

## Issued Decision

# UK Anti-Doping and Carl Lamb

### Disciplinary Proceedings under the Anti-Doping Regulations of the Football Association of Wales

This is an Issued Decision made by UK Anti-Doping Limited ('UKAD'). It concerns a violation of the Football Association of Wales ('FAW') Anti-Doping Regulations ('FAW Regulations') committed by Mr Carl Lamb and records the Consequences to be applied.

The FAW Regulations provide that the FAW adopts the FIFA Anti-Doping Regulations (FIFA ADR) as its Anti-Doping Regulations, subject to the specific amendments and supplemental provisions as to testing, results management and enforcement specified in the FAW Regulations.

Capitalised terms used in this Decision shall have the meaning given to them in the FIFA ADR unless otherwise indicated.

### Background and Facts

1. The FAW is the governing body for football in Wales. UKAD is the National Anti-Doping Organisation ('NADO') for the United Kingdom.
2. Paragraph 3.2.1 of the FAW Regulations states that the FAW has adopted the FIFA ADR as the FAW Anti-Doping Regulations. Furthermore, Paragraph 3.4.1.1 of the FAW Regulations sets out that the Regulations (and therefore the FIFA ADR) shall apply to all Players (and Player Support Personnel) who are members of or registered by the FAW and/or member or affiliate organisations of the FAW (including any Qualifying Clubs, Directly Affiliated Leagues or Area Associations, as defined in the Rules of the FAW).
3. Paragraphs 3.5.1 and 3.5.2 of the FAW Regulations provide that the FAW has appointed UKAD to undertake Testing of its Players and grants UKAD authority to conduct the results management process in relation to this case.
4. At the material time, Mr Lamb was registered with the FAW as a Player for Rhyl FC. He was therefore subject to the jurisdiction of the FAW Regulations and therefore the FIFA ADR and UKAD.
5. On 10 December 2016, a Doping Control Officer ('DCO') attended Corbett Sports Stadium, Grange Road, Rhyl, LL18 4BY and collected a urine Sample from Mr Lamb In-Competition following a Welsh Premier League Match between Rhyl FC and Newtown. Assisted by the DCO, Mr Lamb split the Sample into two separate bottles, the A Sample and the B Sample.
6. Both Samples were transported to the World Anti-Doping Agency ('WADA') accredited laboratory at the Drug Control Centre, Kings College, London (the 'Laboratory'). The Laboratory analysed the A Sample in accordance with the procedures set out in WADA's International Standard for Laboratories.

7. Analysis of the A Sample returned an Adverse Analytical Finding (AAF) for benzoylecgonine (a metabolite of Cocaine), as confirmed in a Test Report dated 9 January 2017.
8. Cocaine is a stimulant. It falls under S6.a (Non-Specified Stimulants) of the WADA 2016 Prohibited List. It is prohibited In-Competition only.
9. According to UKAD records, Mr Lamb does not have a Therapeutic Use Exemption ('TUE').
10. FIFA ADR Article 6 provides that the following constitutes an ADRV:  

*Article 6                      Presence of a Prohibited Substance or its Metabolites or Markers in a Player's Sample.*
11. By letter dated 13 January 2017, UKAD issued Mr Lamb with a Notice of Charge and provisionally suspended him for the alleged commission of an Anti-Doping Rule Violation ('ADRV') pursuant to FIFA ADR Article 6.
12. The Notice of Charge explained the facts relied upon in support of the allegation, the details of the Charge and the Consequences of an admission or proof of the ADRV.

### **Admission and Consequences**

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13. FIFA ADR Article 19 provides the Consequences for a violation of FIFA ADR Article 6 and states:

*Article 19                      Ineligibility for presence, Use or attempted Use, or Possession of a Prohibited Substance or Prohibited Method*

1. *The Period of Ineligibility shall be four years where:*
  - (a) *the anti-doping rule violation does not involve a Specified Substance, unless the Player or other Person can establish that the anti-doping rule violation was not intentional;*
  - (b) *[...]*
2. *If art 19 par. 1 does not apply, the period of Ineligibility shall be two years;*
3. *As used in arts 19 (Ineligibility for presence, Use or attempted Use, or Possession of a Prohibited Substance or Prohibited Method) and 20 (Ineligibility for other anti-doping rule violations), the term "intentional" is meant to identify those Players who cheat. The term therefore requires that the Player or other Person engaged in which he 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. With regard to anti-doping rule violations resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition, there shall be a rebuttable presumption that said violations are not intentional if the substance is a Specified Substance and the Player can establish that the Prohibited Substance was Used Out-of-Competition. An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall not be considered intentional if the substance is not a Specified Substance and the Player can establish*

that the Prohibited Substance was Used Out-of-Competition in a context unrelated to sport performance.

*(emphasis added)*

15. By email of 25 January 2017 Mr Lamb admitted the ADRV. He contended that the ADRV was not intentional. Mr Lamb did not seek to have the B Sample analysed. He provided an explanation that the substance was taken Out-of-Competition in a context unrelated to sports performance.
16. He stated that on 8 December 2016 he had been drinking with friends. The drinking session continued into the following morning. He claimed to have taken Cocaine in the early hours of 9 December 2016, prior to the In-Competition test on 10 December 2016.
17. UKAD provided this information to the Drug Control Centre at Kings College London, and it was confirmed that the level of Cocaine metabolite found in the A Sample was consistent with the explanation provided by Mr Lamb. UKAD therefore accepts that the substance was taken Out-of-Competition, in a context unrelated to sports performance.
18. By email dated 24 April 2017, UKAD informed Mr Lamb that his explanation would be accepted and on that basis the period of Ineligibility would be reduced from four to two years.
19. UKAD advised Mr Lamb if he sought further reductions to the period of Ineligibility he could contest the matter at the National Anti-Doping Panel (NADP).
20. By email dated 17 May 2017 Mr Lamb confirmed that he would not be seeking to contest the Charge at the NADP or reduce the period of Ineligibility further. He therefore accepted a period of Ineligibility of two years pursuant to FIFA ADR Article 19.2.
21. FIFA ADR Article 51 provides the prescribed results management process for determining an ADRV in particular circumstances. FIFA ADR Article 51 states:

**Article 51                      Management Process**

1. *Following notification of an Adverse Analytical Finding or other anti-doping rule violation under these Regulations, the matter shall be subject to the results management process set forth below.*
2. *In the case of a Player tested by FIFA, the results management process shall be conducted by the FIFA Anti-Doping Unit. In all other cases, it shall be conducted by the relevant Person or body of the Player's Association.*

*(emphasis added)*

22. Paragraph 3.5.2 of the FAW Regulations provides that UKAD shall be the relevant body for the purposes of results management in this matter.
23. The relevant procedures for results management established by UKAD are set out in Article 7 of the UK Anti-Doping Rules ('UK ADR') and provide:

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 the NADO (or is deemed to have done so in accordance with the last sentence of Article 7.7.1), neither B Sample analysis nor a hearing is required. Instead, UKAD 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 Publicly Disclose the decision in accordance with Article 8.4.*

24. UKAD accordingly issues this Decision pursuant to the FAW Regulations and UK ADR Article 7.7.4.

### **Period of Ineligibility**

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25. FIFA ADR Article 28.2 provides that the period of Ineligibility may begin as early as the date of Sample collection in circumstances which involve a timely admission:

#### **Article 28 Commencement of period of Ineligibility**

2. *Where the Player or other Person promptly (which, in all events, for a Player means before the Player competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by FIFA, the period of Ineligibility may start as early as the date of Sample collection or the date on which another Anti-Doping Violation occurred. In each case, however, where this Article is applied, the Athlete or other Person shall serve at least one-half of the period of Ineligibility going forward from the date the Player or other Person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, the date of the communication of the decision imposing a sanction, or the date the sanction is otherwise imposed. This Article shall not apply where the period of Ineligibility has already been reduced under art 23 par 3. (Elimination, reduction or suspension of period of Ineligibility or other consequences for reasons other than Fault).*

26. Mr Lamb has not sought any reduction under FIFA ADR Article 23. UKAD accepts that Mr Lamb has made a timely admission for the purposes of FIFA ADR Article 28.2.

27. The Sample was collected from Mr Lamb In-Competition on 10 December 2016. Pursuant to FIFA ADR Article 28.2, the period of Ineligibility shall therefore start on the date of Sample collection, 10 December 2016, and will expire at midnight on the 9 December 2018.

28. During the period of Ineligibility, in accordance with FIFA ADR Article 29, Mr Lamb shall not be permitted to participate in any capacity in a Competition or activity (other than authorised Anti-Doping education or rehabilitation programmes) authorised or organised by FIFA or any Association, club or other member organisation of an Association, or in Competitions authorised or organised by any professional league or any international or national-level Competition organisation or any elite or national-level sporting activity funded by a governmental agency.

29. Mr Lamb may return to train with a team or to use the facilities of a club or other member organisation of the FAW or a Signatory's member organisation during the last two months of his period of Ineligibility (i.e. from midnight on 9 October 2018) pursuant to FIFA ADR Article 29.2.

30. Mr Lamb, the FAW, FIFA and WADA have a right of appeal against this decision or any part of it in accordance with FIFA ADR Article 75.3.

31. The disposition of these proceedings on the terms set out above will be publicly announced via UKAD's website.

### Summary

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

- Mr Lamb has committed an ADRV contrary to FIFA ADR Article 6;
- A period of Ineligibility of two (2) years is imposed pursuant to FIFA ADR Article 19.2;
- The period of Ineligibility is deemed to have commenced on 10 December 2016 and will expire at midnight on 9 December 2018 and;
- Mr Lamb's status during the period of Ineligibility shall be as detailed in FIFA ADR Article 29.

26 July 2017