

BEFORE THE NATIONAL ANTI-DOPING PANEL, CASE NUMBER 0000120222

BETWEEN:

MR DAN STEVENS

Appellant

and

UK ANTI-DOPING (UKAD)

Respondent

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CONSENT ORDER

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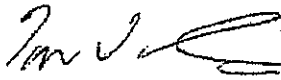
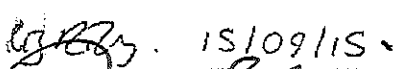
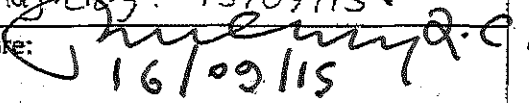
Whereas:

- (a) The British Cycling Federation (BCF) is the governing body for the sport of cycling in the UK. UKAD is the National Anti-Doping Organisation for the UK.
- (b) Mr Stevens is a cyclist. At all material times he was subject to the jurisdiction of the BCF and bound to comply with the BCF Anti-Doping Rules (ADR). Pursuant to the ADR, UKAD was entitled to conduct doping control and results management in respect of all athletes subject to the jurisdiction of the BCF, including Mr Stevens.
- (c) On 29 January 2014 UKAD attempted to collect an out-of-competition sample from Mr Stevens. Mr Stevens was notified of the requirement to provide a sample in accordance with UKAD procedures and the International Standard for Testing. Mr Stevens refused to provide a sample.
- (d) On 12 March 2014 Mr Stevens was issued with a notice of charge by UKAD (the Charge), charging him with a violation of ADR Rule 2.3 (refusing or failing without compelling justification to submit to sample collection after notification of testing).
- (e) Mr Stevens admitted the Charge and accepted (i) a period of ineligibility of two years pursuant to ADR Rule 10.3.1, to run from 1 March 2014, and (ii) the disqualification of all individual results obtained by him since the date of the violation, along with all resulting consequences including forfeiture of any medals, titles, points and prizes.
- (f) Mr Stevens subsequently provided information to the Cycling Independent Reform Commission (CIRC) pursuant to its mandate to investigate the culture of doping within the sport of cycling. The terms of reference established for CIRC empower it to make recommendations as to sanction if information is received that it considers particularly valuable anti-doping relevant information. The CIRC considered that Mr Stevens had provided it with such information, and therefore recommended that Mr Stevens' period of ineligibility be reduced to a period of 21 months. UKAD accepted that recommendation.
- (g) In light of the above, UKAD issued a decision dated 26 August 2014 (the UKAD Decision) confirming the commission of an anti-doping rule violation by Mr Stevens, imposing a period of ineligibility of 21 months (to run from 1 March 2014), and ordering the disqualification of all individual results obtained by Mr Stevens since the date of the violation, along with all resulting consequences including forfeiture of any medals, titles, points and prizes.
- (h) On 15 September 2014 Mr Stevens filed an appeal against the UKAD Decision.

- (i) Following the filing of Mr Stevens' appeal, there have been discussions between counsel for the respective parties.

NOW, THEREFORE, THE PARTIES HAVE AGREED (SUBJECT TO THE APPROVAL OF THE NADP TRIBUNAL) TO THE FOLLOWING TERMS FOR DISPOSITION OF THE APPEAL:

1. It is confirmed that Mr Stevens has committed an anti-doping rule violation under ADR Rule 2.3 (refusing or failing without compelling justification to submit to sample collection after notification of testing).
2. As this is Mr Stevens' first anti-doping rule violation, the period of ineligibility to be imposed is two years pursuant to ADR Rule 10.3.1, to run from 29 January 2014 further to ADR Rule 10.9.1. However, further to paragraph (f), above, that period is reduced to 21 months.
3. In accordance with ADR Rule 10.8, all individual results obtained by Mr Stevens since the date of the anti-doping rule violation will be disqualified, with all resulting consequences including the forfeiture of any medals, titles, points and prizes.
4. There will be no order as to the costs of these proceedings, and each party will bear its/his own legal and other costs incurred in connection with these proceedings.
5. The disposition of these proceedings on the terms set out above will be publicly announced via UKAD's website without delay, through the immediate publication of this consent order.
6. The terms set out above have been agreed as a full and final settlement of the parties' dispute. Accordingly, any and all other claims for relief that any party might otherwise make against another in relation to this dispute are released and discharged unconditionally, and they may not be pursued in any form hereafter.
7. The parties accordingly respectfully request that the NADP Tribunal issue this consent order.

Ian Unsworth QC, for and on behalf of Mr Dan Stevens	Signature: Date: 15/9/15 
Elizabeth Riley, Bird & Bird LLP, for and on behalf of UK Anti-Doping	Signature: Date: 15/09/15 
SO ORDERED BY THE NADP TRIBUNAL	Signature: Date: 16/09/15 
	Signature: Date:
	Signature: Date: