

ISSUED DECISION

In the Matter of:

UK ANTI-DOPING LIMITED

and

Mr ALI ADAMS

Relating to:

Disciplinary Proceedings under the Anti-Doping Rules of the British Boxing Board of Control

This is an Issued Decision as between UK Anti-Doping Limited (“UK Anti-Doping”) and Mr Ali Adams (the “Athlete”) relating to an Anti-Doping Rule Violation arising from the British Boxing Board of Control (“BBBofC”) Anti-Doping Rules (the “Anti-Doping Rules” or “ADR”).

Background and Facts

1. UK Anti-Doping is the National Anti-Doping Organisation for the UK. It is responsible for managing the results of doping tests conducted under the Anti-Doping Rules of the BBBofC, the governing body for the sport of boxing in Britain.
2. The Athlete is a 31 year-old boxer. He was born in Iraq, and has lived in the UK since 1998. At all material times he was a participant in the sport of boxing and subject to the Anti-Doping Rules.
3. On 26 May 2012, the Athlete provided an In-Competition sample for doping control purposes at the International Masters Heavyweight Title competition in Brentwood, Essex, pursuant to the Anti-Doping Rules (sample number 1102839) (the “Sample”)
4. The Sample was submitted for analysis to the Drug Control Centre, Kings’ College, Harlow, a World Anti-Doping Agency (“WADA”) accredited laboratory (the “Laboratory”).
5. On 1 June 2012, the Laboratory reported to UK Anti-Doping that an Adverse Analytical Finding in respect of 3-hydroxystanozolol, a metabolite of stanozolol, had been detected in the Sample.
6. Stanozolol and its metabolites are Prohibited Substances and are included in the WADA 2012 Prohibited List (the “Prohibited List”).

The Charge

7. ADR 2 provides:

Article 2: Anti-Doping Rule Violations

Each of the acts or omissions set out in Articles 2.1 to 2.8 shall constitute an Anti-Doping Rule Violation under these Rules:

2.1 The presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample, unless the Athlete establishes that the presence is consistent with a TUE granted in accordance with Article 4.

2.2 Use or Attempted Use of a Prohibited Substance or a Prohibited Method.

8. On 13 June 2012, UK Anti-Doping issued a Notice of Charge to the Athlete for a violation of ADR 2.1 and ADR 2.2 in relation to the Adverse Analytical Finding for stanozolol. The Athlete was also provisionally suspended with immediate effect.
9. The Notice of Charge explained the facts relied upon in support of the allegations, the details of the charges, the consequences of an admission or proof of Anti-Doping Rule Violations and the procedure for analysis of the B Sample.
10. On 26 June 2012, the Athlete waived his right to B sample analysis.
11. On 5 July 2012, the Athlete admitted the violations. By way of mitigation, the Athlete claimed that he had suffered from an ongoing neck injury for which he had received medical treatment and massage. The Athlete claimed that a massage therapist had injected him on two separate occasions with an unknown substance that he was told was an anti-inflammatory. The Athlete postulated that these injections must have been the cause of the Adverse Analytical Finding.

Consequences

12. ADR 10.2 provides:

10.2 Imposition of a Period of Ineligibility for the Presence, Use or Attempted Use, or Possession of Prohibited Substances and/or Prohibited Methods

For an Anti-Doping Rule Violation under Article 2.1 (presence of a Prohibited Substance or its Metabolites or Markers), Article 2.2 (Use or Attempted Use of a Prohibited Substance or Prohibited Method) or Article 2.6 (Possession of a Prohibited Substance and/or a Prohibited Method) that is the Participant's first violation, a period of Ineligibility of two years shall be imposed, unless the conditions for eliminating or reducing the period of Ineligibility (as specified in Article 10.4 and/or Article 10.5) or for increasing the period of Ineligibility (as specified in Article 10.6) are met.

13. Where an Athlete is found to have committed an Anti-Doping Violation under ADR 2.1 and ADR 2.2, and such offence is the Athlete's first Anti-Doping Violation, a period of Ineligibility of two (2) years must be imposed pursuant to BBBoFC Anti-Doping Rule 10.2 ("the Standard Sanction").
14. This is the Athlete's first doping offence.
15. The Athlete has not been able to mitigate the standard sanction by application of ADR

10.5.1 or ADR 10.5.2.

16. ADR 7.5.4 states:

In the event that the Participant admits the Anti-Doping Rule Violation(s) charged and accedes to the Consequences specified by the NADO (or is deemed to have done so in accordance with the last sentence of Article 7.5.1), neither B Sample analysis nor a hearing is required. Instead, the NADO shall promptly issue a decision confirming the commission of the Anti-Doping Rule Violation(s) and the imposition of the specified Consequences, shall send notice of the decision to the Participant and to each Interested Party, and shall publish the decision in accordance with Article 14.

17. The Athlete has been provisionally suspended since 13 June 2012. In accordance with ADR 10.9, the Athlete's period of Ineligibility commences on 13 June 2012 and will expire at midnight on 12 June 2014.

18. ADR 10.8 states:

Unless fairness requires otherwise, in addition to the automatic Disqualification of results under Article 9.1 and Article 10.1, any other results obtained by the Athlete, in Competitions taking place after the date the Sample in question was collected or other Anti-Doping Rule Violation occurred, shall be Disqualified, with all of the resulting consequences, including forfeiture of any medals, titles, points and prizes.

19. The Athlete has not competed in any competition in which he has obtained individual results, and as such ADR 10.8 does not apply.

Substantial Assistance

20. Article 10.5.3 of the ADR provides as follows:

Suspension of period of Ineligibility based on Substantial Assistance in discovering or establishing other Anti-Doping Rule Violation(s):

- a. *In any individual case where a period of Ineligibility has been imposed, the NADO may suspend a part of that period of Ineligibility where the Participant has provided Substantial Assistance to the NADO or other Anti-Doping Organisation, a criminal authority or a professional disciplinary body that results in (i) the NADO or other Anti-Doping Organisation discovering or establishing an Anti-Doping Rule Violation by another person; or (ii) the criminal authority or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another person. If the decision to suspend a part of the period of Ineligibility is made after a final appellate decision or the expiration of time to appeal, then the approval of WADA and the International Federation is required for such suspension.*
- b. *The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the Anti-Doping Rule Violation committed by the Participant and the significance of the Substantial Assistance provided by the Participant to the effort to eliminate doping in sport. No more than three quarters (3/4) of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Article must be no less than 8 years.*
- c. *If the NADO suspends any part of the otherwise applicable period of Ineligibility under this Article, it shall promptly provide a written justification for its decision to each Interested Party.*
- d. *If the NADO subsequently reinstates any part of the suspended period of Ineligibility because the Participant has failed to provide the Substantial Assistance that was anticipated, the Participant may appeal the reinstatement pursuant to Article 13.*

- e. *Where the NADO declines to exercise the discretion conferred on it by this Article 10.5.3, and the matter comes before a hearing panel under Article 8 or an appeal panel under Article 13, the hearing panel/appeal panel (as applicable) may exercise such discretion if the conditions of Article 10.5.3(a) are satisfied.*

21. The term “substantial assistance” is defined in the ADR as:

For purposes of Article 10.5.3, a Participant providing Substantial Assistance must: (1) fully disclose in a signed written statement all information that he/she possesses in relation to Anti-Doping Rule Violations; and (2) fully cooperate with the investigation and adjudication of any case related to that information, including (for example) by testifying at a hearing if requested to do so by the NADO or the hearing panel. Further, the information provided must be credible and must comprise an important part of any case that is initiated or, if no case is initiated, must have provided a sufficient basis upon which such a case could have been brought.

22. On 16 July 2012, the Athlete met with UK Anti-Doping in order to provide information in accordance with Article 10.5.3 of the Anti-Doping Rules.
23. The definition of Substantial Assistance requires an athlete to disclose all information that they possess in relation to anti-doping rule violations. In order to satisfy this definition, UK Anti-Doping requires an athlete to provide a full and frank disclosure as to the circumstances of their own anti-doping rule violation, as well as that of others that they know about.
24. UK Anti-Doping has determined to not exercise its discretion in ADR 10.5.3 to suspend a part of the period of Ineligibility imposed upon the Athlete. This is because UK Anti-Doping does not believe the Athlete’s explanation as to the circumstances that caused the Athlete’s Adverse Analytical Finding.

SUMMARY

25. The Athlete, the BBBofC and the World Anti-Doping Agency have a right of appeal against this Decision or any part of it in accordance with ADR 13.
26. The disposition of these proceedings on the terms set out above will be publicly announced via UK Anti-Doping’s website media release.
27. Accordingly, for the reasons given above, UK Anti-Doping has issued this Decision, pursuant to ADR 7.5.4, which records that:
- a. An Anti-Doping Rule Violation in accordance with ADR 2.1 and ADR 2.2 has been established in relation to stanozolol;
 - b. A period of Ineligibility of two years shall be the consequences imposed pursuant to ADR 10.2;
 - c. That period of Ineligibility is deemed to have commenced as from 13 June 2012 and will expire at midnight on 12 June 2014; and
 - d. The Athlete’s status during this period of Ineligibility shall be as set out in ADR 10.10.
28. During the period of Ineligibility, in accordance with ADR 10.10.1, the Athlete shall not be permitted to participate in any capacity in a competition or other activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened or

authorised by:

- i. the BBBofC or by any body that is a member of, or affiliated to, or licensed by the BBBofC;
- ii. any Signatory (as that term is defined in the Anti-Doping Rules);
- iii. any club or other body that is a member of, or affiliated to, or licensed by, a Signatory or a Signatory's member organisation; or
- iv. any professional league or any international- or national-level Event organisation.

The disposition of these proceedings on the terms set out above will be publicly announced via UK Anti-Doping's website.

Dated this 12th day of September, 2012.