

In the matter of the Canadian Anti-Doping Program;

**And in the matter of an anti-doping rule violation by Matt Hamilton asserted by the
Canadian Centre for Ethics in Sport;**

File Outcome Summary

Summary

1. The Canadian Centre for Ethics in Sport (CCES) conducted an out-of-competition sample collection session on January 29, 2020, in Vernon, BC.
2. Mr. Matt Hamilton (“the athlete”) was selected for doping control. The sample provided by the athlete returned an adverse analytical finding for GW501516, a prohibited substance.
3. Following receipt of the CCES’ assertion of an anti-doping rule violation for the presence of GW501516 metabolites, The athlete failed to dispute the asserted violation within the timelines outlined within the Canadian Anti-Doping Program (CADP) and as a result was deemed to have admitted that he committed the asserted violation, waived his right to a hearing and accepted the proposed 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 carries out the CADP, including providing anti-doping services to national sport organizations and their members.
5. As Canada’s national anti-doping organization, the CCES is in compliance with the World Anti-Doping Code (Code) and its mandatory International Standards. The CCES has implemented the Code and its mandatory 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 Canada Snowboard, and participates in the sport of Para-Snowboard. According to Part C, Rule 1.3 of the CADP, the CADP provisions apply to all members of, and participants in the activities of, sport organizations adopting it. The CADP was adopted by Canada Snowboard on October 22, 2014. Therefore, as a member of Canada Snowboard and/or as a participant in Canada Snowboard sport activities, the athlete is subject to the Rules of the CADP.

Doping Control

7. On January 29, 2020, the CCES conducted an out of competition doping control session in Vernon, BC. Testing was conducted on Canada Snowboard athletes as part of the CCES’ domestic test distribution plan, all pursuant to the CADP.
8. The athlete was notified for doping control and, together with the Doping Control Officer (DCO) from the CCES, completed the sample collection process. The athlete’s sample code number was 4475814.

9. On January 30, 2020, the athlete's sample was received by the World Anti-Doping Agency (WADA) accredited laboratory, the INRS-Institut Armand-Frappier (INRS), in Laval, QC.

Results Management

10. The adverse analytical finding was received from the INRS on February 14, 2020. The Certificate of Analysis indicated the presence of GW501516.
11. GW501516 is classified as a prohibited substance on the 2020 WADA Prohibited List.
12. On February 26, 2020, the CCES commenced an initial review into the athlete's adverse analytical finding.
13. On April 8, 2020, the CCES formally asserted a violation against the athlete for the presence of a prohibited substance. On April 8, 2020, the athlete began serving a provisional suspension in accordance with CADP Rule 7.9.
14. In accordance with CADP Rule 10.2.1, the standard sanction for an anti-doping violation involving the presence of a prohibited substance (non-specified substance), is a four (4) year period of ineligibility. The CCES proposed the standard four (4) year sanction within its assertion of April 8, 2020.

Confirmation of Violation and Sanction

15. In accordance with CADP Rule 7.10.2, which was specifically referenced within the assertion letter, the CCES informed the athlete, on April 8, 2020, that, should he take no further action to dispute the asserted violation within 30 days of the letter he would be deemed to have waived his right to a hearing and thereby accepts the four (4) year sanction proposed by the CCES.
16. A case file was opened with the Sport Dispute Resolution Centre of Canada (SDRCC) on April 8, 2020.
17. On April 16, 2020, the athlete participated in an administrative call with the SDRCC where he was reminded of the April 20, 2020 deadline to request or waive his right to a hearing.
18. On April 17, 2020, the athlete requested a delay to the deadline for him to waive or request a hearing as he continued to explore the source of the prohibited substance. On April 20, 2020, the CCES agreed to a 10-day extension with a new deadline of April 30, 2020 and in turn, extended the deemed waiver deadline in accordance with CADP Rule 7.10.2.
19. On April 28, 2020, the athlete wrote an email to the SDRCC stating his desire to no longer engage in the results management process.
20. On May 1, 2020, the CCES issued a reminder letter to the athlete. Within this letter, the CCES outlined that, in order to avoid the provisions of CADP Rule 7.10.2, the athlete must formally respond to the CCES assertion of an anti-doping rule violation and either request a hearing or waive his right to a hearing by May 11, 2020 (20-days from the date the CCES agreed to an extended deadline).

21. As no further action was taken by the athlete to dispute the asserted violation by the May 11, 2020 deadline, the CCES relies on the provisions contained in CADP Rule 7.10.2. Accordingly, effective May 12, 2020, by reason of the deemed Waiver, an anti-doping rule violation has been confirmed against the athlete for the presence of the identified prohibited substance. In accordance with CADP Rules 10.2.1, 7.9.2 and 10.11.3, the sanction for this violation is a four (4) year period of ineligibility, which commenced on April 8, 2020 and concludes on April 7, 2024.
22. The CCES now considers this case closed.

Dated at Ottawa, Ontario this 28th day of May 2020



Jeremy Luke
Senior Director, Sport Integrity
CCES