

In the matter of the Canadian Anti-Doping Program;

And in the matter of an anti-doping rule violation by Madeline Schmidt asserted by the Canadian Centre for Ethics in Sport;

File Outcome Summary

Summary

1. In order to facilitate Out-of-Competition Testing, the CCES is required to maintain a Registered Testing Pool (RTP). Athletes in the CCES's RTP have an obligation to make quarterly whereabouts filings which outline their regular activities and provide a 60-minute period each day when the Athlete guarantees they will be available for Testing. Should an RTP athlete fail to file their whereabouts information, fail to keep the information up to date, or fail to be available during their identified 60-minute time slot, they are at risk of committing a Whereabouts Failure. Any combination of three (3) Whereabouts Failures within a rolling twelve (12) month period by an RTP athlete may result in the assertion of an anti-doping rule violation (ADRV).
2. Madeline Schmidt ("the Athlete") has been a member of the CCES's RTP since June 2021 and was informed accordingly of her obligations as an RTP athlete to file quarterly whereabouts information and be available for Testing during her identified 60-minute time slot each day. Between December 2023 and May 2024, the CCES recorded two (2) Missed Tests and one (1) Filing Failure (mid-quarter) against the Athlete which resulted in the CCES asserting an ADRV pursuant to CADP Rule 2.4 (Whereabouts Failures by an Athlete) against the Athlete.
3. As is more fully detailed below, following receipt of the CCES's Notification letter dated August 6, 2024, the Athlete waived her right to a hearing, admitted the violation and accepted the proposed period of Ineligibility and all other applicable Consequences by signing an Agreement on Consequences.

Jurisdiction

4. The CCES is an independent not-for-profit organization incorporated under the federal laws of Canada that promotes ethical conduct in all aspects of sport in Canada. The CCES also maintains and implements the Canadian Anti-Doping Program (CADP), including providing anti-doping services to national Sport Organizations and their members.
5. As Canada's National Anti-Doping Organization, the CCES is compliant with the World Anti-Doping Code ("the Code") and its mandatory International Standards. The CCES has implemented the Code and the International Standards through the CADP, the domestic rules which govern this proceeding. The purpose of the Code and of the CADP is to protect the rights of athletes to fair competition.
6. The Athlete is a member of and participates in the activities of Canoe Kayak Canada. According to CADP Rule 1.3, the CADP provisions apply to all members, registrants, license-holders or Participants in activities of Sport Organizations adopting it. The CADP was issued for adoption by Canadian Sport Organizations on October 26, 2020, to be operational on January 1, 2021. Canoe

Kayak Canada adopted the CADP on November 27, 2020. Therefore, as a Participant in Canoe Kayak Canada activities, the Athlete is subject to the CADP.

Whereabouts Failures

7. During the period between December 2023 and May 2024, the CCES recorded three (3) Whereabouts Failures against the Athlete, which can be summarized as follows:

A. 1st Whereabouts Failure (Missed Test) – December 23, 2023

8. On February 15, 2024, the CCES issued an apparent Missed Test letter to the Athlete, indicating that she was facing a potential Whereabouts Failure for not being available and accessible for Doping Control during her 60-minute time slot on December 23, 2023. Based on the Athlete's response, the CCES issued a Determination - Missed Test letter on March 13, 2024, in which the Athlete was notified of her right to request an administrative review. Since the Athlete did not request an administrative review, the CCES recorded a first Whereabouts Failure (Missed Test) against the Athlete on March 13, 2024.

B. 2nd Whereabouts Failure (Filing Failure) – February 20, 2024

9. On March 26, 2024, the CCES issued an apparent Filing Failure (mid-quarter) letter to the Athlete, indicating that she was facing a potential second Whereabouts Failure for not providing accurate whereabouts information to be located for Doping Control on February 20, 2024. Based on the Athlete's response, the CCES issued a Determination - Filing Failure (mid-quarter) letter on May 15, 2024, in which the Athlete was notified of her right to request an administrative review. Since the Athlete did not request an administrative review, the CCES recorded a second Whereabouts Failure (mid-quarter) against the Athlete on May 15, 2024.

C. 3rd Whereabouts Failure (Missed Test) – May 14, 2024

10. On May 21, 2024, the CCES issued an apparent Missed Test letter to the Athlete, indicating that she was facing a potential third Whereabouts Failure for not being available and accessible for Doping Control during her 60-minute time slot on May 14, 2024. Based on the Athlete's response, the CCES issued a Determination - Missed Test letter on June 3, 2024, in which the Athlete was notified of her right to request an administrative review. On June 9, 2024, the Athlete requested an administrative review, which was conducted by a person not previously involved in the assessment of the Whereabouts Failure and in accordance with the International Standard for Results Management (ISRM).
11. On July 11, 2024, the CCES notified the Athlete of the administrative review decision which confirmed that a third Whereabouts Failure (Missed Test) was being recorded against the Athlete.

Results Management

12. On August 6, 2024, following a review of all available information pertaining to each of the Athlete's three (3) Whereabouts Failures, the CCES issued a Notification letter of Whereabouts Failures by an Athlete ("Notification letter") to the Athlete through Canoe Kayak Canada, pursuant to CADP Rule 7.2. Through this Notification letter, the CCES invited the Athlete to provide any information that identified a possible departure from the ISRM that undermined the validity of any of the three (3) Whereabouts Failures by August 13, 2024. The Notification letter further provided the Athlete with the opportunity to accept a voluntary Provisional Suspension (VPS).
13. On August 19, 2024, the Athlete accepted a VPS.
14. On August 30, 2024, the Athlete provided a response to the CCES' Notification letter and provided her explanations regarding her three (3) Whereabouts Failures.
15. Having assessed all the information provided by the Athlete and the relevant jurisprudence, the CCES determined that the Athlete's degree of Fault fell within the lower end of the significant Fault range and assessed that a twenty (20) month period of Ineligibility was appropriate.

Confirmation of Violation and Sanction

16. On January 11, 2025, and in accordance with CADP Rule 8.4.1, the Athlete signed an Agreement on Consequences and waived her right to a hearing, thereby admitting the ADRV and accepting both the asserted violation and the proposed period of Ineligibility plus all other applicable Consequences.
17. Therefore, the sanction for this violation is a twenty (20) month period of Ineligibility which commenced on August 6, 2024¹, and concludes on April 5, 2026.
18. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 4th day of February 2025.



Kevin Bean
Executive Director, Sport Integrity
CCES

¹ The Athlete and the CCES have agreed to start the period of Ineligibility on August 6, 2024 based on delays in the Result Management process not attributable to the Athlete.