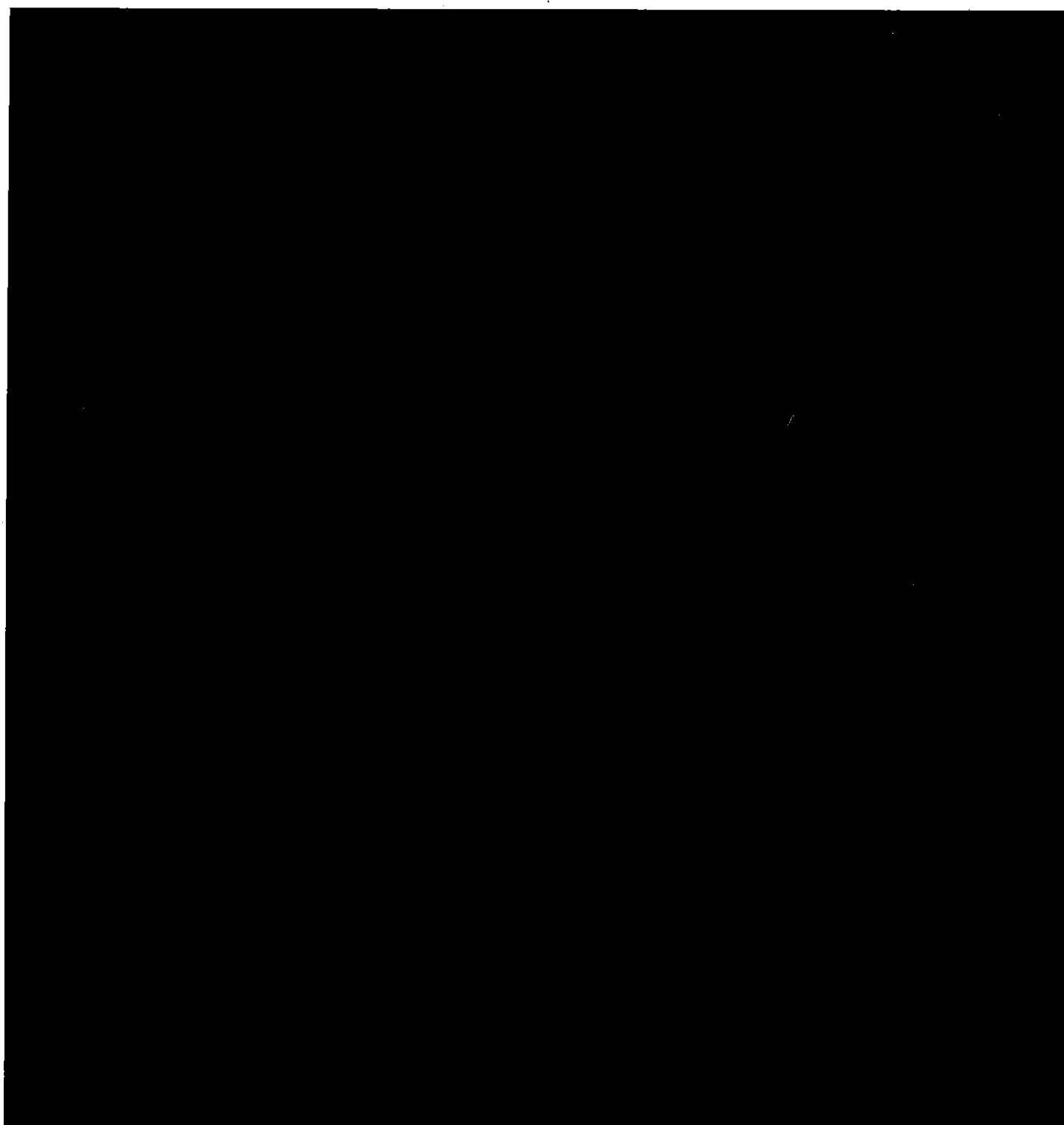
Please find attached a media enquiry from David Mark and the draft response. I will need to speak to you regarding the response to his query about the disclosure of the Dank matter, as it does not specifically address his question:

Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority


www.asada.gov.au


Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.



Stephen White

From: Tony Baccari
Sent: 25 August 2014 2:23 PM
To: Ben McDevitt
Cc: ASADA media
Subject: RE: FOR APPROVAL: media enquiry - David Mark - ABC PM program [SEC=UNCLASSIFIED]
Attachments: Media enquiry David Mark (ABC PM program).docx

Hi Ben

I've drafted some additional words in blue (see attached )

I'll wait to hear from you.

Thanks
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority


www.asada.gov.au

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

From: Tony Baccari
Sent: 25 August 2014 1:53 PM
To: Ben McDevitt
Cc: ASADA media
Subject: FOR APPROVAL: media enquiry - David Mark - ABC PM program [SEC=UNCLASSIFIED]

Hi Ben

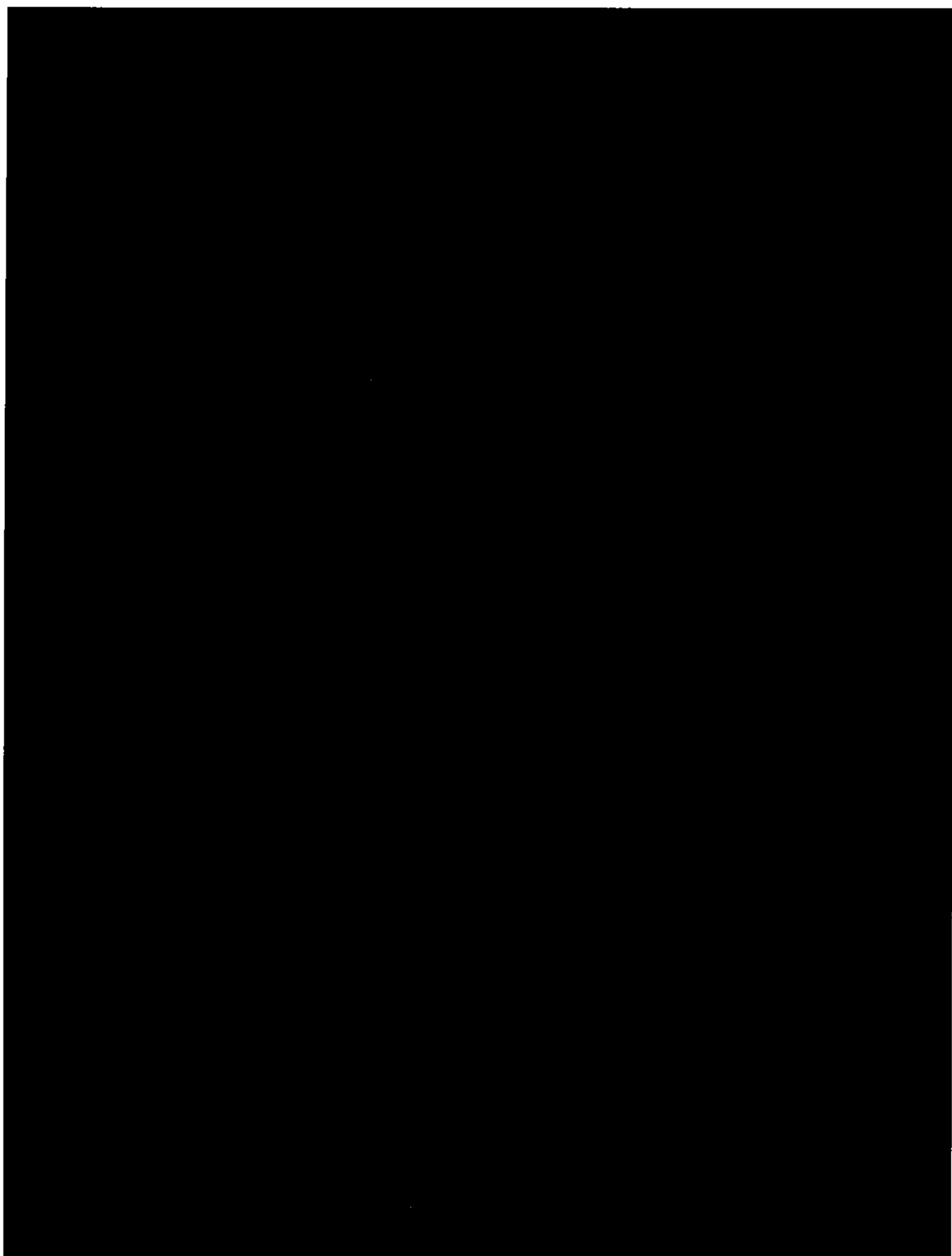
Please find attached a media enquiry from David Mark and the draft response. I will need to speak to you regarding the response to his query about the disclosure of the Dank matter, as it does not specifically address his question.

Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority


www.asada.gov.au

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Stephen White

From: Ben McDevitt
Sent: 25 August 2014 3:20 PM
To: Tony Baccari
Cc: ASADA media
Subject: Re: FOR APPROVAL: media enquiry - David Mark - ABC PM program [SEC=UNCLASSIFIED]

Sounds fine to me Tony.

B

Sent from my iPad

On 25 Aug 2014, at 2:23 pm, "Tony Baccari" <Tony.Baccari@asada.gov.au> wrote:

Hi Ben

I've drafted some additional words in blue (see attached [REDACTED])

I'll wait to hear from you.

Thanks

Tony

Tony Baccari

Communications and Media Manager

Australian Sports Anti-Doping Authority

[REDACTED]
www.asada.gov.au

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

From: Tony Baccari

Sent: 25 August 2014 1:53 PM

To: Ben McDevitt

Cc: ASADA media

Subject: FOR APPROVAL: media enquiry - David Mark - ABC PM program [SEC=UNCLASSIFIED]

Hi Ben

Please find attached a media enquiry from David Mark and the draft response. I will need to speak to you regarding the response to his query about the disclosure of the Dank matter, as it does not specifically address his question.

Tony

Tony Baccari

Communications and Media Manager

Australian Sports Anti-Doping Authority

[REDACTED]
www.asada.gov.au

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Stephen White

From: Tony Baccari
Sent: 25 August 2014 3:32 PM
To: Ben McDevitt
Cc: ASADA media
Subject: ABC Radio - David Mark story [SEC=UNCLASSIFIED]
Attachments: David Mark - ABC Radio - 25 August 2014.wma; Media enquiry David Mark (ABC PM program).docx

Please find attached the audio file of the David Mark story.

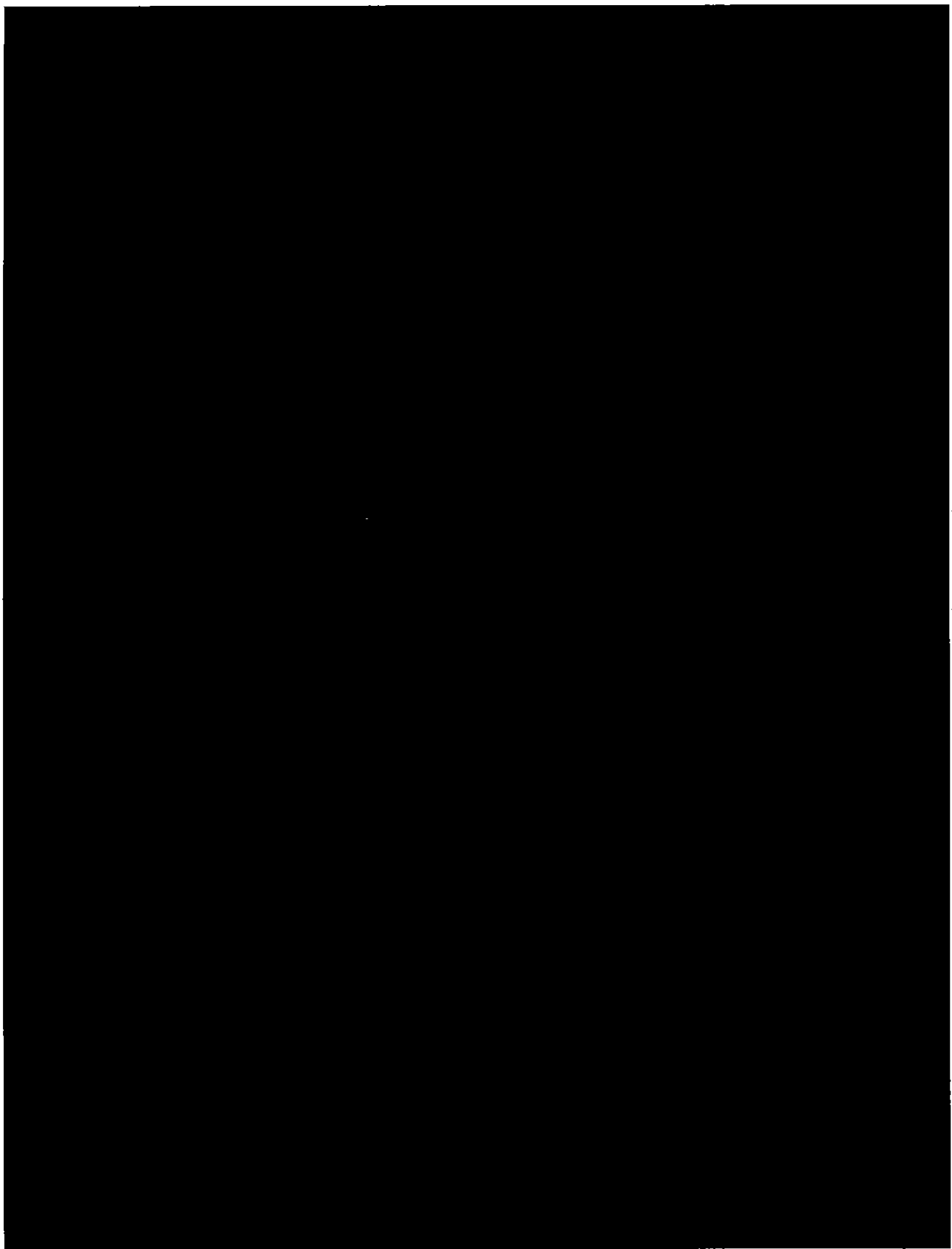
Thank you for your approval of our response to David Mark. Since sending the response to you I've made further updates based on internal discussions. I've reattached the revised response (text in red) for your approval. FYI -- the revision to the last response was done in response to Dank's claims in the story that he has not been notified.

Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority


www.asada.gov.au

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E-mail Message

From: Ben McDevitt [EX:/O=AUSTRALIAN SPORTS DRUG AGENCY/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BMCDEVITT]
To: Tony Baccari [SMTP:Tony.Baccari@asada.gov.au]
Cc: ASADA media [SMTP:media@asada.gov.au]
Sent: 25/08/2014 at 4:32 PM
Received: 25/08/2014 at 4:31 PM
Subject: Re: ABC Radio - David Mark story [SEC=UNCLASSIFIED]

Thanks Tony I am comfortable with the revised response.

B

Sent from my iPad

> On 25 Aug 2014, at 3:31 pm, "Tony Baccari" wrote:

>

> Please find attached the audio file of the David Mark story.

>

> Thank you for your approval of our response to David Mark. Since sending the response to you I've made further updates based on internal discussions. I've

> reattached the revised response (text in red) for your approval.

> Tony

>

> Tony Baccari

> Communications and Media Manager

> Australian Sports Anti-Doping Authority

>

> www.asada.gov.au

>

> Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

>

> > Mark (ABC PM program).docx>

20

Stephen White

From: Tony Baccari
Sent: 25 August 2014 4:49 PM
To: Kay Mcniece
Cc: ASADA media
Subject: Responses to media enquiries [SEC=UNCLASSIFIED]
Attachments: Media enquiry David Mark (ABC PM program).docx; Media enquiry Chris Barrett (SMH).docx

Hi Kay

Please find attached two media enquiries we received today and the responses approved by Ben.

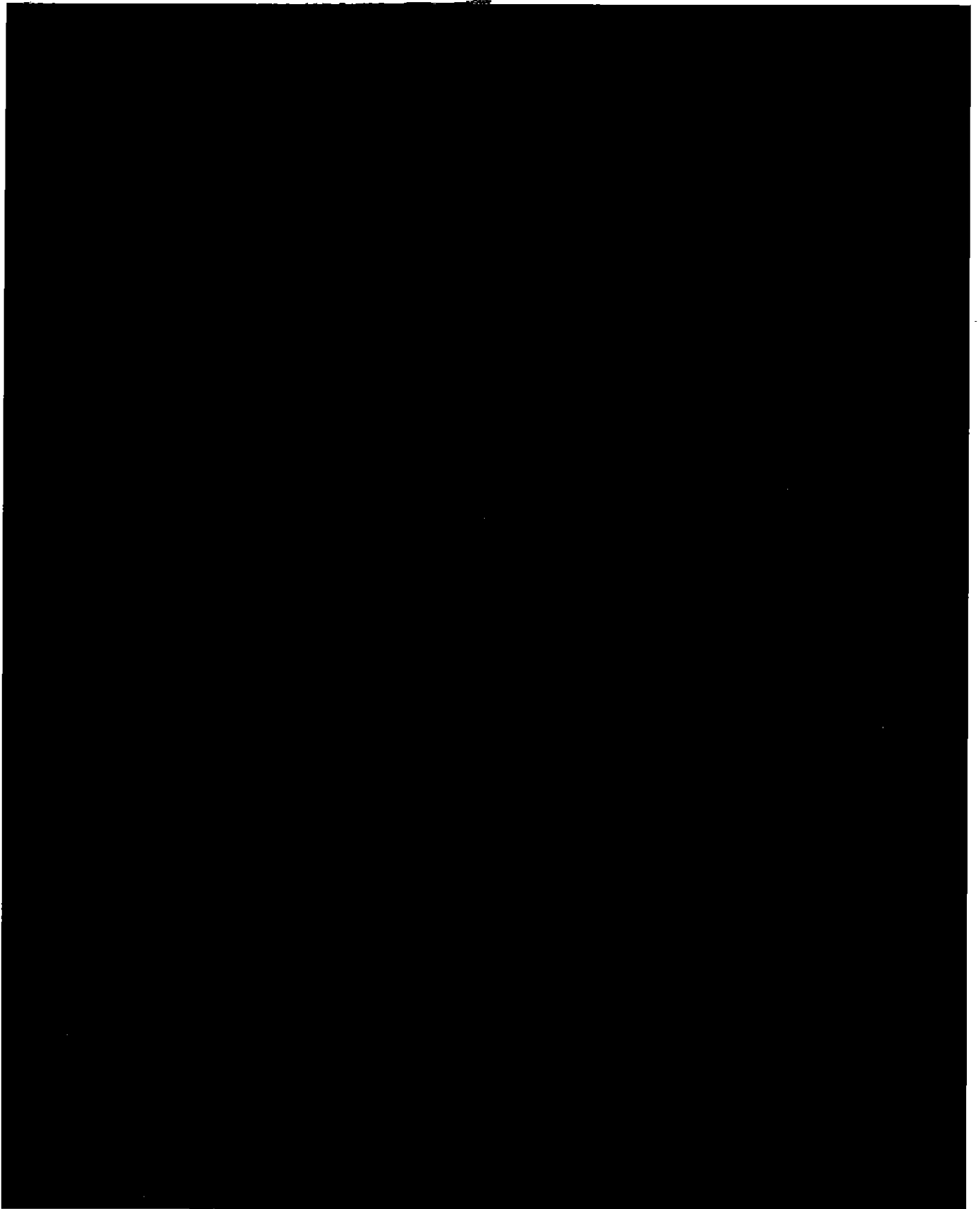
In relation to the David Mark questions I will call you to provide you with some background to the matter.

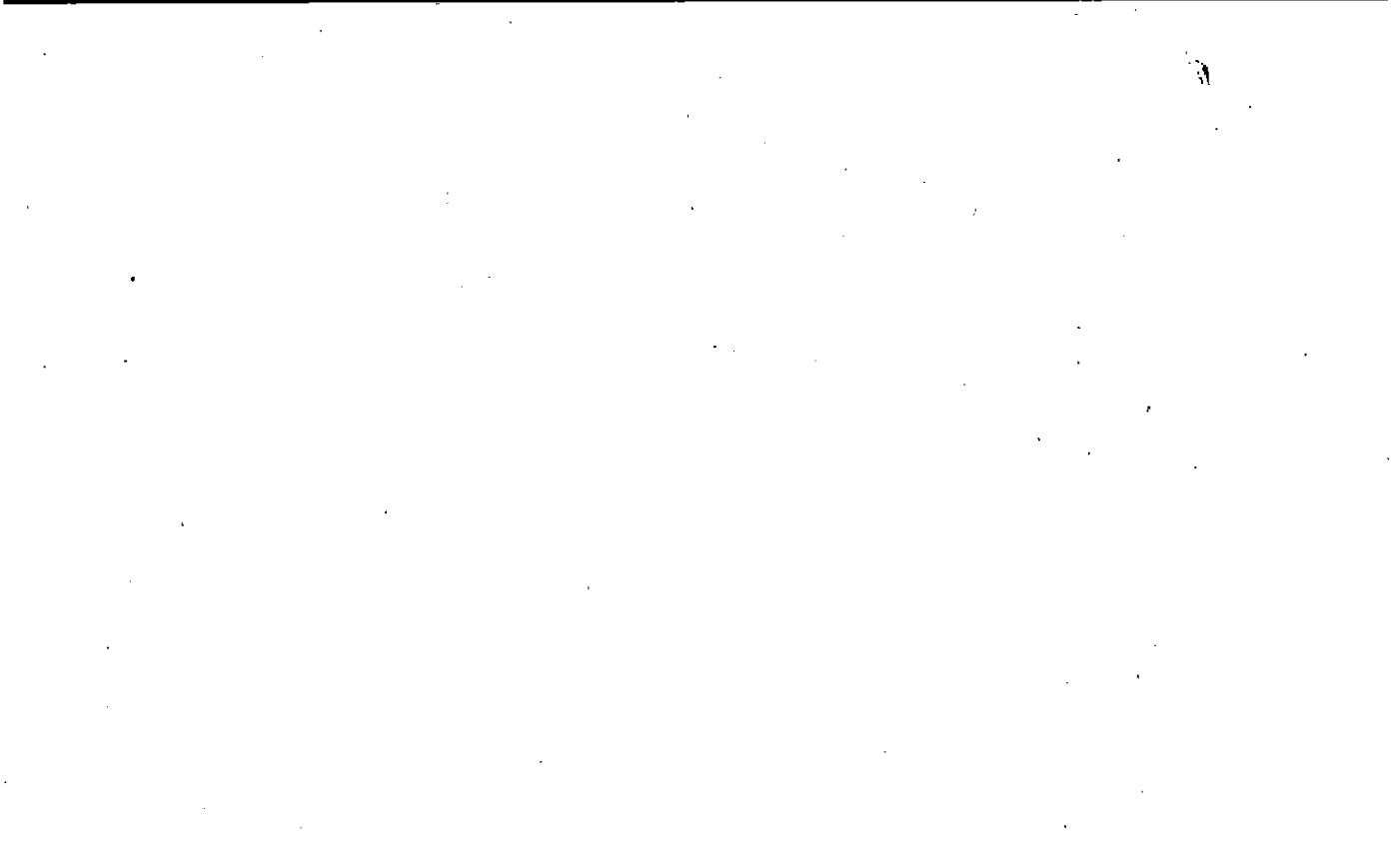
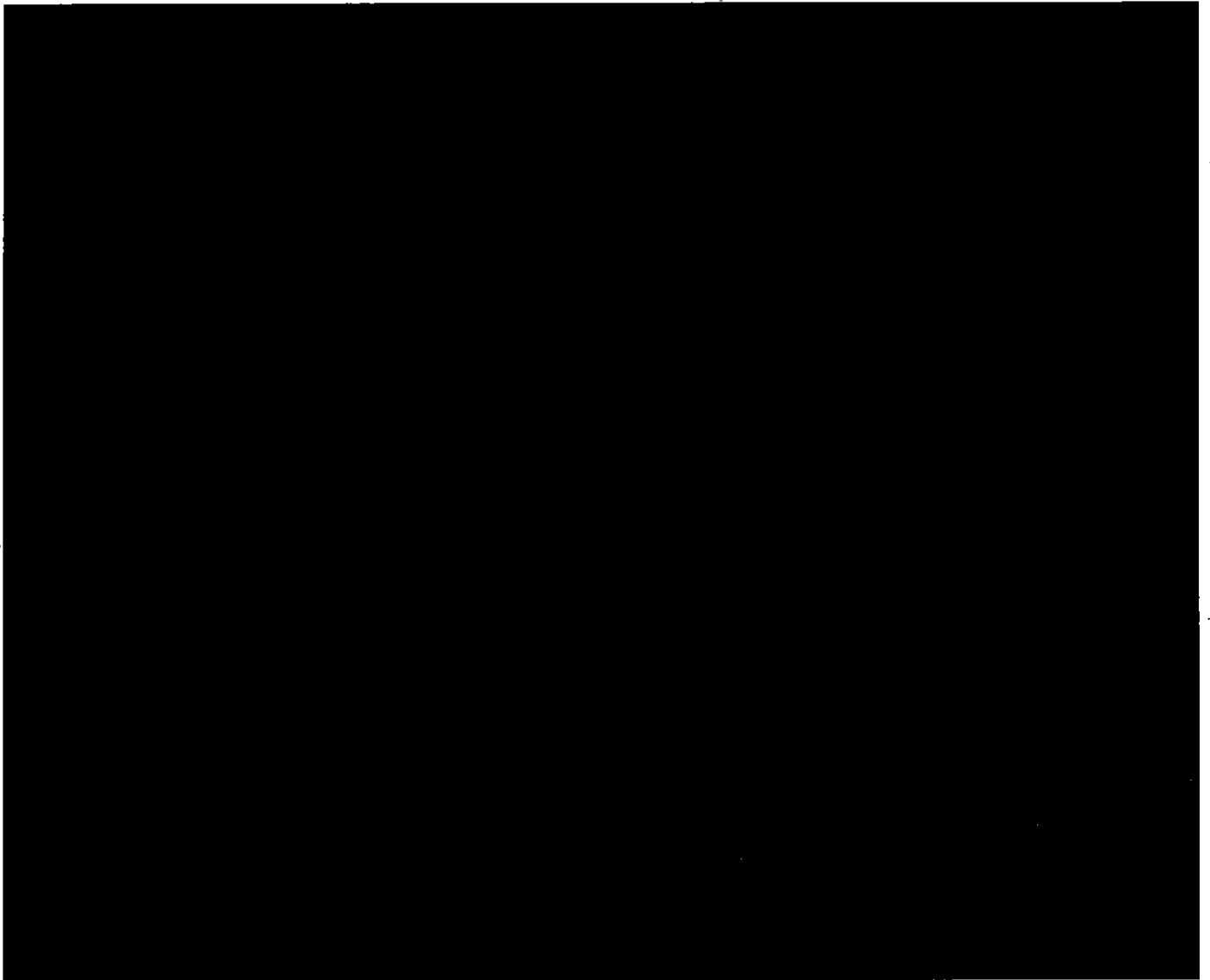
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority

www.asada.gov.au

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Stephen White

From: Kay McNiece/PCCD/Health@health.gov.au
Sent: 25 August 2014 5:05 PM
To: Tony Baccari
Cc: ASADA media
Subject: Re: Responses to media enquiries [SEC=UNCLASSIFIED]

Classification: [SEC=UNCLASSIFIED]

[REDACTED] Thx K

From: Tony Baccari [Tony.Baccari@asada.gov.au]
Sent: 25/08/2014 04:48 PM ZE10
To: Kay McNiece
Cc: ASADA media
Subject: Responses to media enquiries [SEC=UNCLASSIFIED]

Hi Kay

Please find attached two media enquiries we received today and the responses approved by Ben.

In relation to the David Mark questions I will call you to provide you with some background to the matter.

Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority

[REDACTED]
www.asada.gov.au

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Stephen White

From: Tony Baccari
Sent: 26 August 2014 9:54 AM
To: 'Kay_McNiece/PCCD/Health@health.gov.au'
Cc: ASADA media
Subject: Proposed response to David Mark enquiry [SEC=UNCLASSIFIED]
Attachments: Media enquiry David Mark (ABC PM program).docx

Hi Kay

As discussed last night, please find attached a slightly revised response to David Mark as per my discussion with Ben.

[REDACTED] here is a suggested response we could provide to David in the event he follows up

Thank you for your enquiry. ASADA declines the opportunity to comment.

Regards
 Tony

my Baccari
 Communications and Media Manager
 Australian Sports Anti-Doping Authority

www.asada.gov.au

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

From: Kay_McNiece/PCCD/Health@health.gov.au [mailto:Kay_McNiece/PCCD/Health@health.gov.au]
Sent: 25 August 2014 5:05 PM
To: Tony Baccari
Cc: ASADA media
Subject: Re: Responses to media enquiries [SEC=UNCLASSIFIED]

Classification: [SEC=UNCLASSIFIED]

Tony [REDACTED] Thx K

From: Tony Baccari [Tony.Baccari@asada.gov.au]
Sent: 25/08/2014 04:48 PM ZE10
To: Kay McNiece
Cc: ASADA media
Subject: Responses to media enquiries [SEC=UNCLASSIFIED]

Hi Kay

Please find attached two media enquiries we received today and the responses approved by Ben.

In relation to the David Mark questions I will call you to provide you with some background to the matter.

Tony

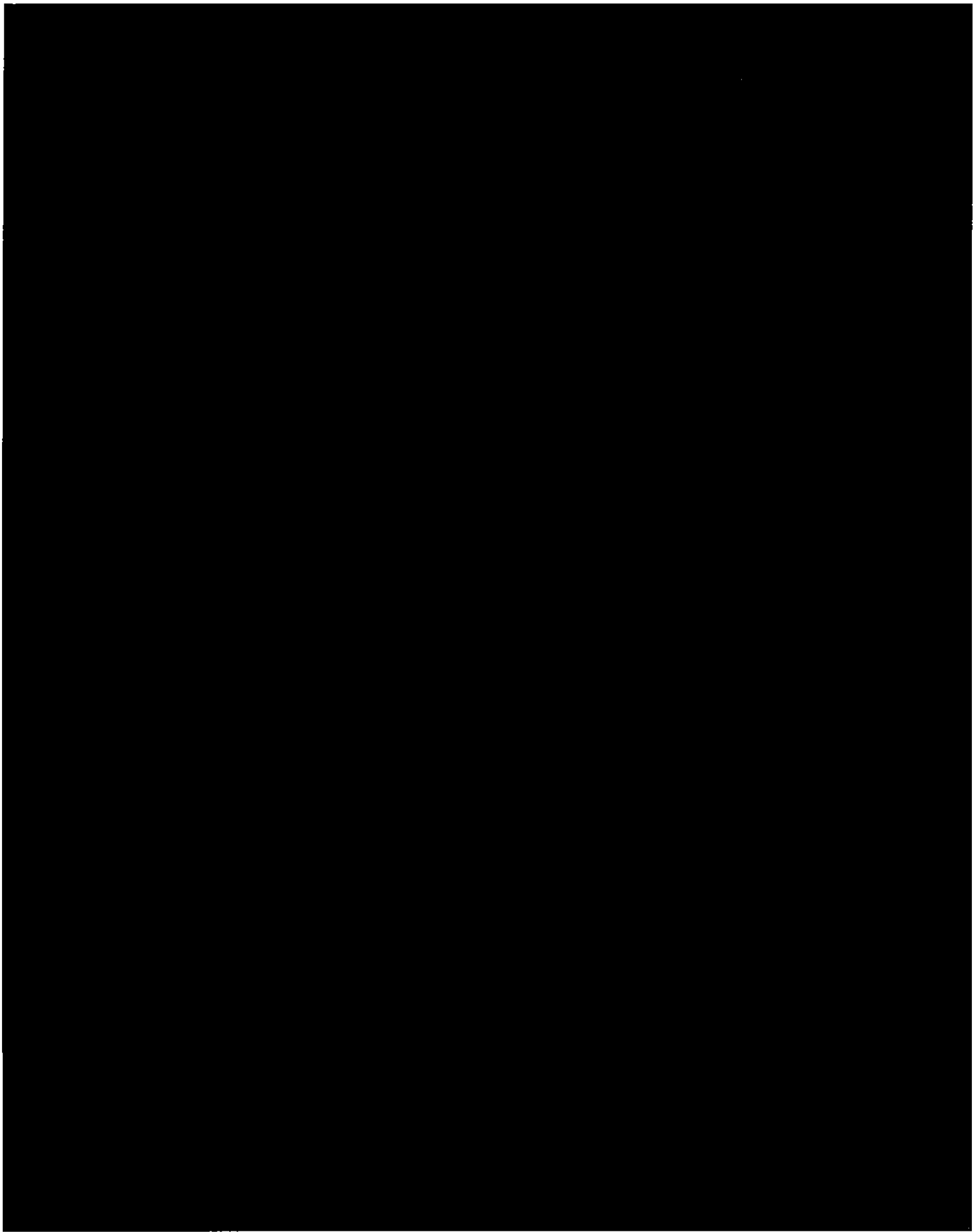
Tony Baccari
 Communications and Media Manager



www.asada.gov.au

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Stephen White

From: Melissa Munro
Sent: 03 September 2014 3:58 PM
To: Ben McDevitt
Cc: Helen Thorne; Tony Baccari
Subject: FOR APPROVAL: Media enquiry - David Mark - ABC PM program
[SEC=UNCLASSIFIED]

Hi Ben

We received an enquiry from David Mark (ABC) late yesterday in relation to the NRL show cause notices. In particular, he asked:


- How many show cause notices have been issued out of the 17 we announced on 20 August?
- NRL issued 12 suspensions, what is the status of the other five?
- On Offsiders, Ben said he had written to the NRL and AFL making a recommendation about Stephen Dank. David said it appears the sports have not acted on Ben's recommendation. Will Ben follow up with the sports?

David has since followed up with a question regarding a comment you made on the Offsiders program. His question is under what Act is Mr McDevitt permitted to publicly comment on who has been entered onto the Register of Findings before a decision has been handed down by the Sport.

David approached us last week with this question and when Tony spoke to Kay on the matter



For your approval, please find our suggested response below:




Let me know if you have any issues with this.

Please note David would like a response before his program goes to air at 5pm.

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority



E Melissa.Munro@asada.gov.au
W www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

24

Stephen White

From: ASADA media
Sent: 04 September 2014 4:14 PM
To: 'David Mark'
Subject: ASADA response [SEC=UNCLASSIFIED]

Dear David

The following can be attributed to an ASADA spokesperson:

ASADA can confirm it has sent a total of 17 'show cause' notices to current and former players from the Cronulla-Sutherland Sharks Football Club.

On 23 August, the NRL suspended 12 current and former Cronulla Sharks players for doping violations. Matters involving the outstanding players remain ongoing and will follow the established process for managing possible anti-doping rule violations.

For background information only:

On 24 August ASADA CEO Ben McDevitt confirmed that he had written to both the heads of the NRL and AFL with his recommendations in relation to Stephen Dank. In doing this, ASADA has fulfilled its obligations under the Code.

In relation to Mr Dank, Mr McDevitt stands by his comments aired on ABC's Offsiders program on 24 August.

Regards

ASADA Media
Australian Sports Anti-Doping Authority

T +61 (0) 2 6222 4263
F +61 (0) 2 6222 4201
E media@asada.gov.au

www.asada.gov.au

25

From: "ASADA media" <media@asada.gov.au>
Sent: Mon, 25 Aug 2014 16:00:56 +1100
To: "Tony Baccari" [REDACTED]
Subject: FW: Asada/dank [SEC=UNCLASSIFIED]
Priority: High

FYI.

Not sure how you want to handle this one.

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority

[REDACTED]

[REDACTED]

W <<http://www.asada.gov.au>> www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

[REDACTED] On Behalf Of
news@health.gov.au
Sent: 25 August 2014 2:55 PM

To: ASADA media
Subject: Fw: Asada/dank [SEC=UNCLASSIFIED]
Importance: High

Can you please handle

Media Unit
Australian Government
Department of Health inc the TGA
Office for Sport
Media enquiries: 02 6289 7400
Email: <mailto:news@health.gov.au> news@health.gov.au

----- Forwarded by Kay McNiece/PCCD/Health on 25/08/2014 14:54 -----

From: Chris Barrett [REDACTED]
To: news@health.gov.au,
Date: 25/08/2014 10:50
Subject: Asada/dank [SEC=No Protective Marking]

Hi Kay, I spoke to you last week re ASADA.

Have a question/request for the CEO. Is he in a position now to release any info/docs relating to Stephen Dank's entry onto the Register of Findings now that he has confirmed Dank is on it?

I ask because of the provision for "public interest" in part 4.22 of the NAD scheme. If he is now able to release info re Dank's ROF entry please let me know as I'd be very interested in it.

Thanks very much, Chris

Chris Barrett
Chief Sports Reporter
Sydney Morning Herald

Level 4, 1 Darling Island Road, Pyrmont NSW 2009 <x-apple-data-detectors://0/0>

www.smh.com.au <http://www.smh.com.au/>

Sent from my iPhone

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26

From: "Tony Baccari" <[REDACTED]@asada.gov.au>
Sent: Mon, 25 Aug 2014 17:13:25 +1100
To: "Ben McDevitt" <[REDACTED]> "Elen
Perdikogiannis" <[REDACTED]>
Cc: "ASADA media" <media@asada.gov.au>
Subject: FOR APPROVAL: media enquiry - Chris Barrett - SMH
[SEC=UNCLASSIFIED]
Attachments: Media enquiry Chris Barrett (SME).docx

Hi Ben and Elen

Please find attached for your approval questions from Chris Barrett and our suggested response.

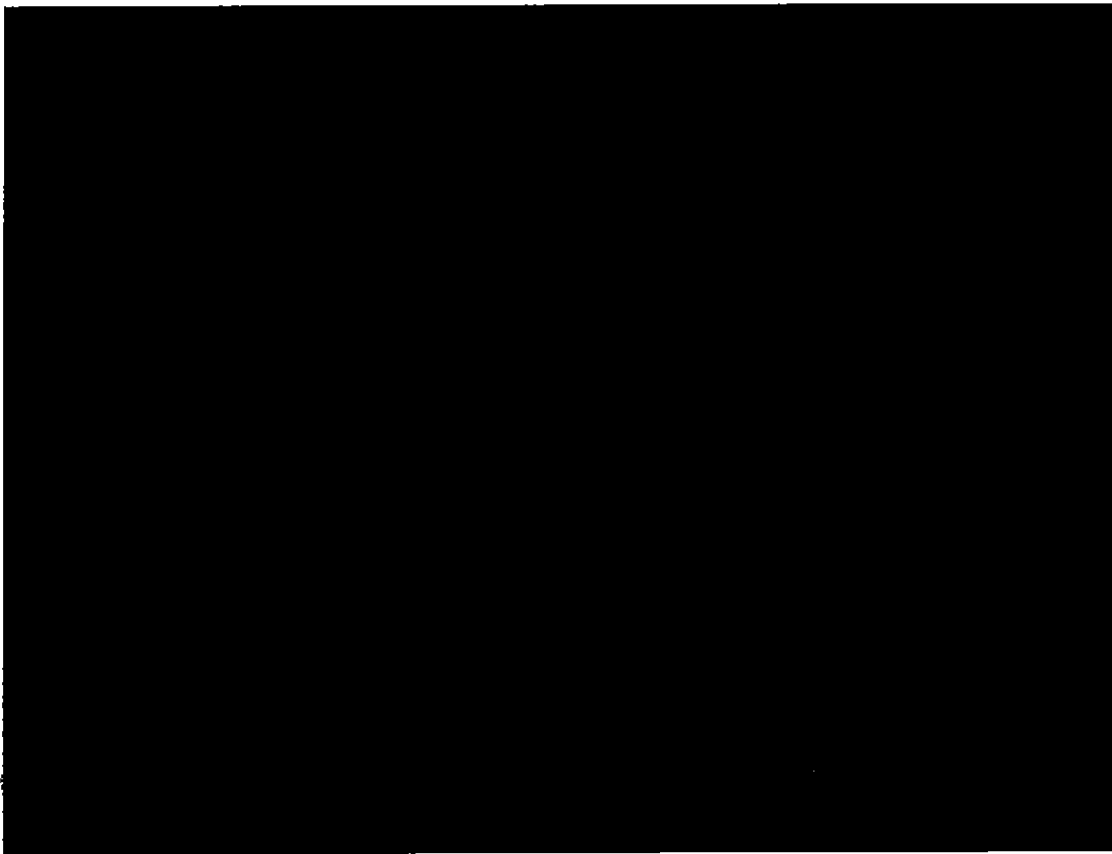
Regards
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority



<<http://www.asada.gov.au/>> www.asada.gov.au

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From: "Elen Perdikogiannis" [REDACTED]
Sent: Mon, 25 Aug 2014 17:25:00 +1100
To: "Tony Baccari" [REDACTED] "Ben McDevitt"
[REDACTED]
Cc: "ASADA media" <media@asada.gov.au>
Subject: RE: FOR APPROVAL: media enquiry - Chris Barrett - SMH
[SEC=UNCLASSIFIED]

Hi Tony,

[REDACTED]

[REDACTED] perhaps we should say something
like, "The CEO is not presently in a position to release details
of the Register of Findings entries of any persons whose matters
are yet to be finalised by their sport."

Elen

From: Tony Baccari
Sent: 25 August 2014 4:13 PM
To: Ben McDevitt; Elen Perdikogiannis
Cc: ASADA media
Subject: FOR APPROVAL: media enquiry - Chris Barrett - SMH
[SEC=UNCLASSIFIED]

Hi Ben and Elen

Please find attached for your approval questions from Chris
Barrett and our suggested response.

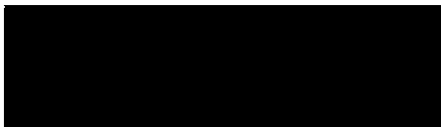
Regards

Tony

Tony Baccari

Communications and Media Manager

Australian Sports Anti-Doping Authority



<<http://www.asada.gov.au/>> www.asada.gov.au

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From: "Tony Baccari" [mailto:Tony.Baccari@asada.gov.au]
Sent: Mon, 25 Aug 2014 17:48:48 +1100
To: "Kay Mcniece" [mailto:kay.mcniece@asada.gov.au]
Cc: "ASADA media" <media@asada.gov.au>
Subject: Responses to media enquiries [SEC=UNCLASSIFIED]
Attachments: Media enquiry David Mark (ABC PM program).docx; Media enquiry Chris Barrett (SMH).docx
Hi Kay

Please find attached two media enquiries we received today and the responses approved by Ben.

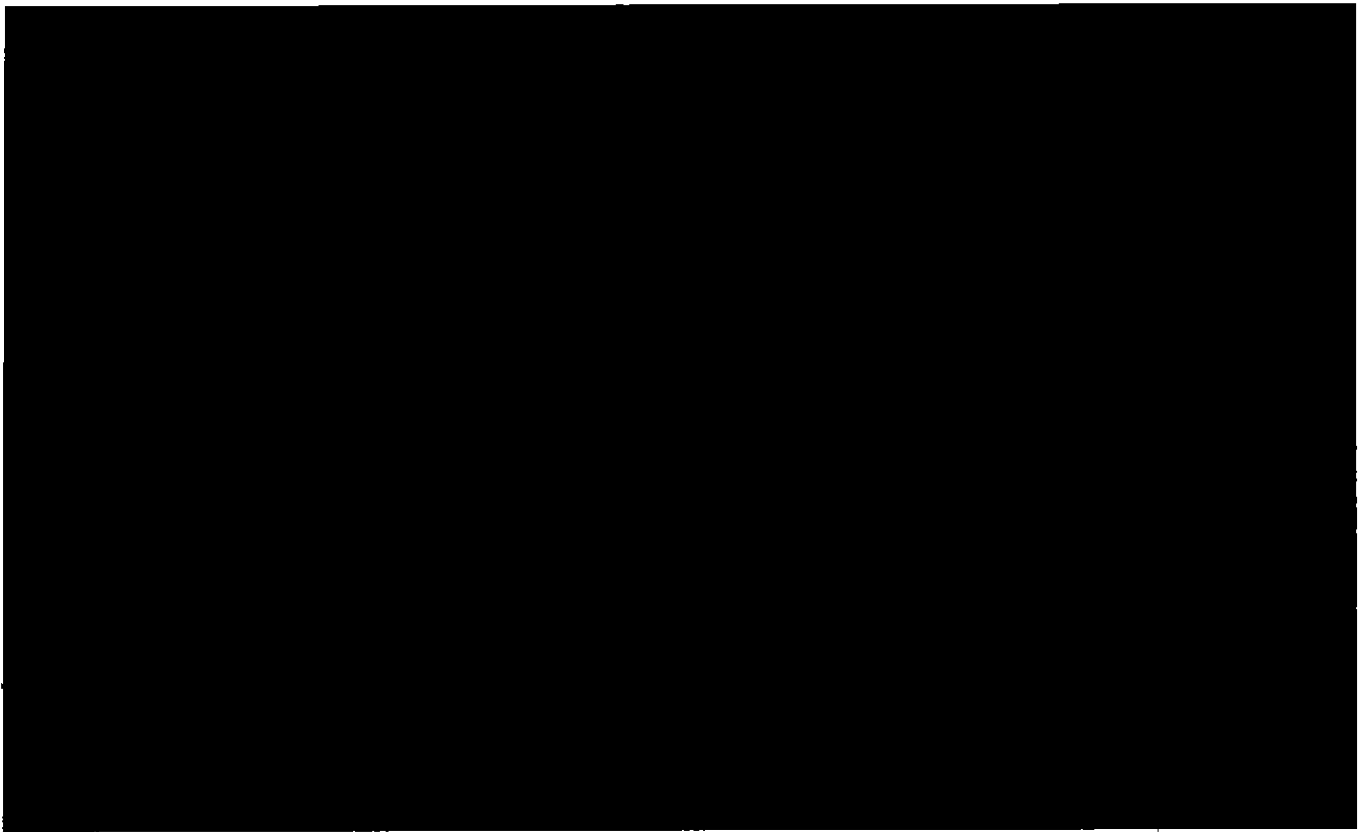
In relation to the David Mark questions i will call you to provide you with some background to the matter.

Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority


www.asada.gov.au

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From: "ASADA media" <media@asada.gov.au>
Sent: Mon, 25 Aug 2014 18:24:03 +1100

Subject: ASADA response: Asada/dank [SEC=UNCLASSIFIED]
Priority: High

Dear Chris

The ASADA CEO is not presently in a position to release specific details of the Register of Findings entries of any person whose matter is yet to be finalised by the sport.

Regards

ASADA Media
Australian Sports Anti-Doping Authority

T +61 (0) 2 6222 4263
F +61 (0) 2 6222 4201
E media@asada.gov.au

www.asada.gov.au

To: news@health.gov.au,
Date: 25/08/2014 10:50
Subject: Asada/dank [SEC=No Proactive Marking]

Hi Kay, I spoke to you last week re ASADA.

Have a question/request for the CEO. Is he in a position now to release any info/docs relating to Stephen Dank's entry onto the Register of Findings now that he has confirmed Dank is on it?

I ask because of the provision for "public interest" in part 4.22 of the NAD scheme. If he is now able to release info re Dank's ROF entry please let me know as I'd be very interested in it.

Thanks very much, Chris

Chris Barrett
Chief Sports Reporter
Sydney Morning Herald
Level 4, 1 Darling Island Road, Pyrmont NSW 2009

www.smh.com.au

Sent from my iPhone

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Tony Baccari

From: Tony Baccari
Sent: 03 September 2014 1:17 PM
To: ASADA media
Subject: RE: Media enquiry - David Mark - ABC PM program [SEC=UNCLASSIFIED]

Thanks Mel ... good draft.

Made some small changes below ... David Mark's previous questions focused on the process (i.e. what happened with the NRL players did not follow the process spelt out in the media statement we issued on 20 Aug. [REDACTED])
[REDACTED] I removed the hyperlink to the general process.

Go to Elen, then Ben and then to Kay.

Cheers
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority

[REDACTED]
www.asada.gov.au

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From: ASADA media
Sent: 03 September 2014 12:42 PM
To: Tony Baccari
Subject: RE: Media enquiry - David Mark - ABC PM program [SEC=UNCLASSIFIED]

Hi Tony

As discussed, I spoke with Darren earlier and he updated me on the current status of the show cause notices issued to current and former Cronulla players.

Based on his comments, please find below my drafted response to David Mark for your approval:

[REDACTED]

Let me know your thoughts.

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority



W www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

From: Tony Baccari
Sent: 02 September 2014 5:48 PM
To: ASADA media
Subject: Media enquiry - David Mark - ABC PM program [SEC=UNCLASSIFIED]

Hi Mel

I took a call from David Mark at 4.47pm in relation to the NRL show cause notices. In particular, he asked:

- How many show cause notices have been issued out of the 17 we announced on 20 August?
- NRL issued 12 suspensions, what is the status of the other five?
- On Offsiders, Ben said he had written to the NRL and AFL making a recommendation about Stephen Dank. David said it appears the sports have not acted on Ben's recommendation. Will Ben follow up with the sports?

Can you please talk with the relevant people and draft a response for approval. Happy to discuss a plan of attack with you tomorrow.

David said a response on 3 September is fine.

Thanks
Tony

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority


www.asada.gov.au

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Tony Baccari

From: Melissa Munro
Sent: 03 September 2014 1:29 PM
To: Elen Perdikogiannis
Cc: Tony Baccari
Subject: FOR APPROVAL: Media enquiry - David Mark - ABC PM program
[SEC=UNCLASSIFIED]

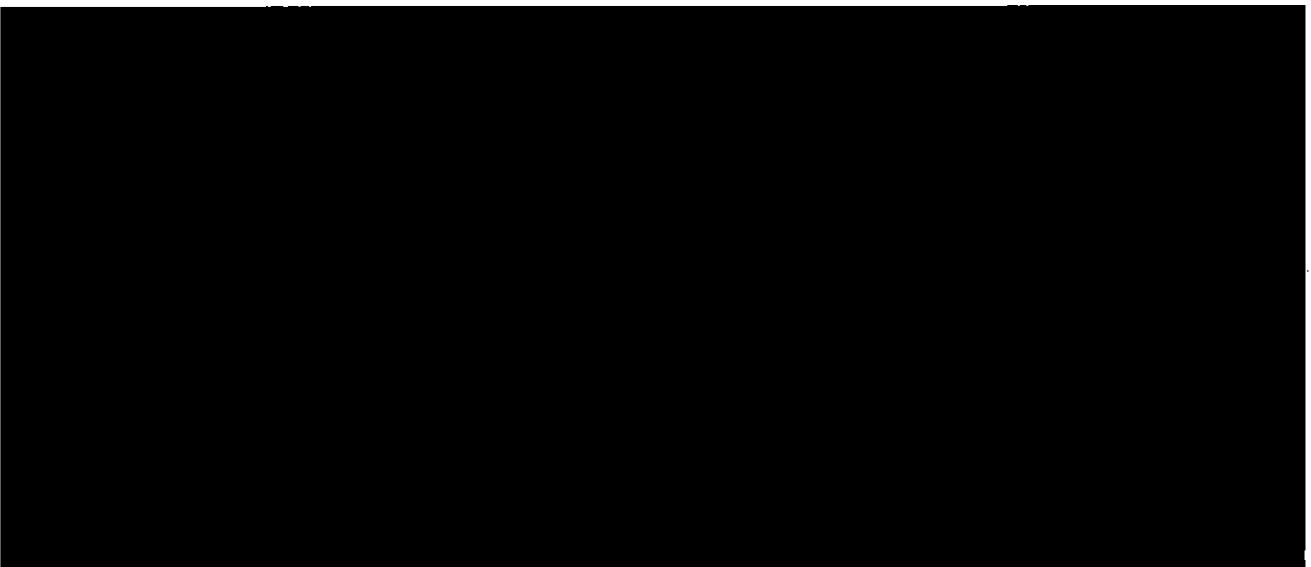
Hi Elen

We received an enquiry from David Mark (ABC) late yesterday in relation to the NRL show cause notices. In particular, he asked:

- How many show cause notices have been issued out of the 17 we announced on 20 August?
- NRL issued 12 suspensions, what is the status of the other five?
- On Offsiders, Ben said he had written to the NRL and AFL making a recommendation about Stephen Dank. David said it appears the sports have not acted on Ben's recommendation. Will Ben follow up with the sports?

I spoke with Darren earlier and he updated me on the current status of the show cause notices issued to current and former Cronulla players.

Based on his comments, please find our suggested response below:



Let me know if you have any issues with this.

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority



PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

Tony Baccari

From: ASADA media
Sent: 04 September 2014 4:14 PM
To: 'David Mark'
Subject: ASADA response [SEC=UNCLASSIFIED]

Dear David

The following can be attributed to an ASADA spokesperson:

ASADA can confirm it has sent a total of 17 'show cause' notices to current and former players from the Cronulla-Sutherland Sharks Football Club.

On 23 August, the NRL suspended 12 current and former Cronulla Sharks players for doping violations. Matters involving the outstanding players remain ongoing and will follow the established process for managing possible anti-doping rule violations.

For background information only:

On 24 August ASADA CEO Ben McDevitt confirmed that he had written to both the heads of the NRL and AFL with his recommendations in relation to Stephen Dank. In doing this, ASADA has fulfilled its obligations under the Code.

In relation to Mr Dank, Mr McDevitt stands by his comments aired on ABC's Offsiders program on 24 August.

Regards

ASADA Media
Australian Sports Anti-Doping Authority

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F +61 (0) 2 6222 4201
E media@asada.gov.au

www.asada.gov.au

Tony Baccari

From: David Mark [REDACTED]
Sent: 04 September 2014 4:29 PM
To: ASADA media
Subject: RE: ASADA response [SEC=UNCLASSIFIED]

Thanks very much.

I have some follow up questions and I suspect the best way to get them answered would be if I could do an interview with Mr McDevitt.

In lieu of that here are the follow up questions:

Do you intend to follow up with the NRL about whether it intends to act on the recommendation that it sends an infraction notice for Stephen Dank?

Why did Ben McDevitt recommend that *both* the AFL and the NRL issue infraction notices against Mr Dank and that he should be the subject of a lifetime penalty ban – Isn't it normally the case that just one organisation issues the notice – the one with the better chance of success?

Have you sent a document brief to WADA regarding the suspension of the 12 NRL players and if so on what date did they receive it?

What dates did you send the show cause notices to the five players who have not been suspended by the NRL?

Has the ten days allowed to them to respond passed?

Again my phone number is [REDACTED]

Kind Regards

David Mark

From: ASADA media [mailto:media@asada.gov.au]
Sent: Thursday, 4 September 2014 4:14 PM
To: David Mark
Subject: ASADA response [SEC=UNCLASSIFIED]

Dear David

The following can be attributed to an ASADA spokesperson:

ASADA can confirm it has sent a total of 17 'show cause' notices to current and former players from the Cronulla-Sutherland Sharks Football Club.

On 23 August, the NRL suspended 12 current and former Cronulla Sharks players for doping violations. Matters involving the outstanding players remain ongoing and will follow the established process for managing possible anti-doping rule violations.

For background information only:

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Tony Baccari

From: Elen Perdikogiannis
Sent: 05 September 2014 10:47 AM
To: ASADA media
Subject: RE: FOR APPROVAL: Media Enquiry - David Mark - follow up questions [SEC=UNCLASSIFIED]

Hi Mel,

I don't like the assumptions behind some of these questions -- but see comments below.

Elen

From: ASADA media
Sent: 05 September 2014 9:11 AM
To: Elen Perdikogiannis
Subject: FOR APPROVAL: Media Enquiry - David Mark - follow up questions [SEC=UNCLASSIFIED]

Hi Elen

David Mark from the ABC PM Program has emailed us with some follow up questions.

For your approval, please find David's questions below with our suggested responses in red.

Let me know if you have any questions.


Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority


www.asada.gov.au


PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

From: David Mark 
Sent: 04 September 2014 4:29 PM
To: ASADA media
Subject: TRIM: RE: ASADA response [SEC=UNCLASSIFIED]

Thanks very much.

I have some follow up questions and I suspect the best way to get them answered would be if I could do an interview with Mr McDevitt.



In lieu of that here are the follow up questions:

Do you intend to follow up with the NRL about whether it intends to act on the recommendation that it sends an infraction notice for Stephen Dank?

[REDACTED]

Why did Ben McDevitt recommend that *both* the AFL and the NRL issue infraction notices against Mr Dank and that he should be the subject of a lifetime penalty ban – Isn't it normally the case that just one organisation issues the notice – the one with the better chance of success?

[REDACTED]

Have you sent a document brief to WADA regarding the suspension of the 12 NRL players and if so on what date did they receive it?

[REDACTED]

What dates did you send the show cause notices to the five players who have not been suspended by the NRL?

[REDACTED]

Has the ten days allowed to them to respond passed?

[REDACTED]

Again my phone number [REDACTED]

Kind Regards

David Mark

From: ASADA media [<mailto:media@asada.gov.au>]
Sent: Thursday, 4 September 2014 4:14 PM
To: David Mark
Subject: ASADA response [SEC=UNCLASSIFIED]

Dear David

The following can be attributed to an ASADA spokesperson:

ASADA can confirm it has sent a total of 17 'show cause' notices to current and former players from the Cronulla-Sutherland Sharks Football Club.

On 23 August, the NRL suspended 12 current and former Cronulla Sharks players for doping violations. Matters involving the outstanding players remain ongoing and will follow the established process for managing possible anti-doping rule violations.

For background information only:

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In relation to Mr Dank, Mr McDevitt stands by his comments aired on ABC's Offsiders program on 24 August.

Regards

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Do you intend to follow up with the NRL about whether it intends to act on the recommendation that it sends an infraction notice for Stephen Dank?

[REDACTED]

Why did Ben McDevitt recommend that *both* the AFL and the NRL issue infraction notices against Mr Dank and that he should be the subject of a lifetime penalty ban – Isn't it normally the case that just one organisation issues the notice – the one with the better chance of success?

[REDACTED]

Have you sent a document brief to WADA regarding the suspension of the 12 NRL players and if so on what date did they receive it?

[REDACTED]

What dates did you send the show cause notices to the five players who have not been suspended by the NRL?

[REDACTED]

Has the ten days allowed to them to respond passed?

[REDACTED]

Again my phone number is [REDACTED]

Kind Regards

David Mark

From: ASADA media [mailto:media@asada.gov.au]
Sent: Thursday, 4 September 2014 4:14 PM
To: David Mark
Subject: ASADA response [SEC=UNCLASSIFIED]

Dear David

The following can be attributed to an ASADA spokesperson:

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Regards

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Tony Baccari

From: Ben McDevitt
Sent: 05 September 2014 4:39 PM
To: ASADA media
Cc: Helen Thorne
Subject: RE: TRIM: RE: FOR APPROVAL: Media Enquiry - David Mark - follow up questions [SEC=UNCLASSIFIED]

OK send that out Mel.

From: ASADA media
Sent: 05 September 2014 3:06 PM
To: Ben McDevitt
Cc: Helen Thorne
Subject: RE: TRIM: RE: FOR APPROVAL: Media Enquiry - David Mark - follow up questions [SEC=UNCLASSIFIED]

Hi Ben

I just spoke [REDACTED] from the [REDACTED] regarding David Mark's enquiry. David has been persistently calling them with similar questions and has been quite aggressive in recent conversations. [REDACTED]

Taking [REDACTED] comments into consideration, I have drafted another response to David's question. Please find below David's question and my suggested response for your approval:

Do you intend to follow up with the NRL about whether it intends to act on the recommendation that it sends an infraction notice for Stephen Dank?

[REDACTED]

Let me know if you have any changes or concerns with this response.

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority

[REDACTED]

W www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

From: Ben McDevitt
Sent: 05 September 2014 2:00 PM
To: ASADA media
Cc: Helen Thorne
Subject: TRIM: RE: FOR APPROVAL: Media Enquiry - David Mark - follow up questions [SEC=UNCLASSIFIED]

Noted I am happy for those responses to go Mel.

From: ASADA media
Sent: 05 September 2014 10:55 AM

To: Ben McDevitt
Cc: Helen Thorne
Subject: FOR APPROVAL: Media Enquiry - David Mark - follow up questions [SEC=UNCLASSIFIED]

Hi Ben

David Mark from the ABC PM Program has emailed us with some follow up questions.

For your approval, please find David's questions below with our suggested responses in red.

These response have been approved by Elen.

Please note the second question about ASADA's intention to follow up with NRL regarding Dank. Are you happy with this response?

Happy to discuss.

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority

www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

From: David Mark [REDACTED]
Sent: 04 September 2014 4:29 PM
To: ASADA media
Subject: TRIM: RE: ASADA response [SEC=UNCLASSIFIED]

Thanks very much.

I have some follow up questions and I suspect the best way to get them answered would be if I could do an interview with Mr McDevitt.

In lieu of that here are the follow up questions:

Do you intend to follow up with the NRL about whether it intends to act on the recommendation that it sends an infraction notice for Stephen Dank?

Why did Ben McDevitt recommend that *both* the AFL and the NRL issue infraction notices against Mr Dank and that he should be the subject of a lifetime penalty ban – Isn't it normally the case that just one organisation issues the notice – the one with the better chance of success?

Have you sent a document brief to WADA regarding the suspension of the 12 NRL players and if so on what date did they receive it?

What dates did you send the show cause notices to the five players who have not been suspended by the NRL?

Has the ten days allowed to them to respond passed?

Again my phone number

Kind Regards

David Mark

From: ASADA media [mailto:media@asada.gov.au]
Sent: Thursday, 4 September 2014 4:14 PM
To: David Mark
Subject: ASADA response [SEC=UNCLASSIFIED]

Dear David

The following can be attributed to an ASADA spokesperson:

ASADA can confirm it has sent a total of 17 'show cause' notices to current and former players from the Cronulla-Sutherland Sharks Football Club.

On 23 August, the NRL suspended 12 current and former Cronulla Sharks players for doping violations. Matters involving the outstanding players remain ongoing and will follow the established process for managing possible anti-doping rule violations.

For background information only:

On 24 August ASADA CEO Ben McDevitt confirmed that he had written to both the heads of the NRL and AFL with his recommendations in relation to Stephen Dank. In doing this, ASADA has fulfilled its obligations under the Code.

In relation to Mr Dank, Mr McDevitt stands by his comments aired on ABC's Offsiders program on 24 August.

Regards

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free. Before opening any attachment you should check for viruses. The ABC's liability is limited to resupplying any email and attachments.

Tony Baccari

From: ASADA media
Sent: 05 September 2014 4:43 PM
To: 'David Mark'
Subject: ASADA response [SEC=UNCLASSIFIED]

Dear David

I have some follow up questions and I suspect the best way to get them answered would be if I could do an interview with Mr McDevitt.

ASADA CEO, Ben McDevitt is unavailable for interview.

Do you intend to follow up with the NRL about whether it intends to act on the recommendation that it sends an infraction notice for Stephen Dank?

ASADA continues to fulfil its obligations under its legislation.

Why did Ben McDevitt recommend that both the AFL and the NRL issue infraction notices against Mr Dank and that he should be the subject of a lifetime penalty ban – Isn't it normally the case that just one organisation issues the notice – the one with the better chance of success?

Once an athlete or support person is entered onto the Register of Findings (RoF) for possible Anti-Doping Rule Violations by the Independent Anti-Doping Rule Violation Panel, the ASADA CEO is required by legislation to write to the relevant sport and notify it of the RoF entry.

Have you sent a document brief to WADA regarding the suspension of the 12 NRL players and if so on what date did they receive it?

ASADA has been in regular contact with WADA throughout this process.

What dates did you send the show cause notices to the five players who have not been suspended by the NRL?

ASADA is unable to disclose information regarding ongoing matters.

Has the ten days allowed to them to respond passed?

ASADA is unable to disclose information regarding ongoing matters.

Regards

ASADA Media
 Australian Sports Anti-Doping Authority

Phone: +61 (0) 2 6222 4263
 Fax: +61 (0) 2 6222 4201

Email: media@asada.gov.au
 Web: www.asada.gov.au

ASADA Hotline: 13 000 ASADA (13 000 27232)

From: David Mark [REDACTED]
Sent: 04 September 2014 4:29 PM
To: ASADA media
Subject: TRIM: RE: ASADA response [SEC=UNCLASSIFIED]

Thanks very much.

I have some follow up questions and I suspect the best way to get them answered would be if I could do an interview with Mr McDevitt.

In lieu of that here are the follow up questions:

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Again my phone number is [REDACTED]

Kind Regards

David Mark

From: ASADA media [mailto:media@asada.gov.au]
Sent: Thursday, 4 September 2014 4:14 PM
To: David Mark
Subject: ASADA response [SEC=UNCLASSIFIED]

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Tony Baccari

From: Elen Perdikogiannis
Sent: 08 September 2014 4:07 PM
To: ASADA media
Cc: Tony Baccari
Subject: RE: FOR APPROVAL: Media Enquiry - Grant Baker - Dank II Register of Findings. [SEC=UNCLASSIFIED]

Hi Mel,

I have added some extra words (highlighted) – see what you think. It annoys me that we can't properly respond to these things.

I think what may have happened here is that Dank's solicitor has not passed on the RoF letter to Dank. (However, we have an email from his solicitor, where he confirmed receipt of Mr Dank's RoF letter. I can forward it to you if you wish.)

Elen

Elen Perdikogiannis

National Manager Legal and Support
Australian Sports Anti-Doping Authority



W www.asada.gov.au

ASADA Hotline 13 000 ASADA (13 000 27232)

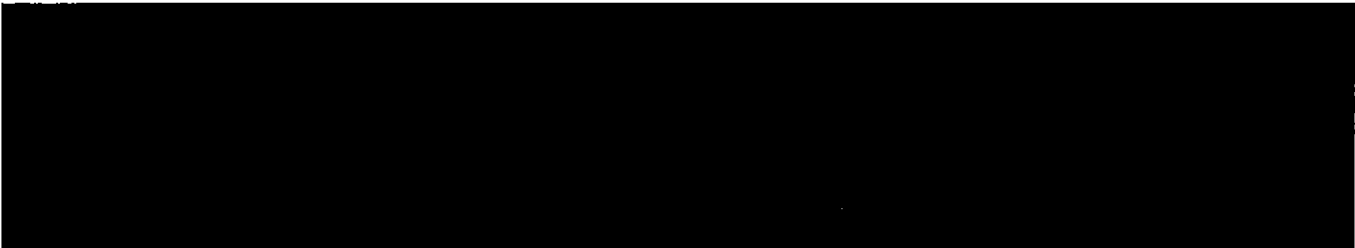
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From: ASADA media
Sent: 08 September 2014 3:53 PM
To: Elen Perdikogiannis
Cc: Tony Baccari
Subject: FOR APPROVAL: Media Enquiry - Grant Baker - Dank II Register of Findings. [SEC=UNCLASSIFIED]

Hi Elen

Grant Baker has sent through an enquiry regarding Stephen Dank's entry onto the register of Findings – see email below.

For your approval, please find our suggested response below:


Let me know if you have any questions.

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

From: Baker, Grant
Sent: 08 September 2014 1:17 PM
To: ASADA media
Subject: TRIM: Dank II Register of Findings.

Hi ASADA media team

I'm just trying to clear up where things are at in regards to Stephen Dank.
In an ABC TV interview on August 24, ASADA chief executive Ben McDevitt said Dank had been placed on the Register of Findings by the ADRV.
But Mr Dank has told the Herald Sun today he had not been notified of the ADRV decision to enter him onto the Register of Findings.

* Has Mr Dank been notified of the ADRV's Register of Findings decision?

Below is the relevant part of the transcript from the McDevitt interview.

Thanks
Grant

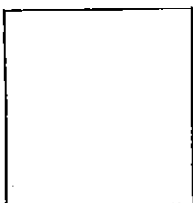
GW: Has Stephen Dank been placed on the register of findings?

BM: Yes he has been placed on the register of findings. and I have written letters to both the heads of the NRL David Smith and the head of the AFL in relation to Mister Dank.

GW: What have you asked the NRL and AFL to do in relation to Dank?

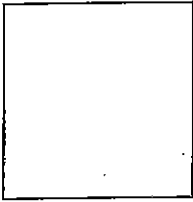
BM: What I've asked them to do is issue infraction notices against Mister Dank and I have recommended that I believe he should be subject to a penalty of a lifetime ban.

GRANT BAKER
Sport Reporter

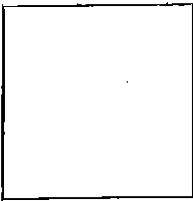


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Tony Baccari

From: ASADA media
Sent: 08 September 2014 4:11 PM
To: Ben McDevitt
Cc: Tony Baccari
Subject: FOR APPROVAL: Media Enquiry - Grant Baker - Dank II Register of Findings.
 [SEC=UNCLASSIFIED]

Hi Ben

Grant Baker has sent through an enquiry regarding Stephen Dank's entry onto the register of Findings - see email below.

For your approval, please find our suggested response below:

[REDACTED]

Let me know if you have any issues with this.

Thanks
 Mel

Melissa Munro
 Communications Officer
 Australian Sports Anti-Doping Authority

[REDACTED]

www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

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Sent: 08 September 2014 1:17 PM
To: ASADA media
Subject: TRIM: Dank II Register of Findings.

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But Mr Dank has told the Herald Sun today he had not been notified of the ADRVP decision to enter him onto the Register of Findings.

* Has Mr Dank been notified of the ADRVP's Register of Findings decision?

Below is the relevant part of the transcript from the McDevitt interview.

Thanks

Grant

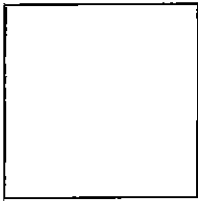
GW: Has Stephen Dank been placed on the register of findings?

BM: Yes he has been placed on the register of findings, and I have written letters to both the heads of the NRL David Smith and the head of the AFL in relation to Mister Dank.

GW: What have you asked the NRL and AFL to do in relation to Dank?

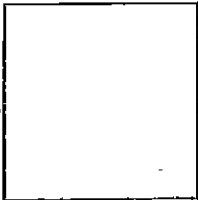
BM: What I've asked them to do is issue infraction notices against Mister Dank and I have recommended that I believe he should be subject to a penalty of a lifetime ban.

--
GRANT BAKER
Sport Reporter

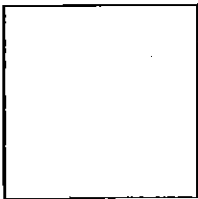


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Tony Baccari

From: Ben McDevitt
Sent: 08 September 2014 6:54 PM
To: ASADA media
Cc: Tony Baccari
Subject: Re: FOR APPROVAL: Media Enquiry - Grant Baker - Dank II Register of Findings.
[SEC=UNCLASSIFIED]

The draft response is fine thanks Mel.
Ben

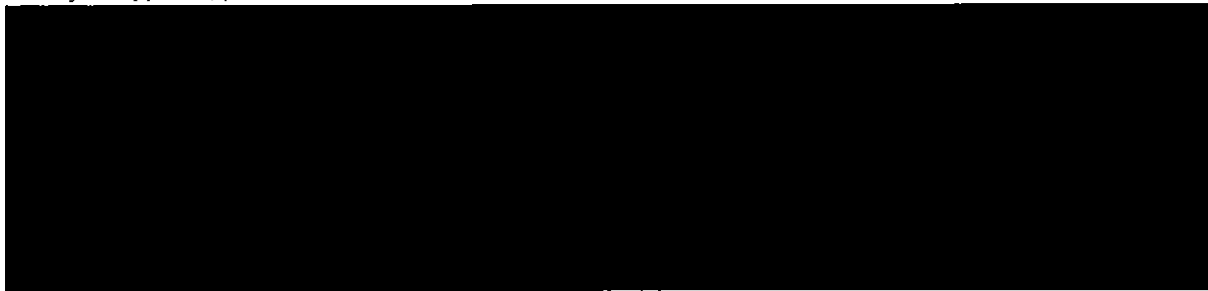
Sent from my iPad

On 8 Sep 2014, at 4:10 pm, "ASADA media" <media@asada.gov.au> wrote:

Hi Ben

Grant Baker has sent through an enquiry regarding Stephen Dank's entry onto the register of Findings - see email below.

For your approval, please find our suggested response below:



Let me know if you have any issues with this.

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority



W www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

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Sent: 08 September 2014 1:17 PM
To: ASADA media
Subject: TRIM: Dank II Register of Findings.

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But Mr Dank has told the Herald Sun today he had not been notified of the ADRVP decision to enter him onto the Register of Findings.

* Has Mr Dank been notified of the ADRVP's Register of Findings decision?

Below is the relevant part of the transcript from the McDevitt interview.

Thanks
Grant

GW: Has Stephen Dank been placed on the register of findings?

BM: Yes he has been placed on the register of findings. and I have written letters to both the heads of the NRL David Smith and the head of the AFL in relation to Mister Dank.

GW: What have you asked the NRL and AFL to do in relation to Dank?

BM: What I've asked them to do is issue infraction notices against Mister Dank and I have recommended that I believe he should be subject to a penalty of a lifetime ban.

--
GRANT BAKER
Sport Reporter

<~WRD000.jpg>

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41

Tony Baccari

From: ASADA media
Sent: 09 September 2014 8:47 AM
To: Kay Mcniece
Cc: Health News [REDACTED]
Subject: Media Enquiry: Grant Baker - Dank II Register of Findings [SEC=UNCLASSIFIED]

Hi Kay

Grant Baker has sent through an enquiry asking if Mr Dank has been notified of the ADRVP's Register of Findings decision – see email below.

For your information, please find our suggested response below:

[REDACTED]

Let me know if you have any issues with this.

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority

[REDACTED]

www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

From: Baker, Grant [REDACTED]
Sent: 08 September 2014 1:17 PM
To: ASADA media
Subject: TRIM: Dank II Register of Findings.

Hi ASADA media team

I'm just trying to clear up where things are at in regards to Stephen Dank.

In an ABC TV interview on August 24, ASADA chief executive Ben McDevitt said Dank had been placed on the Register of Findings by the ADRVP.

But Mr Dank has told the Herald Sun today he had not been notified of the ADRVP decision to enter him onto the Register of Findings.

* Has Mr Dank been notified of the ADRVP's Register of Findings decision?

Below is the relevant part of the transcript from the McDevitt interview.

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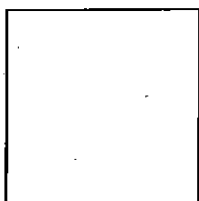
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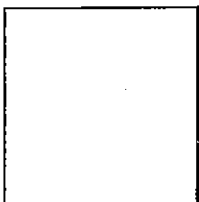
GRANT BAKER

Sport Reporter

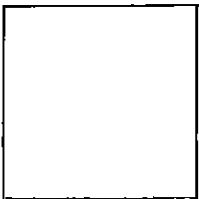


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Tony Baccari

From: Kay.McNiece@health.gov.au on behalf of News@health.gov.au
Sent: 09 September 2014 9:47 AM
To: ASADA media [REDACTED]
Cc: Health News; [REDACTED]
Subject: Re: Media Enquiry: Grant Baker - Dank II Register of Findings [SEC=UNCLASSIFIED]

Importance: High

Thanks Tony - but why are you being so coy?

the answer is yes - so why couldn't you be saying:

[REDACTED]

Media Unit
 Australian Government
 Department of Health inc the TGA
 Office for Sport
 Media enquiries: 02 6289 7400
 Email: news@health.gov.au

From: ASADA media <media@asada.gov.au>
To: Kay McNiece [REDACTED]
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Sport Reporter

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Tony Baccari

From: Tony Baccari
Sent: 09 September 2014 10:17 AM
To: ASADA media
Subject: RE: Media Enquiry: Grant Baker - Dank II Register of Findings [SEC=UNCLASSIFIED]

Hi Mel

Spoke to Kay on the phone ... she is now fine with our version. I've slightly rejigged the order and some of the wording ... what do you think?

[REDACTED]

Tony Baccari
Communications and Media Manager
Australian Sports Anti-Doping Authority

www.asada.gov.au

Note to media: Unless otherwise agreed, the information contained in this email is for background and is not for attribution.

From: ASADA media
Sent: 09 September 2014 9:51 AM
To: Tony Baccari
Subject: FW: Media Enquiry: Grant Baker - Dank II Register of Findings [SEC=UNCLASSIFIED]
Importance: High

Hi Tony

See response from Kay below. Is there a reason why we can't say we've notified Dank in our answer?

Thanks
Mel

Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority

[REDACTED]

W www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

ASADA Hotline 13 000 ASADA (13 000 27232)

From: Kay.McNiece@health.gov.au [REDACTED] **On Behalf Of** News@health.gov.au
Sent: 09 September 2014 9:47 AM
To: ASADA media
Cc: Health News [REDACTED]
Subject: Re: Media Enquiry: Grant Baker - Dank II Register of Findings [SEC=UNCLASSIFIED]
Importance: High

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Media Unit
Australian Government
Department of Health inc the TGA
Office for Sport
Media enquiries: 02 6289 7400
Email: news@health.gov.au

From: ASADA media unit [redacted]
To: Kay McNiece [redacted]
Cc: Health News news@health.gov.au [redacted]
Date: 09/09/2014 08:47
Subject: Media Enquiry: Grant Baker - Dank II Register of Findings [SEC=UNCLASSIFIED]

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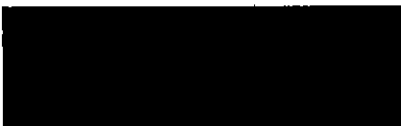
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Melissa Munro
Communications Officer
Australian Sports Anti-Doping Authority



www.asada.gov.au

PO Box 1744, Fyshwick, ACT, 2609

From: Baker, Grant [REDACTED]
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To: ASADA media
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Tony Baccari

From: ASADA media
Sent: 09 September 2014 10:23 AM
To: 'Baker, Grant'
Subject: ASADA response: Dank II Register of Findings. [SEC=UNCLASSIFIED]

Dear Grant

The National Anti-Doping scheme states that as soon as practicable after the Anti-Doping Rule Violation Panel decides to make an entry on the Register of Findings, the CEO must give the person to whom the finding relates a written notice.

A notice is provided either directly to the person or through their lawyer, where their lawyer has told us that they had instructions from their client to receive service.

ASADA has notified every person whose details have been placed on the Register of Findings.

Regards

ASADA Media
Australian Sports Anti-Doping Authority

Phone: +61 (0) 2 6222 4263
Fax: +61 (0) 2 6222 4201

Email: media@asada.gov.au
Web: www.asada.gov.au

ASADA Hotline: 13 000 ASADA (13 000 27232)

From: Baker, Grant [REDACTED]
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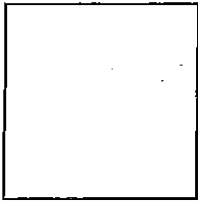
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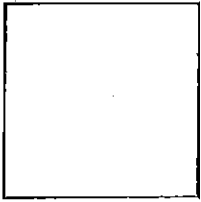
GRANT BAKER

Sport Reporter

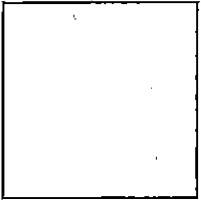


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Tony Baccari

From: [REDACTED] on behalf of News@health.gov.au
Sent: 09 September 2014 10:39 AM
To: ASADA media
Cc: Health News; [REDACTED]
Subject: Re: Media Enquiry: Grant Baker - Dank II Register of Findings [SEC=UNCLASSIFIED]

Importance: High

Hi Tony, considering the legalities, I am happy with this response.

cheers

Kay

Media Unit
Australian Government
Department of Health Inc the TGA
Office for Sport
Media enquiries: 02 6289 7400
Email: news@health.gov.au

From: ASADA media <media@asada.gov.au>
To: Kay Monie [REDACTED]
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Date: 09/09/2014 08:47
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