

Issued Decision

UK Anti-Doping and Andrew Riddiford

Disciplinary Proceedings under the Anti-Doping Rules of the British Weightlifting Association

This is an Issued Decision as between UK Anti-Doping Limited ('UKAD') and Mr Andrew Riddiford ('the Athlete') relating to an anti-doping rule violation arising from the British Weightlifting Association ('BWL') Anti-Doping Rules (the 'ADR'). Capitalised terms used in this Decision shall have the meaning given to them in the ADR unless otherwise indicated.

Background and Facts

1. The BWLA is the governing body for the sport of weightlifting in the United Kingdom. UKAD is the National Anti-Doping Organisation ('NADO') for the United Kingdom.
2. The Athlete is a 26 year-old weightlifter. At all material times he was subject to the jurisdiction of the BWLA and bound to comply with the ADR. Pursuant to the ADR, UKAD was empowered to conduct Doping Control and Results Management, as those terms are used in the ADR, in respect of all athletes subject to the jurisdiction of the BWLA.
3. On 8 March 2015, UKAD collected an In-Competition Sample from the Athlete pursuant to the ADR ('the Sample').
4. The Sample was submitted for analysis to the Drug Control Centre, King's College London, a World Anti-Doping Agency ('WADA') accredited laboratory ('the Laboratory'). On 8 April 2015, the Laboratory reported to UKAD an Adverse Analytical Finding ('the Finding') for the following:
 - 4.1 Epistanozolol-N-glucuronide (a Metabolite of stanozolol); and
 - 4.2 Clenbuterol.
5. Stanozolol and its Metabolites are classified as Exogenous Anabolic Androgenic Steroids under section S1.1(a) of the WADA 2015 Prohibited List. Clenbuterol is classified under section S2 (Other Anabolic Agents) of the WADA 2015 Prohibited List. They are both Prohibited Substances, classified as Non-Specified Substances and are prohibited at all times (both In-Competition and Out-of-Competition). The Athlete does not have, nor has he ever held, a Therapeutic Use Exemption in respect of stanozolol, its metabolites or clenbuterol.
6. On 10 April 2015 UKAD issued the Athlete with a Notice of Charge ('the Charge'). The Charge related to the commission of an anti-doping rule violation pursuant to ADR Article 2.1 (the Presence of Prohibited Substances in the Sample). The Charge explained the facts relied on in support of the allegation, the details of the Charge, the procedure for analysis of the B Sample and the Consequences of an admission or proof of the anti-doping rule violation. The Athlete admitted the charge and waived his right to have the B Sample analysed.

Admission and Consequences

7. ADR Article 2 provides that:

The following constitute Anti-Doping Rule Violations:

2.1 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.

8. The Athlete has admitted committing an anti-doping rule violation in violation of ADR 2.1.

9. ADR Article 7.7.4 provides:

7.7.4 In the event that UKAD withdraws the Notice of Charge, or the Athlete or other Person admits the Anti-Doping Rule Violation(s) charged and accedes to the Consequences specified by UKAD (or is deemed to have done so in accordance with Article 7.7.1), neither B Sample analysis nor a hearing is required. Instead, the NADO shall promptly issue a reasoned 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 Athlete or other Person and to each Interested Party, and shall publish the decision in accordance with Article 8.4.

10. ADR Article 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 a Prohibited Method.

The period of Ineligibility for an Anti-Doping Rule Violation under Article 2.1, 2.2 or 2.6 that is the Athlete's or other Person's first anti-doping offence shall be as follows, subject to the potential reduction or suspension pursuant to Article 10.4, 10.5 or 10.6:

10.2.1 The period of Ineligibility shall be four years where:

(a) The Anti-Doping Rule Violation does not involve a Specified Substance, unless the Athlete or other Person can establish that the Anti-Doping rule Violation was not intentional.

10.2.2 If Article 10.2.1 does not apply, the period of Ineligibility shall be two years.

11. ADR Article 10.2.3 states:

10.2.3 As used in Articles 10.2 and 10.3, the term "intentional" is meant to identify those Athletes or other Persons who cheat. The term, therefore, requires that the Athlete or other Person engaged in conduct which he or she knew constituted an Anti-Doping Rule Violation or knew that there was a significant risk that the conduct might constitute or result in an Anti-Doping Rule Violation and manifestly disregarded that risk.

12. The Athlete has provided an explanation for the Finding in which he stated that the only possible cause for the Finding could be his use of supplements. The Athlete did not identify those specific supplements nor did he provide any evidence that those supplements contained the Prohibited Substances. The Athlete stated that he did not "intentionally dope" and that the supplements were taken "without any intent to cheat".

13. However, the Athlete accepted that his coach had “drilled home to myself and the entire team, the importance of being so careful with any supplements we choose to take and that if we want to, we take them at our own risk”. He admitted that he “chose to know better and take a cheaper option without properly checking out the ingredients” and that he had been “ignorant and naive”.
14. The language of ADR Article 10.2.3 is clear. An Athlete will be found to have acted intentionally if they knew that there was a risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. The Athlete has admitted that he had been made aware of the risks of taking supplements. He chose to ignore those risks. The Athlete has manifestly disregarded the risk that his conduct might result in an anti-doping rule violation. He has therefore acted intentionally
15. UKAD therefore does not accept that Athlete’s explanation that the anti-doping rule violation was not intentional.
16. The Athlete has not sought to rely on either ADR Article 10.4 or ADR Article 10.5 to reduce the period of Ineligibility.
17. ADR Article 10.6.3 states;

Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Article 10.2.1 or Article 10.3.1:

An Athlete or other Person potentially subject to a four-year sanction under Article 10.2.1 or 10.3.1 (for evading or refusing Sample Collection or Tampering with Sample Collection), may receive a reduction in the period of Ineligibility down to a minimum of two years, depending on the seriousness of the violation and the Athlete's or other Person's degree of Fault by promptly admitting the asserted Anti-Doping Rule Violation after being confronted with it, upon the approval and at the discretion of WADA and UKAD.

18. The Charge drew the Athlete's attention to this provision. The Athlete has not requested any reduction in sanction pursuant to ADR Article 10.6.3.
19. In the circumstances, pursuant to ADR Article 10.2, UKAD has therefore specified the Consequences in respect of the anti-doping rule violation committed by the Athlete to be as provided in ADR 10.2.1.
20. The Athlete accepts the Consequences specified by UKAD. A period of Ineligibility of four years is hereby imposed and this Decision issued pursuant to ADR Article 7.7.4.

Disqualification of Results and Ineligibility

21. The Athlete has been subject to a Provisional Suspension since the date of the Charge. ADR Article 10.11.3 provides:
 - 10.11.3 Credit for Provisional Suspension of period of Ineligibility served:
 - (a) Any period of Provisional Suspension (whether imposed or voluntarily accepted) that has been respected by the Athlete or other Person shall be credited against the total period of Ineligibility to be served. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Athlete or other Person shall receive credit for such period of ineligibility served against any period of Ineligibility

which may ultimately be imposed on appeal. To get credit for any period of voluntary Provisional Suspension, however, the Athlete or other Person must have given written notice at the beginning of such period to UKAD (and UKAD shall copy that notice to each Interested Party). No credit under this Article shall be given for any time period before the effective date of the Provisional Suspension.

22. ADR Article 10.11.2 states:

10.11.2 Timely admission:

Where the Athlete or other Person promptly (which means, in any event, before he/she competes again) admits the Anti-Doping Rule Violation after being confronted with it by UKAD, the period of Ineligibility may start as early as the date of Sample collection or the date on which another Anti-Doping Rule Violation last occurred.

23. UKAD considers the Athlete to have admitted the anti-doping rule violation promptly for the purposes of ADR Article 10.11.2. The period of Ineligibility is therefore deemed to have commenced on 8 March 2015 and will expire at midnight on 7 March 2019.

24. During the period of Ineligibility, in accordance with ADR Article 10.12.1, the Athlete shall not be permitted to participate in any capacity in a Competition, Event or other activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened, authorised or recognised by:

- the BWLA or by any body that is a member of, or affiliated to, or licensed by the BWLA
- any Signatory (as that term is defined in the ADR)
- any club or other body that is a member of, or affiliated to, or licensed by, a Signatory or a Signatory's member organisation
- any professional league or any international- or national-level Event organisation
- any elite or national-level sporting activity funded by a government agency

In addition, some or all financial support or benefits (if any) that the BWLA might have otherwise provided to the Athlete shall be withheld.

25. The Athlete may return to train with a team or to use the facilities of a club or other member organisation of the NGB or a Signatory's member organisation during the last two months of the Athlete's period of Ineligibility (i.e. from midnight on 7 January 2019) pursuant to ADR Article 10.12.4(b).

26. The Athlete, the BWLA, the International Weightlifting Federation and WADA have a right of appeal against this decision or any part of it in accordance with ADR Article 13.4.

27. The disposition of these proceedings on the terms set out above will be publicly announced via UKAD's website media release after any appeal period has expired and no appeal has been filed, or any appeal has been finalised.

Summary

28. For the reasons given above, UKAD has issued this decision, which records that:

- the Athlete has committed an anti-doping rule violation pursuant to ADR Article 2.1
- a period of Ineligibility of four (4) years shall be the Consequences imposed pursuant to ADR Article 10.2.1(a)
- the period of Ineligibility is deemed to have commenced from 8 March 2015 and will end at midnight on 7 March 2019
- the Athlete's status during the period of Ineligibility shall be as detailed in ADR Article 10.12

Dated this 26th day of May 2015.