



**STANDING COMMITTEE ON COMMUNITY AFFAIRS**  
**Legislation Committee**

19 October 2016

Mr Ben McDevitt  
Chief Executive Officer  
Australian Sports Anti-Doping Authority  
PO Box 1744  
Fyshwick ACT 2609  
By email: [asada@asada.gov.au](mailto:asada@asada.gov.au)

Dear Mr McDevitt,

**Correspondence regarding ASADA's appearance at Additional estimates 2015-16**

I am writing in relation to correspondence received by the Community Affairs Legislation Committee (committee) on 4 May 2016 regarding evidence received during the committee's Additional Estimates hearing on 3 March 2016. In this correspondence, concerns were raised about the evidence provided by you, as Chief Executive Officer of the Australian Sports Anti-Doping Authority, and alleged that you had given false or misleading evidence.

The Senate takes very seriously any allegation of false or misleading evidence and its potential to obstruct the work of a committee. Senate Privilege Resolution 6(12)(c) provides that the giving of evidence which a witness does not believe on reasonable grounds to be true or substantially true in every material particular may be treated as a contempt.

In investigating this matter, the committee has paid close attention to Senate Privilege Resolution 3, which sets out criteria to be taken into account when determining matters relating to contempt, and Privilege Resolution 6 which provides general guidance on matters that may be treated by the Senate as contempts.

Having considered the allegations lodged by Mr Francis and Mr Hird and the response provided by you, the committee is satisfied that you have not provided the committee with false or misleading evidence within the meaning of Privilege Resolution 6.

Yours sincerely,

Senator Jonathon Duniam  
Chair