

## Sport Ireland and Ben Shaw

### Reasoned Decision of Sport Ireland

The following is the reasoned decision of Sport Ireland pursuant to Article 7.6.4<sup>1</sup> of the Irish Anti-Doping Rules (the "**Rules**"). It concerns an anti-doping rule violation ("**ADRV**") committed by Mr Ben Shaw (the "**Athlete**") and records the Consequences<sup>2</sup> to be applied.

#### 1. Background and Facts

- 1.1 The Athlete is a 28 year-old triathlete who lives in Australia.
- 1.2 On 22 July 2020, under the authority of Sport Ireland's Anti-Doping Programme, the Athlete provided a Sample during Out-of-Competition Testing. The Sample he provided was split into A and B Samples. The A Sample was analysed by the World Anti-Doping Agency ("**WADA**") accredited laboratory in Australia (the "**Laboratory**").
- 1.3 Sport Ireland received a report from the Laboratory dated 25 August 2020 identifying the presence of a Prohibited Substance or its Metabolites or Markers in the "A" Sample – this is known as an Adverse Analytical Finding. The Prohibited Substance in question is LGD-4033 (ligandrol), which is listed under 'Other Anabolic Agents' under S1.2 of the Prohibited List. LGD-4033 (ligandrol) is a non-Specified Substance.
- 1.4 On 1 September 2020 Sport Ireland notified the Athlete that he was alleged to have committed a violation of Article 2.1 - "*Article 2.1 - the presence of a Prohibited Substance or its Metabolites or Markers in your Sample.*" He was Provisionally Suspended as of 2 September 2020.
- 1.5 He was notified of his right to respond in one of the following ways:
  - 1.5.1 to admit the violation and accept the Consequences specified by Sport Ireland after consultation with him – if he could not establish an entitlement to a reduced ban under the Rules, this ban would be 4 years;
  - 1.5.2 to admit the violation, but elect for a hearing before the Irish Sport Anti-Doping Disciplinary Panel seeking a ban of less than 4 years;
  - 1.5.3 to deny the violation, and to have the matter and the ban and other sanctions (if any) determined at a hearing of the Irish Sport Anti-Doping Disciplinary Panel.

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<sup>1</sup> Article 7.6.4 of the Rules provides that "*In the event that the Sport Ireland withdraws the Notification, or the Athlete or other Person admits the alleged anti-doping rule violation(s) and accedes to the Consequences specified by the Sport Ireland (or is deemed to have done so in accordance with Article 7.6.1), neither B Sample analysis nor a hearing is required. Instead, Sport Ireland 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 the Athlete's or other Person's National Governing Body and International Federation, WADA and the Irish Sport Anti-Doping Disciplinary Panel, and shall publish the decision in accordance with Article 15.*"

<sup>2</sup> Capitalised terms used throughout this decision shall have the meaning given to them in the Rules.

- 1.6 By way of letter dated 7 September 2020, the Athlete request that his “B” Sample be analysed. The B Sample analysis confirmed the “A” Sample result.
- 1.7 The Athlete also requested the B Sample Laboratory Documentation Package and this was provided to him on 1 October 2020.
- 1.8 In response to the alleged ADRV, the Athlete acknowledged that the Laboratory had identified the presence of a metabolite of LGD-4033 in his “A” and “B” Samples, for which he could not offer an explanation. He declined to exercise his right to a hearing and Sport Ireland now publishes this reasoned decision.

## **2. Consequences**

- 2.1 The applicable period of Ineligibility is four years. Sport Ireland has decided to backdate his period of Ineligibility to 22 July 2020 (Article 10.7.2), the date of Sample collection. This means that the period of Ineligibility will expire at midnight on 21 July 2024.
- 2.2 Sport Ireland is also required to Publicly Report details of the matter following its conclusion<sup>3</sup>, including the sport, the violation in question, the name of the Athlete, the Prohibited Substance involved and the Consequences imposed.
- 2.3 Any sport-related financial support, including but not limited to funding from Sport Ireland, and other sport-related benefits received by an Athlete or other Person shall be withheld by Sport Ireland, Triathlon Ireland and its affiliates, members and/or licensees.
- 2.4 Pursuant to Article 10.8 of the Rules<sup>4</sup>, during the period of Ineligibility he may not participate in organised sport in any capacity. This includes training and coaching.
- 2.5 The Athlete has notified Sport Ireland and Triathlon Ireland of his retirement. Pursuant to Article 5.9.5, as he has retired, he is not entitled to return to competition after his period of Ineligibility expires, unless he were to give written notice of at least six months to Triathlon Ireland, Sport Ireland and World Triathlon.
- 2.6 Pursuant to Article 10.8.1, the Athlete may return to train with a team or to use the facilities of a club or other member organisation of a Signatory’s member organisation or a National Governing Body, during the last 2 months of his period of Ineligibility.
- 2.7 In accordance with Article 7.6.4 of the Rules, a copy of this decision shall be sent to the Athlete, the Triathlon Ireland, World Triathlon, WADA and the Irish Sport Anti-Doping Disciplinary Panel.

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<sup>3</sup> Article 15.3.

<sup>4</sup> Article 10.8.1 provides that an Athlete who has been declared Ineligible shall not participate in any capacity “*in a Competition or activity, (other than authorised anti-doping education or rehabilitation programs) authorised or organised by any Signatory, Signatory’s member organisation, or a club or other member organisation of a Signatory’s member organisation, or by any National Governing Body or by a member or affiliate organisation or licensee of a National Governing Body or in Competitions authorised or organised by any professional league or any international or national-level Event organisation or any elite or national-level sporting activity funded by a governmental agency.*”

2.8 Pursuant to Article 13 of the Rules, the Athlete, Triathlon Ireland, World Triathlon and WADA have a right of appeal. Such an appeal must be made to the Chair of the Irish Sport Anti-Doping Disciplinary Panel within 21 days of the date of issuance of this Reasoned Decision.

### **3. Summary**

3.1 Sport Ireland issues this decision pursuant to Article 7.6.4 of the Rules.

3.2 For the reasons given above, Sport Ireland has issued this decision, which records that:

- The Athlete has committed a violation of Article 2.1 of the Rules by virtue of the presence LGD4033 (Ligandrol) in a Sample collected from him in Out-of-Competition Testing on 22 July 2020.
- The four year ban has been imposed on the Athlete pursuant to Article 10.1.1.
- The Athlete's period of Ineligibility shall expire at midnight on 21 July 2024.

**Dated the 15th of October 2020**

*Síobhán Leonard*

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**Sport Ireland**