

**NATIONAL ANTI-DOPING PANEL**

*Before:*  
Matthew Lohn

B E T W E E N:

British Canoe Union

*National Governing Body*

- and -

Peter Meakin

*Respondent*

**IN THE MATER OF PROCEEDINGS BROUGHT UNDER THE 2009 UK ANTI-DOPING RULES  
AGAINST PETER MEAKIN**

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**FINAL DECISION OF THE ANTI-DOPING TRIBUNAL**

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1. **INTRODUCTION**

- 1.1 This is the final decision of the Anti-Doping Tribunal convened under Article 5.1 of the 2009 Procedural Rules of the National Anti-Doping Panel ('NADP') to determine a charge brought against **Peter Meakin** (the "Athlete") for commission of a Doping Offence in breach of Article 2.1 of the 2009 UK Anti-Doping Rules ('the UK Anti-Doping Rules').
- 1.2 The 2009 UK Anti-Doping Rules were adopted by the British Canoe Union ("BCU") and became the Rules of the BCU on 1 January 2009.
- 1.3 Article 2.1 of the UK Anti-Doping Rules makes '*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*' a Doping Offence.
- 1.4 The Athlete provided a sample on 28 March 2009, when competing in the Canoe Polo National League, which yielded an Adverse Analytical Finding for the Prohibited Substance Stanazolol.
- 1.5 The parties chose not to attend the Tribunal which met in private to consider the case. The Tribunal consisted of a sole Arbitrator, Matthew Lohn who was appointed by the President of the National Anti-Doping Panel to consider the case.

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1.6 This document constitutes the final reasoned decision of the Tribunal, reached after due consideration of the evidence.

## **2. PROCEDURAL HISTORY**

2.1 On 9 April the BCU was notified by UK Sport of the finding by the World Anti-Doping Agency accredited laboratory at Kings College, London that an Adverse Analytical Finding for Stanazolol and its metabolites had been made on the A Sample provided by the athlete on 28 March 2009.

2.2 The BCU sent a Notice of Charge to the Athlete on 9 April 2009 setting out the details of the offence and notified the Athlete that in accordance with Article 7.7.1 of the UK Anti-Doping Rules he was provisionally suspended from participation in any competition, event or other activity organised by the BCU.

2.3 On 17 April 2009, the Athlete formally waived his right to analysis of his B sample and made an Admission to the Charge as set out in the Notice of Charge.

2.4 The BCU referred the case to the NADP on 22 April 2009 and the President of the NADP appointed a sole arbitrator on 23 April 2009 to hear the case in accordance with the NADP Procedural Rules.

## **3. DOCUMENTATION BEFORE THE TRIBUNAL**

3.1 The Tribunal considered the following documentation.

Letter dated 9 April 2009 from UK Sport to the BCU with enclosures.

Notice of Charge dated 9 April 2009 from the BCU to the Athlete.

Notice of Adverse Analytical Finding dated 11 April 2009 from the BCU to the Athlete.

Various e-mails from the BCU and the Athlete to Sport Resolutions.

B Sample analysis Request form signed by the BCU and the Athlete.

Notice of Admission signed by Athlete dated 17 April 2009.

## **4. THE TRIBUNAL'S DECISION**

### **4.1 Preliminary Matters**

4.1.1 The Chairman of the Tribunal issued directions seeking notice from the parties as to whether they wished to attend the tribunal or make other representations. Both parties declined to attend a hearing and made no additional submissions. The Athlete sent an e-mail to Sport Resolutions dated 7 May 2009 noting that '*I don't need a hearing or have anything to add to the case*'

## 4.2 Determination of the Charge

4.2.1 The Athlete has been charged with a Doping Offence under Article 2.1 the UK Anti-Doping Rules, which provides as follows:

*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.*

4.2.2 The BCU has the burden of establishing to the comfortable satisfaction of the Tribunal that the Prohibited Substance or its Metabolites or Markers are in an athlete's sample.

4.2.3 In determining that the burden had been satisfied the Tribunal noted the Athlete's signed Notice of Admission dated 17 April 2009 admitting the offence contrary to Article 2.1 of the UK Anti-Doping Rules.

4.2.4 The Tribunal also noted the evidence of the Adverse Analytical Finding report dated 9 April 2009 which showed that the Anabolic Steroid Stanozolol and its metabolites had been found in the Athlete's urine sample. Stanozolol and its metabolites are prohibited substances.

4.2.5 On the basis of the admission and in the alternative on the basis of the documentary evidence of the Adverse Analytical Finding, the Tribunal upheld the charge against the Athlete.

## 4.3 Consequences

### A. Ineligibility

4.3.1 Under UK Anti-Doping Rules, where an athlete is found to have committed a Doping Offence under Article 2.1 of those Rules, and such offence is the athlete's first Doping Offence, the Tribunal must impose a period of Ineligibility of 2 years. This is the Athlete's first offence.

4.3.2 In this case, the Athlete made no submissions that either Article 10.4 or 10.5 of the UK Anti-Doping Rules apply so as to reduce or eliminate the period of Ineligibility and accordingly, the period of Ineligibility imposed on the Athlete is 2 years.

4.3.3 In accordance with Article 10.9.3 of the UK Anti-Doping Rules, the period of Ineligibility shall run from the date of imposition of the Provisional Suspension, 9 April 2009 and shall end at midnight on 8 April 2011. During the period of Ineligibility, in accordance with Article 10.10 of the UK Anti-Doping Rules, 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 the BCU or by any body that is a member of, or affiliated to, or licensed by the BCU.

**C. Costs**

4.3.4 No order is made as to costs.

**5. RIGHTS OF APPEAL**

5.1 In accordance with Article 13 of the UK Anti-Doping Rules the BCU and the athlete shall have a right to appeal against this decision to the NADP.

5.2 Any party that wishes to exercise such rights must file a Notice of Appeal with the NADP no later than 21 days from the date of receipt of this decision by the appealing party, in accordance with Article 13.7 of the UK Anti-Doping Rules.

**MATTHEW LOHN**



26 May 2009