

ANTI-DOPING: THE CREDIBILITY OF THE WHEREABOUTS RULE

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1 Introduction

The month of February 2003 saw the World Anti-Doping Agency (WADA) adopt the World-Anti Doping Code in Copenhagen, Denmark as it sought to create an independent anti-doping body and to also co-ordinate the harmonisation of doping regulations.¹ The Code encompasses the principles around which the international fight against doping in sport is going to revolve in the future.² South Africa is one of the many countries which is a signatory to the Copenhagen Declaration.³ The inclusion of governments in the adoption of the Copenhagen Declaration was an effort by WADA to involve governments in the international fight against doping in sport.

In this article, I identify and analyse potential problem areas, from a legal and human rights perspective, regarding the international fight against doping in sport. My focus is specifically on the 'Whereabouts rule' laid down by WADA and as enforced in South Africa by the South African Institute for Drug-Free Sport (SAIDS).

I begin with an explanation of the Whereabouts rule. This has been necessitated by a large outcry from the media and athletes who not only question its purpose as a doping test but also ask what it is, as a considerable portion of them are yet to be fully enlightened on this WADA 2009 amendment. This theoretical background that I give on the Whereabouts rule is my way of educating my readership and thus living what I preach, as will be evident in my recommendations below, which is mainly the gospel of athletes and media engagement on the Whereabouts rule through education and enlightenment of its content.

To enable a deeper understanding of my position on the aforementioned issue, I first define key concepts and acronyms as this

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1 World Anti-Doping Agency 'Copenhagen Declaration' 3 January 2003 <https://www.wada-ama.org/en/resources/world-anti-doping-program/copenhagen-declaration> (accessed 15 July 2016).

2 Art 5 of the Copenhagen Declaration on Anti-Doping in Sport of 2003.

3 World Anti-Doping Agency (n 1 above).

will enable me to have a common foundation with the reader, following which I will address the main issue of this article.

2 Contextualisation

2.1 Definitions: Key concepts

WADA is an anti-doping agency which was established in 1999.⁴ It is the international body which guards against doping in sport by enforcing certain safeguards, such as the Athletes' Handbook which details the particular substances athletes are banned from consuming.⁵ It was established because there was no specific anti-doping body which was responsible for preventing doping in sport. WADA ruthlessly confronts doping in the international sporting community as was confirmed in the case of *World Anti-Doping Agency (WADA) v. United States Anti-Doping Agency (USADA); United States Bobsled & Skeleton Federation (USBSF); Zachary Lund and Federation Internationale de Bobsleigh et de Tobogganing (FIBT)* (as 'Interested Party') (2 February 2006), when WADA launched an appeal to the Court of Arbitration for Sport (CAS) against the United States Anti-Doping Agency (hereafter referred to as 'USADA')'s decision not to treat Lund as 'a cheat' because he had been using a banned substance for medical purposes.⁶

SAIDS is a public entity which was established by an Act of Parliament, namely Act 14 of 1997.⁷ SAIDS is the national body which is responsible for doping in South Africa. SAIDS is responsible for the testing of athletes, the testing of samples and the implementing of disciplinary action against those athletes who were tested positive.⁸ SAIDS is based in Newlands, Cape Town. It receives the majority of its funding from Sport and Recreation South Africa (SRSA).⁹

The Bill of Rights, enshrined in the Constitution of the Republic of South Africa, 1996, defines human rights as the rights of all people in South Africa.¹⁰ Human rights are one's fundamental entitlements which are bestowed on him or her by virtue of human nature as opposed to an animal for example. There are various human rights but those relevant to Sports Law and the issue of doping are the following according to their order of appearance in the Constitution; section 9-

4 World Anti-Doping Agency 'WHO WE ARE' 3 January 2003 <https://www.wada-ama.org/en/who-we-are> (accessed 15 July 2017).

5 As above.

6 Arbitration No CAS OG 06/001. In this case, WADA's appeal was upheld and an appropriate two year ban was imposed on Lund.

7 South African Institute for Drug-Free Sport 'About Us' 16 July <http://www.drugfreesport.org.za/about-us/> (accessed 16 July 2017).

8 As above.

9 SAIDS *Annual Report 2014 14*.

10 Ch 7 of the Constitution of the Republic of South Africa, 1996, (the Constitution).

the Equality clause; section 10-right to human dignity; section 12(e)-right to freedom and security of the person; section 14-right to privacy; section 35(3)(h)-the right to be presumed innocent until proven guilty; and section 36-limitation of rights.

There is no common legal definition for doping. Doping is defined in two ways namely the abstract definition and the pragmatic definition.

The abstract definition of doping defines doping as the use of a substance which is potentially harmful or capable of enhancing their performance.¹¹ This definition has been adopted by the International Olympic Committee (IOC) Code. However, the definition is unanswerable and is, therefore, not legally binding. Be that as it may, we still have to refer to this abstract definition of doping because most people believe that doping is only about performance enhancing drugs, but on the list of prohibited substances itself, only about 50% items are performance enhancing drugs but the other 50% are actually harmful to the human body and they will not enhance an athlete's performance, hence it is prohibited. In other words, it is harmful and it might kill you. So this abstract definition of the IOC is both either harmful or performance enhancing substances.

The pragmatic definition of doping defines doping as the presence in the athlete's body of a prohibited substance (and related substances) or evidence of the use thereof.¹² This definition is based on a list of prohibited substances, unlike the abstract definition which is unanswerable and therefore, is not legally binding. We use this pragmatic definition in South Africa. The pragmatic definition has also been adopted in the WADA definition.

The pragmatic definition of doping operates in the following way; WADA will publish on the 2nd of January of every year, a list of prohibited substances. The list is reviewed and amended by WADA annually as new substances are added to the list whilst others are removed. Every sports federation should have this new list. However, this list is not user friendly because the content of the list is illegible and incomprehensible for most athletes. In order to resolve this issue, the anti-doping bodies such as SAIDS publish the 'Athletes' Handbook.' The Athletes Handbook is an application which is available on every smartphone and it is more user-friendly. By creating this legible Athletes' Handbook, the athletes' section 32(1) right of access to information is protected and implemented. Athletes have access to the banned substances and can, as a result, know about them. The application of this pragmatic definition of doping would be evident if, for example, an athlete goes to consult a doctor

11 K Vieweg & C Paul 'The definition of doping and the proof of a doping offence' (2002) 1 *The International Sports Law Journal* 2.

12 As above.

or a chemist and he is prescribed medication which he must check for under the banned list. The athlete must simply type in the name of the medicine, for example, 'Vicks Medinite', and if it shows up in red then it is a banned substance. So the Athletes' Handbook application actually uses the pharmaceutical name of the product which the athlete can understand, e.g. 'Vicks Medinite'.

The law which governs the enforcement of WADA and SAIDS operations in South African sports law is the World Anti-Doping Code, which was incorporated into South African anti-doping law through the Drug-Free Sport Amendment Act 25 of 2006 (hereafter referred to as 'the Act'). Section 11(2)(a) of the Act expressly provides that SAIDS 'shall adopt and implement anti-doping rules and policies which conform to the WADA Code including the WADA Prohibited List'.

2.2 Procedural law

The procedural aspect of a doping hearing is evident in the way in which doping is proven through evidence. A doping offence, especially in the case of over-the-counter doping, is proven in the following way: The sanction for doping is not a criminal sanction but it is a disciplinary sanction.¹³ The burden of proof lies with the sports organisation which is the accusing party.¹⁴ The evidence of doping is the finding of the prohibited substance in the urine or blood sample which is sent to accredited laboratories for testing.¹⁵ The urine or blood sample is compared to the prohibited list. If there is a match then the athlete would have tested positive for doping.¹⁶ The standard adopted by WADA is that of strict liability.¹⁷

In the light of this background knowledge I am now proceeding to identify and analyse potential problem areas, from a legal and/or human rights perspective, inherent in the international fight against doping in sport, in terms of the rules laid down by WADA and as enforced in South Africa by SAIDS.

13 P Greene 'Case Note: *United States Anti-Doping Agency v Montgomery: Paving a new path to conviction in olympic doping cases*' (2007) 59 *Maine Law Review* 154-155.

14 Art 3.1 of the WADA Code, 2015.

15 SAIDS *At-a-glance* https://www.drugfreesport.org.za/wp-content/uploads/2014/09/SAIDS_Anti_Doping1.pdf (accessed 1 April 2017).

16 As above.

17 Rule 2.1 of the WADA Code, 2015 provides that the strict liability standard that is applied to positive tests, in terms of which the mere 'presence of a prohibited substance or its metabolites or markers in an athlete's bodily specimen' is sufficient to establish a doping violation, and intent, fault, negligence, or knowing use need not be demonstrated.

2.3 Potential problem areas

2.3.1 *Non-analytical evidence:Whereabouts rule*

The anti-doping test procedure presents a potential problem area, from a legal perspective, in the admissibility of non-analytical evidence. Non-analytical evidence includes the testimony of witnesses, social media platforms such as Facebook or Twitter, the testing procedure (Doping Control Officer [DCO]) and the Whereabouts rule. I am going to focus on the Whereabouts rule in this article.

Definition of the Whereabouts Rule

The Whereabouts rule relates to a form of doping testing called out-of-competition testing.¹⁸ Out-of-competition testing has become a vital component of the WADA program.

Purpose of the Whereabouts Rule

The Whereabouts rule was created in order to combat systematic doping which always remained a challenge to in-competition-testing.¹⁹ Systematic doping is essentially a form of doping in which athletes and their coaches employ banned substances and methods of training during hard training and post-competition season in order to catalyse the athletes' recovery process and thereby strengthen their physical capacity and enhance their winning chances in the world competitions.

It logically follows that in-competition-testing could never catch out such systematic doping because by the time of the competitions the banned substances would have been flushed out of the athlete's system. Therefore, out-of-competition testing becomes a legal and ethical necessity in order to catch out the offenders and promote fair play for sportsmen.

Operation and characteristics of the Whereabouts rule

The doping officials who apply the Whereabouts rule do not give the athlete who is to be tested advance notice of the test. Furthermore, the athlete must have, beforehand, provided the doping officials with detailed information concerning his/her whereabouts at a particular time.

18 Art 20 of WADA Code, 2015.

19 LawTeacher 'WADA's Whereabouts System' <https://www.lawteacher.net/free-law-essays/sports-law/wadas-whereabouts-system.php> (accessed 1 April 2017).

Characteristics of the Whereabouts rule

A harmonised system of out-of-competition testing in terms of the WADA Code comprises of;

- (i) the group of athletes to be tested;²⁰
- (ii) the kind of whereabouts information to be provided;²¹ and
- (iii) the circumstances which result in anti-doping violations.²²

In terms of the first characteristic namely, the group of athletes who are to be tested, registered testing pools with the specific athletes to be tested are to be established by the International Federations (IFs) and National Anti-Doping Organisations (NADOs).

There are two Registered Testing Pools namely:

- (i) The International Registered Testing Pool- This one is laid down by the IFs and includes top athletes.²³
- (ii) The National Registered Testing Pool- This one is established by the NADOs.²⁴ It includes athlete as informed by the International Standard of Testing (ISI) and these are;
 - (a) Athletes who are part of national teams in Olympic, Paralympic or other sports of high national priority (or who may be selected for such teams);
 - (b) Athletes who train independently but perform at Olympic or Paralympic or World Championship level and may be selected for such events.

Therefore, WADA does not assign the athletes to be tested but only IFs and NADOs do so by establishing relevant characteristics and select a significant or meaningful circle or pool of athletes who become part of WADA's Whereabouts system.

Whereabouts Information

Athletes are required to complete forms and provide Anti-Doping Organisations (ADOs) with the details and these must be given to NADOs and/or IFs every three months through the Anti-Doping Administration and Management System (ADAMS).²⁵ The IST dictates the information to be filled in by the athletes as comprising of;

- (i) athlete's residences;²⁶
- (ii) athlete's agenda for the next three months which contains;²⁷

20 Art 5.6 of the WADA Code, 2015.

21 As above.

22 Art 2.4 of the WADA Code, 2015.

23 Art 5.2.2 of the WADA Code, 2015.

24 Art 5.2.1 of the WADA Code, 2015.

25 Art 5.6 of the WADA Code, 2015.

26 As above.

27 As above.

- (a) contact details;
- (b) confirmation that other potential testing authorities such as ADOs have access to the athlete's Whereabouts filings;
- (c) athlete's addresses of all locations where the athlete will be residing, e.g. homes and hotels, and carrying out regular activities, e.g. work, training, studying and school;
- (d) athlete's schedules of all regular activities and competitions during that three-month period have to be added.

The aim of this agenda is to keep the WADA doping officials informed as the athlete's agenda changes often due to future competitions. So Whereabouts information gives the expected information in the form of the particular time and place for the athlete's testing.

- (iii) A daily 60-minute time slot between 6 am and 11 pm for the athlete must be given.²⁸

Conclusively, as can be seen from the aforementioned characteristics and operation of the Whereabouts rule, the athlete must be easily accessible to the doping officials at a particular place and time. Moreover, he/she must guarantee an unproblematic test procedure through the detailed Whereabouts information they would have given. An athlete can delegate to a 3rd party, via a written notice, his or her duty to furnish his or her Whereabouts information. Nonetheless, the athlete remains ultimately responsible for the provision of accurate and correct details and his/her accessibility thereof as per the guarantee he/she would have given. Such that if he or she misses a doping test or commits a filing failure courtesy of a third party that he or she would have delegated, the athlete still remains liable. This is also justifiable in terms of the strict liability rule.²⁹ This provides an interesting jurisprudential intersection between strict liability and the Whereabouts rule. It is intriguing because the criticism of the violation of fundamental rights is brought into question when strict liability enters the fray. Nonetheless, my debate about rights in the following sections will focus on their connection and co-existence with the Whereabouts rule.

Violations of Whereabouts rule

Article 2.4 of the WADA Code, 2009 provides that violations of the Whereabouts rule is constituted out of missed tests or a filing failure, in other words, a failure to file required whereabouts information. A filing failure may be ascertained in two ways namely –

²⁸ As above.

²⁹ The rule which provides that under Art 2.1 and Art 2.2 of the WADA Code, 2015 it is not necessary that intent, fault, negligence, or knowing use on the athlete's part be demonstrated by the anti-doping organization in order to establish an anti-doping rule violation.

- (i) if a doping official fails to allocate a listed athlete outside the 60 minute time slot due to insufficient information; and
- (ii) ADO is able to determine insufficiency of the information itself.³⁰

What constitutes a missed test is an athlete's absence at a given location within the 60 minute period. For example, if Usain Bolt said he will be at Ramada Inn, New York City on 12 January 2016 between 7 am and 8 am and the doping officials arrive and do not find him there, this constitutes a missed test. Ultimately an anti-doping rule violation in terms of the Whereabouts rule is the sum of three missed tests or filing failures within twelve months from the first offence.

This establishes the essence of the Whereabouts rule. It does give the impression of thoroughness in the fight against doping through the harmonisation of the out-of-competition testing. Be that as it may, criticism has been penned and voiced about the Whereabouts rule and the out-of-competition testing. In the next section, analyse the potential problem areas inherent in the Whereabouts rule.

Criticism: Analysis

The criticism that has been laid out against the Whereabouts rule by athletes and other observers has been that it is too demanding and too complex a legal regime to understand, let alone comply with. This is not as surprising as out-of-competition testing, of which the Whereabouts rule is a component, is part of advanced intelligence testing.³¹ This inclusion of the word 'intelligence' highlights the discreet and state-of-the-art nature of the operation and application of the Whereabouts rule.

As Robin Sharma once said, 'victims recite problems, leaders provide solutions.' It is in this spirit of leadership that I would recommend to WADA, as a solution to this problem, athletes' engagement in this anti-doping war. I recommend that WADA engages athletes and other stakeholders by educating them on the purpose and inherent benefits of out-of-competition testing, which mainly aims at levelling the playing field and promoting fairness by testing the athletes at all times. This backwards-forwards approach will facilitate an easier understanding of the out-of-competition testing and compliance to the Whereabouts rule will improve. For instance, not only should athletes be enlightened on the consequences of a filing failure but they must also be enlightened on what constitutes a filing, i.e. whether it is the omission of all types of information concerning the athlete's whereabouts during the quarterly testing or

30 Art 2.4 of the WADA Code, 2015.

31 LawTeacher (n 19 above).

whether it is committed by the omission of particular information concerning the athlete's whereabouts.

The procedure of employing the Whereabouts rule presents a potential problem area with regards to the invasion of an athlete's rights to privacy from a human rights perspective, in the anti-doping fight.³² This right is entrenched in section 14 of the South African Constitution's Bill of Rights. Indeed the Whereabouts rule is intrusive. As Singh would say, 'Athletes ... do not abandon their human rights once they enter the boundary of lines onto the field of play.'³³ It is in this way that the procedure of employing the Whereabouts rule presents a problem area with regards to the invasion of an athlete's right to privacy from a human rights perspective in the anti-doping fight.

However, it is not so highly intrusive in a way that makes it a travesty of justice because the athlete need only provide a quarterly 60 minute time slot in which the doping officials can come and test him/her.

Moreover, the intrusion is justifiable considering the severity of doping in sports and the evasive manner in which doping athletes are always ten steps ahead of WADA, especially at the Olympics and in sports prone to doping such as cycling and athletics. This argument revolves around the proportionality test which I discuss later on in the next section under the Limitation clause.

Another source of conflict that arises with the Whereabouts rule is the possible violation of the right to freedom of movement of an athlete in terms of section 12 (e) of the Constitution of South Africa. Since athletes give a 60 minute time slot between 6 am and 11 pm every day, that means that they have to squeeze their training, recovery time and running errands into a shorter day as they have to give away an hour for the doping officials, just in case they show up. The uncertainty of whether or not they will pay an unexpected visit makes this daily demand of an hour rather insensitive because if they do not, the athlete will just find him/herself stuck at home instead of training and the athlete cannot protest because this is a WADA regulation which he/she must comply with.

Another point of criticism is with regards to the right to equality in terms of section 9 of the equality clause in the sense that, not all athletes are selected for the doping test according to the Whereabouts rule. This is rather discriminatory considering that the chances for doping exist across the board in all sports, although in

32 *Cropp v A Judicial Committee and Anor* SC 68/2007 [17 June 2008]. In this case, the violation of privacy by the doping test was challenged and Cropp won her case.

33 P Singh 'Human Rights and Sport' 2006 <http://www.docstoc.com/docs/19767069/SPORT-AND-HUMAN-RIGHTS#> (accessed 18 April 2016).

some more than others, such as cycling.³⁴ This inequality is evident in the selection of athletes to be tested in the Registered Testing Pools, as determined by the IFs and NADOs. For starters, not all athletes are chosen to be in these pools for testing as the focus is mainly on Olympians and Paralympians. Therefore, those athletes who perform in provincial teams or national teams but who do not make the cut for the national Olympic team of a particular nation can virtually walk off scot free after doping and they do dope as was unearthed by Nairn, the Australian Journalist.³⁵ One might argue that there is a greater need to mainly, and perhaps only, test the Olympians and Paralympians because the chances of doping are higher at this stage because of the pressure that the athletes face of having to give their best performance ever on a world stage and break world records. Therefore, doping tests such as the Whereabouts rule would deter athletes from doping and considering that this is also an international stage, it would send a loud message to future global athletes no to dope after they see the consequences of doping on their counterparts and role models. This is a sound argument because it is practical and realistic nonetheless, inequality still ravages the Whereabouts rule doping system because there are still some athletes who are not tested whilst others are. This becomes more unfair when one looks at the fact that there are sports which are prone to doping more than others, regardless of whether it is at a national or provincial level such as boxing, weightlifting and cycling.³⁶ Therefore, ignoring the provincial or district cycling teams for instance just because they are a level lower than those of the pole vault Olympic teams is impractical especially considering that doping is not as rife in pole vault or diving.

Be that as it may, the unfairness is mitigated by the justification on the limitation of the right to equality as necessitated by rampant doping in certain sports and at certain levels of sporting competitions. Again the proportionality test argument is seen to kick in here and as I pointed out it is thoroughly discussed below.

As I conclude my analysis of the problems inherent in doping definitions from a human rights and justice perspective, it is evident that the conceptualisation of doping presents problem areas, not only from a practical legal perspective which concerns investigation but also from a human rights perspective. The legal and the human rights facets in this case of definitions are inter-woven hence, they also present a chicken and egg situation.

34 P Sullivan 'What Sports Have the Worst Doping Problems?' 29 June 2013 <http://foreignpolicy.com/2013/06/29/what-sports-have-the-worst-doping-problems/> (accessed 2 September 2017).

35 J Nairn 'Junior Australian athletes as young as 12 admit to doping' 8 July 2014 <http://www.abc.net.au/news/2014-07-08/junior-athlete-doping-uncovered-by-research/5581930> (accessed 1 September 2017).

36 Sullivan (n 34 above).

2.4 The legal implications of the doping fight in South Africa

2.4.1 Section 36-Limitation Clause

Section 36 of the Constitution provides a limitation clause. According to this limitation clause, the human rights which are entrenched in the Bill of Rights are not absolute however, they can be limited and encroached upon in a way that is justifiable in an open and democratic society such as South Africa. Section 36 provides;³⁷

The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom, taking into account all relevant factors, including:-

- (a) The nature of the right;
- (b) The importance of the purpose of the limitation;
- (c) The nature and extent of the limitation;
- (d) The relation between the limitation and its purpose; and
- (e) Less restrictive means to achieve this purpose.

The limitation on the aforementioned human rights, one might argue, is to preserve the integrity of sports. However, there is the reality that sports is entertainment and therefore, a thriving business. This is what leads athletes to dope as they are under pressure to win and earn a lot of money. Be that as it may, in an open and democratic South Africa, which is founded on the constitutional values of fairness and equality, the courts are likely to prioritise sports integrity, health, honesty, fair play and sports education and this will definitely outweigh the business aspect into which sports has degenerated. This is called a proportionality test.³⁸ Proportionality refers to the balancing of different interests and the weighing up of competing values. It is in light of these constitutional priorities that the courts will be willing to limit the constitutional human rights of athletes in terms of the limitations clause.

The proportionality test was also applied in the case of *Cropp v A Judicial Committee and Anor.*³⁹ In this case, it was held that the right to privacy as entrenched in the Bill of Rights of New Zealand (BORA), had been unjustifiably limited by the doping test on Cropp. This was because the purpose of the test was to prevent horse riders who had doped prior to the race from participating in the race and unfairly winning the competition. Therefore, testing Cropp some time after the race did not establish this purpose of excluding and penalising

37 Sec 36 of the Constitution, 1996.

38 *S v Makhwanyane and Another* 1995 (3) SA 391 (CC) [104].

39 *Cropp* (n 32 above).

offenders. It logically follows, therefore, that Cropp's privacy had been unjustifiably encroached upon.

It is likely that this purpose orientated approach, coupled with the constitutional value orientated approach, will be applied by courts when deciding on how to determine encroachment of athletes' human rights in terms of the limitation clause.

3 Conclusion

In conclusion, the perception of the problem of doping as defined by WADA and enforced by SAIDS is a problem area from a legal and human rights perspective. Doping has resulted in the majority of the public's losing faith in the results of Olympic events because of the use of drugs and doping in sports. For example, one would question the prowess of an athlete. One might ask whether Usain Bolt's 9.58 seconds performance of the 100m is real and natural especially when it comes to his unprecedented speed. Some of the astronomical heights that are being jumped by the athletes nowadays, for example in pole vault or in long jump, make one also question whether the athlete is not guilty of doping. A poll which was carried out by the British Broadcasting Corporation (BBC) One's 'Inside Sport' found that 58% agreed that they had lost faith in the credibility of these sporting events and performances and only 20% had not lost faith.⁴⁰ This negative perception of sports, due to rampant doping, is a problem which has been caused, to a certain extent, by the global anti-doping fight in the sense that, athletes' hard work and stellar performances have been drowned by the news of their colleagues who would have been found guilty and doping. This negative perception is unfair on those honest athletes who would have worked hard to win and end up doing so. A great example would be Usain Bolt of Jamaica or Veronica Campbell Brown, particularly since the latter was eventually cleared after initially being accused of a doping offence. These are record-setting athletes whose prowess many have questioned due to their unprecedented world class performances on the track. The truth is that, in their case, not only does hard work play a role but genetics play an even bigger role. The population of the Caribbean is famous for its athleticism and this sets them apart from the start. Therefore, their great performances can be considered genuine especially since none of them has ever been found guilty of doping. WADA, in its quest to end doping, must immensely protect its athletes from suffering unwarranted prejudice. Indeed it is a balancing act required of WADA and SAIDS as both bodies must fiercely fight doping on a global scale

40 British Broadcasting Corporation 'BBC Annual Report and Accounts 2015/16' <http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/reports/pdf/bbc-annualreport-201516.pdf> (accessed 25 September 2017).

but at the same time save the image of athletes who are just genetically superb.

My sincere hope is that not only have I analysed potential problem areas inherent in the Whereabouts rule, from a legal and/or human rights perspective, as enforced in South Africa by SAIDS, but that I have also provided solutions and recommendations to these problems, or at the very least, ideas to solutions.