

In the matter of the Canadian Anti-Doping Program;

**And in the matter of an anti-doping rule violation by Nicola Terbasket asserted by
the Canadian Centre for Ethics in Sport;**

File Outcome Summary

Summary

1. The Canadian Centre for Ethics in Sport (CCES) conducted an in-competition sample collection session on March 19, 2016 during the Canadian Collegiate Athletic Association (CCAA) Women's Basketball Championships held in Windsor, ON.
2. Ms. Nicola Terbasket ("the athlete") was selected for doping control. The sample provided by the athlete returned an adverse finding for Cannabis, a specified substance.
3. Following receipt of the CCES' assertion of an anti-doping rule violation for the presence of Cannabis, the athlete admitted the violation in a timely fashion and waived her right to a hearing.

Jurisdiction

4. The CCES is an independent not-for-profit organization incorporated under the federal laws of Canada that promotes ethical conduct in all aspects of sport in Canada. The CCES also maintains and carries out the Canadian Anti-Doping Program (CADP), including providing anti-doping services to national sport organizations and their members.
5. As Canada's national anti-doping organization, the CCES is in compliance with the World Anti-Doping Code (Code) and its mandatory International Standards. The CCES has implemented the Code and its mandatory International Standards through the CADP, the domestic rules which govern this proceeding. The purpose of the Code and of the CADP is to protect the rights of athletes to fair competition.
6. The athlete is a member of, and participates in the sport of basketball with, a CCAA member institution. Specifically, the athlete is a member of the Vancouver Island University Women's basketball team. According to Part C, Rule 1.3 of the CADP, the CADP provisions apply to all members of, and participants in the activities of, sport organizations adopting it. The CADP was issued for adoption by Canadian sport organizations on October 1, 2014, to be operational on January 1, 2015. CCAA adopted the CADP on January 12, 2015. Therefore, as a member of CCAA and/or as

a participant in CCAA sport activities, the athlete is subject to the Rules of the CADP.

Doping Control

7. On March 19, 2016 the CCES conducted an in-competition sample collection session during the Canadian Collegiate Athletic Association (CCAA) Women's Basketball Championships held in Windsor, ON. Testing at this competition was conducted on CCAA athletes as part of the CCES' domestic test distribution plan, all pursuant to the CADP.
8. The athlete was notified for doping control and, together with the Doping Control Officer (DCO) from the CCES, completed the sample collection process. The athlete's sample code number was 3902136.
9. On March 22, 2016 the athlete's sample was received by the World Anti-Doping Agency (WADA) accredited laboratory, the INRS-Institut Armand-Frappier (INRS), in Laval, QC.

Results Management

10. On April 28, 2016, the CCES received a Certificate of Analysis for the athlete's sample (sample code 3902136) from the INRS which indicated the presence of Cannabis.
11. Cannabis is classified as a prohibited substance (Specified Substance) on the 2016 WADA Prohibited List.
12. On May 11, 2016 the athlete accepted a Voluntary Provisional Suspension.
13. On May 18, 2016, the CCES formally asserted a violation against the athlete for the presence of a prohibited substance (specified substances).
14. In accordance with CADP Rule 10.2.2, the standard sanction for an anti-doping rule violation involving the presence of a specified substance is a two (2) year period of ineligibility.
15. However, following an evaluation of all the relevant facts the CCES has determined that the athlete was not at significant fault or negligence for the violation. Further, the CCES has evaluated the athlete's degree of fault for the violation, considers it to be low and therefore has concluded that a reduction in sanction, down to a two (2) month period of ineligibility, is warranted in accordance with CADP Rule 10.5.1.1. The CCES' rationale for this outcome is the following:

- i) The athlete was not, at the time of testing, a National or International athlete as defined in the CADP;
 - ii) The athlete's use of the substance occurred out-of-competition, weeks prior to the sample collection date;
 - iii) The athlete is young with limited anti-doping education and awareness.
16. Therefore, as this would be a first violation involving a "specified substance", and after consideration for the factors outlined above, the CCES determined that the sanction for this violation should be a two (2) month period of ineligibility (in accordance with Rule 10.5.1.1 of the CADP).

Confirmation of Violation and Sanction

17. On May 19, 2016, in response to the CCES' assertion, the athlete admitted to the anti-doping rule violation in a timely fashion in accordance with CADP Rule 10.11.2. The athlete further waived her right to a hearing and accepted the two (2) month period of ineligibility proposed by the CCES.
18. When an athlete facing a period of ineligibility admits a violation in accordance with CADP Rule 10.11.2, any sanction imposed may start as early as the date of sample collection. However, in accordance with CADP rule 10.11.2, at least 50% of the sanction (1 month) must be served after May 11, 2016 (the date the athlete accepted a Voluntary Provisional Suspension). Therefore, while the 2-month sanction formally commenced on March 19, 2016 it will not conclude until June 11, 2016.
19. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 6th day of June, 2016.



Jeremy Luke
Director, Canadian Anti-Doping Program and Business Development, CCES