

CONTROL OF DRUG ABUSE REGULATIONS

1. Scope

- 1.1 Any player under the jurisdiction of England Hockey, when approached to take a test is obliged to do so.
- 1.2 Doping contravenes the ethics of both sport and medical science. Doping consists of:
 - 1.2.1 the administration of substances belonging to prohibited classes of pharmacological agents, and/or
 - 1.2.2 the use of various prohibited methods (blood doping, pharmacological, chemical and physical manipulation).

2. Testing

- 2.1 England Hockey will follow GBOHB and FIH Doping Policy (March 2000) and any future update.
 - 2.2 The testing authority (normally UK Sport in England) will advise the England Hockey Anti-Doping Officer or nominated deputy of a positive finding or a refusal to comply with testing procedure. If this occurs during a tournament, the player may not be permitted to continue their participation and may be sent home.
 - 2.3 The England Hockey Anti-Doping Officer will make every endeavour to contact the player within 24 hours of receiving the notice from the testing authority. If this proves impossible, the Doping Review Panel will still be informed. A letter will also be sent to the player detailing the following:
 - 2.3.1 Particulars of the finding or report.
 - 2.3.2 The procedures to be followed.
 - 2.3.3 The sanction that may be imposed should the offence be established.
 - 2.4 The player shall return confirmation of receipt of the notice to the England Hockey Anti-Doping Officer.
 - 2.5 All enquiries should be addressed to the England Hockey Anti-Doping Officer, or a nominated deputy. The player may accept the test result of the 'A' sample or request within 7 days of receipt of the notice, the 'B' sample to be analysed as soon as possible. The 'B' sample analysis will be implemented as laid down by UK Sport. A representative from England Hockey and/or player may be present when the 'B' sample is analysed.
 - 2.6 If a player disputes the finding of the 'A' or 'B' sample on the grounds of deficiencies in the collection process or chain of custody or other irregularity, details of the objection must be presented in writing to the England Hockey Anti-Doping Officer within 7 days of the initial notification to the player. Failure to raise objections at this stage does not preclude the player from doing so at a later stage.
 - 2.7 The FIH have adopted the list of banned substances and methods as defined by the IOC and the Olympic Movement Anti-Doping code in force on 1st April 2000 or any subsequent update.
- ### 3. England Hockey Doping Review Panel
- 3.1 In the event of a positive test/doping offence a Doping Review Panel (DRP) shall be appointed by England Hockey Anti-Doping Officer. The DRP will consider all available evidence and decide whether there is prima facie evidence that a doping offence has been committed i.e. that the evidence is sufficiently complete and strong that the athlete should be called upon to answer for it. The DRP will consist of three people; one being an independent lawyer, one an independent medical advisor and one an official from another sport. One member will act as the Chairman.

Pre-hearing review

- 3.2 The DRP will need to be satisfied that the evidence contained in all the documents relating to the test are in order and that the identification and integrity of the sample has been maintained throughout the process. The examination of evidence by the DRP shall not be part of the disciplinary process in that it will not constitute a hearing. The purpose of the review is to establish whether the athlete should be suspended pending a full hearing before the England Hockey Doping

Disciplinary Committee (DDC) at which all the evidence will be presented and to afford all parties a saving in cost.

3.3 Doping Review Panel Process:

- 3.3.1 The DRP will carry out a preliminary examination of available evidence within 24 hours of receipt of the initial notice being given to the athlete. The DRP will be convened and may adjourn awaiting the results of the 'B' sample analysis and /or further evidence of the issues of concern in the collection, transportation or analytical process.
- 3.3.2 The preliminary review by the DRP will provide the opportunity to consider the report of any positive finding or failure to submit to testing to determine whether there is prima facie evidence that a doping offence has been committed. The preliminary review should also be the point at which any dispute about the integrity of the sample collection is considered. In the event that the DRP decides there is such prima facie evidence that a doping offence has been committed the matter should then be referred to a full hearing before the DDC to decide whether the offence has been committed and the penalty to be imposed.
- 3.3.3 In the event that the DRP should decide that there is an absence of prima facie evidence that a doping offence has been committed there will be no disciplinary hearing and the England Hockey Anti-Doping Officer will inform the player of the decision by letter. UK Sport may initiate an enquiry into the deficiencies of the evidence.
- 3.3.4 In the event that the player accepts the finding of the 'A' sample, the DRP shall consider whether it is necessary to confirm the finding by requesting the analysis of the 'B' sample (A representative from England Hockey and/or player may be present if the 'B' sample is analysed. The matter shall then be referred to the DDC for a penalty to be imposed.
- 3.3.5 Where the DRP finds that there is a prima facie evidence that a doping offence has been committed, the England Hockey Anti-Doping Officer shall give notice to the athlete, in writing, to this effect.
- 3.3.6 UK Sport shall be notified in writing within 5 days working days when any matter is referred to the DRP and further notified of the decision of the DRP and the reasons for it. England Hockey shall forward a confidential copy of that advice to the Chairman of the DDC. The player's subsistence funding, if applicable, will be suspended. Reintroduction of this will follow the funding agent's rules. The player will also be provisionally suspended from all matches and events.

4. England Hockey Doping Disciplinary Committee

- 4.1 A register of individuals shall be maintained who may be invited to form a disciplinary committee, which will hear cases when the DRP has found there is prima facie evidence that a doping offence has taken place. The DDC will consist of three people; one being an independent lawyer (Chairman), one an independent medical advisor and one an official from another sport. The representatives of the DDC may not have been members of the DRP.
- 4.2 The England Hockey Anti-Doping Officer will inform the player in writing of the date, time and venue of the meeting. The DDC will consider an alternative date if the player supplies written evidence of a valid reason for being unable to attend by return of post. The England Hockey Anti-Doping Officer will attend to take the minutes of any meeting of the DDC.

5 Disciplinary Process

- 5.1 In the event that the DRP finds that there is prima facie evidence that a doping offence has been committed, the athlete will be invited to attend and/or be represented before the DDC. The DDC hearing shall normally be convened within 4 weeks of the DRP's decision. In order to allow time for the player to prepare his/her case, the hearing may be opened and adjourned to seek further information at the discretion of the Chairman of the DDC.
- 5.2 The DDC shall have the power to receive written submissions of evidence from the player (and/or player's representatives), and the England Hockey Anti-Doping Officer (including collection and analytical evidence) no later than 7 days prior to the date of the hearing. The Chairman of the committee will decide on issues relating to the admissibility of this evidence, the attendance of experts or witnesses and all other matters relating to evidence.

- 5.3 The player shall be required to attend the hearing in person and may be represented at the hearing by another chosen individual and may call witnesses. Following the hearing the Chairman of the DDC shall, within 7 working days, notify the player in writing of the DDC's decision including the sanction to be imposed and the reasons for the decision. Should the DDC not be unanimous a majority decision will be allowable.
- 5.4 Following the hearing, the Chairman of the DDC shall, within 7 working days, notify the Committee's decision in writing to the athlete, the England Hockey Doping Control Officer and UK Sport. The DDC shall provide written reasons for reaching its decision and, where appropriate, the penalty.
- 5.5 The England Hockey Anti-Doping Officer shall inform FIH, GBOHB, BOA and Sport England of the decision.

6. Sanctions

6.1 1st Violation:

- 6.1.1 If testing reveals the (prohibited) presence of ephedrine, phenyl-propanolamine, pseudo-ephedrine, caffeine, strychnine, cannabinoids or related substances, the sanction is a suspension from all playing, umpiring or acting from the sides of or on, the pitch, as a team coach, team official or any match official for a period of one to three months from the starting date of the provisional suspension (any permitted interruption during the provisional suspension shall be taken into consideration when calculating the total suspension pronounced).
- 6.1.2 Any other doping offence is sanctioned with a suspension from all playing, umpiring or acting from the sides of or on, the pitch, as a team coach, team official or any match official for a minimum of two years from the starting date of the provisional suspension (any permitted interruption during the provisional suspension shall be taken into consideration when calculating the total suspension pronounced).
- 6.1.3 However based on specific exceptional circumstances which relate to the personal circumstances to be evaluated by the DDC which relate to the personal position of the player and/or the consequences for the players sports career and which would make a two year suspension disproportionate, the DDC may impose a suspension for a duration of less than two years.
- 6.1.4 Player's medical, paramedical and/or athletic advisor or other persons: The DDC shall similarly suspend any official or other person who has incited, encouraged and/or promoted doping, or is found to be at fault in a case of doping, for a period of two to eight months for substances referred to in 6.1.1 or otherwise for a minimum of four years.

6.2 2nd Violation:

- 6.2.1 If testing reveals the (prohibited) presence of ephedrine, phenyl-propanolamine, pseudo-ephedrine, caffeine, strychnine, cannabinoids or related substances, the sanction is a suspension from all playing, umpiring or acting from the sides of or on, the pitch, as a team coach, team official or any match official for a minimum of four years from the starting date of the provisional suspension (any permitted interruption during the provisional suspension shall be taken into consideration when calculating the total suspension pronounced).
- 6.2.2 Any other doping offence is sanctioned with a suspension from all playing, umpiring or acting from the sides of or on, the pitch, as a team coach, team official or any match official for between four years and life, starting from the date of the provisional suspension.
- 6.2.3 Player's medical, paramedical and/or athletic advisor or other person: The DDC shall similarly suspend any official or other person who has incited, encouraged and/or promoted doping or is found to be at fault, in the case of doping, for life.

6.3 Further Violations:

- 6.3.1 If testing reveals the (prohibited) presence of ephedrine, phenyl-propanolamine, pseudo-ephedrine, caffeine, strychnine, cannabinoids or related substances, the sanction shall be suspension for a minimum of five years.
- 6.3.2 The FIH may review the DDC's decisions and may impose further sanctions.

6.3.4 Sanctions imposed by the DDC may include other conditions e.g. exposure to regular drug testing or attendance at rehabilitation or educational programmes. The player shall agree in writing to any such conditions at the time the sanctions and conditions are imposed. England Hockey may require written third party confirmation that such conditions have been met.

7. Doping Offences under other Governing Body Rules

7.1 England Hockey will recognise and implement any disciplinary action imposed by FIH, EHF, BOA or GBOHB relating to doping offences.

8. Appeal procedure

8.1 Appeal Tribunal

An independent Appeal Tribunal, established by the Sports Dispute Resolution Panel will hear any application to appeal against the DDC's decision, then (subject to any appeal requirement by the relevant International Federation under its rules) the dispute will be heard by the Sports Dispute Resolution Panel.

8.2 Appeal Process

Permission to Appeal: A party wishing to dispute the findings of the DDC shall first apply for permission to appeal to the Chairman of the Appeal Tribunal by providing written notice (within 14 days of the reasoned decision appealed against) stating the grounds of appeal to both the Appeal Tribunal and any other party to the original hearing before the DDC;

8.3 Grant or Refusal of Permission:

8.3.1 If the Appeal Tribunal refuses to grant permission, because insufficient grounds are shown, the findings of the DDC shall stand.

8.3.2 If permission is granted the case will proceed to the Appeal Tribunal which shall have the power to conduct a complete re-hearing of the case and, if requested to do so by either party, may receive further evidence but, except where special grounds are shown, no further evidence as to matters occurring after the date of the hearing before the DDC.

8.4 The Appeal Tribunal hearing shall normally be convened within 4 weeks of the decision to grant permission to appeal.

8.5 The above procedure is designed to prevent unmeritorious appeals being made and to save unnecessary costs and other expenses being incurred.

8.6 Appeals Process

The form of the hearing shall ensure a fair review of all evidence.

8.7 Where the Appeal Tribunal decides that a doping offence has occurred, the athlete and governing body shall be notified within one working day of the decision being made with the reasons for reaching this decision and the penalty to be imposed. A full written copy of the decision shall be available to the athlete within 5 working days. A copy of this written decision shall also be sent to UK Sport within 5 working days.

8.8 Where the Appeal Tribunal decides that a doping offence has not occurred, that decision will be notified in writing to the athlete and the governing body setting out the reasons for reaching this decision, within one working day. A copy of this decision shall also be sent to UK Sport within 5 working days.

9. Conduct of Hearings

9.1 At all hearings before the DDC and Appeal Tribunal, the player shall be entitled to legal assistance, to present evidence and to call witnesses. Both the DDC and Appeal Tribunal must give written reasons for their decisions.

9.2 The burden of proof shall be with the governing body in any hearing before the DDC and with the Appellant in any hearing before the Appeal Tribunal. Unless International Federation rules specify otherwise, a doping offence will have to be proven beyond a reasonable doubt.

10. Costs

10.1 Both the DDC and the Appeal Tribunal shall have the power to make awards of costs. This will be a discretionary power. An award may require one of the parties to bear a part of or all the costs and expenses incurred by another party.

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- 10.2 Normally the governing body will pay the fees (if any) and expenses of the DDC or the Appeal Tribunal, as the case may be. The Appeal Tribunal shall have the power to reverse or amend any award as to costs made by the DDC.