

## Issued Decision

# UK Anti-Doping and Louis Walker

### Disciplinary Proceedings under the Anti-Doping Rules of British Triathlon

This is an Issued Decision made by UK Anti-Doping Limited ('UKAD') pursuant to the Anti-Doping Rules ('ADR') of British Triathlon ('BT'). It concerns Anti-Doping Rule Violations ('ADRVs') committed by Mr Louis Walker and records the applicable Consequences.

Capitalised terms used in this Decision shall have the meaning given to them in the ADR unless otherwise indicated.

### Background and Facts

1. BT is the national governing body for triathlon in the United Kingdom. UKAD is the National Anti-Doping Organisation for the United Kingdom. BT has adopted, as its own ADR, the UK Anti-Doping Rules<sup>1</sup>, which are issued by UKAD and are subject to updates made by UKAD, as necessary and in accordance with the World Anti-Doping Code.
2. Mr Walker is a 29-year-old triathlete registered with BT. At all relevant times, Mr Walker was subject to the jurisdiction of BT and bound to comply with the ADR. Pursuant to ADR Article 7.2, UKAD has Results Management responsibility in respect of all Athletes that are subject to the jurisdiction of BT.
3. On the evening of 6 February 2023, Mr Walker's partner at the time, Ms Tilly Bland, found a blister pack of Clenoxin tablets (containing the Prohibited Substance clenbuterol) in his car. She immediately confronted him, at which point Mr Walker admitted he had been taking the substance over the previous two weeks.
4. Ms Bland immediately informed Mr Mark Mills, Mr Walker's triathlon coach, about what she had found. Mr Mills spoke to Mr Walker on 8 February 2023 about the incident, and then reported the matter to UKAD.
5. Mr Walker was interviewed by UKAD on 3 April 2023. He admitted to taking clenbuterol after completing research on the internet about its effects. He indicated that he had been experiencing difficult personal circumstances at the time and wanted

---

<sup>1</sup> Version 1.0, in effect as from 1 January 2021.

to take something that would assist him in losing weight, as he was concerned about his body image.

6. He further stated that he purchased the Clenoxin tablets after a contact from a gym put him in contact with a person (who he did not know). He purchased and collected the tablets in person, took one tablet daily for a period of ten days, and stored them in his car.
7. Clenbuterol is listed under Section 1.2 of the World Anti-Doping Agency ('WADA') 2023 Prohibited List as an Anabolic Agent. It is a non-Specified Substance that is prohibited at all times.
8. On 27 September 2023, UKAD sent Mr Walker a notification letter (the 'Notice Letter'). The Notice Letter confirmed the imposition of a Provisional Suspension and formally notified Mr Walker, in accordance with ADR Article 7.8, that he may have committed ADRVs pursuant to ADR Article 2.2 (Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method) and/or ADR Article 2.6 (Possession of a Prohibited Substance by an Athlete).
9. On 9 October 2023, Mr Walker provided UKAD with a response to the Notice Letter. He accepted committing the alleged ADRVs. He explained that the ADRVs occurred in a period after his father suddenly passed away. He said that because of this, he began to regain the weight he had trained so hard to lose. He said that taking the Prohibited Substance at the time was not about sport, but was about a battle he was having with himself. He expressed remorse for his actions.
10. On 27 October 2023, UKAD proceeded to issue Mr Walker with a Charge Letter in accordance with ADR Article 7.11.2. The Charge Letter asserted the commission of ADRVs pursuant to Article 2.2 (Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method) and ADR Article 2.6 (Possession of a Prohibited Substance by an Athlete).

## **Admission and Consequences**

---

11. On 7 and 15 November 2023, Mr Walker responded to the Charge Letter. He reiterated his earlier admissions to the ADRVs.
12. ADR Article 2.2 provides that the following is an ADRV:
  - 2.2 ***Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method, unless the Athlete establishes that the Use or Attempted Use is consistent with a TUE granted in accordance with Article 4.***
13. ADR Article 2.6 provides that the following is an ADRV:

**2.6 Possession of a Prohibited Substance and/or a Prohibited Method by an Athlete or Athlete Support Person**

14. ADR Article 10.2 provides as follows:

***10.2 Imposition of a Period of Ineligibility for the Presence, Use or Attempted Use, or Possession of a Prohibited Substance and/or a Prohibited Method.***

*The period of Ineligibility for an Anti-Doping Rule Violation under Article 2.1, 2.2 or 2.6 that is the Athlete's or other Person's first anti-doping offence shall be as follows, subject to potential elimination, reduction or suspension pursuant to Article 10.5, 10.6 or 10.7:*

*10.2.1 Save where Article 10.2.4(a) applies, the period of Ineligibility shall be four (4) years where:*

*(a) The Anti-Doping Rule Violation does not involve a Specified Substance or a Specified Method, unless the Athlete or other Person can establish that the Anti-Doping Rule Violation was not intentional.*

*(b) [...]*

*10.2.2 If Article 10.2.1 does not apply, then (subject to Article 10.2.4(a)) the period of Ineligibility shall be two (2) years.*

15. In accordance with ADR Article 10.2.1(a), since this matter concerns a non-Specified Substance, the period of Ineligibility to be imposed in relation to the ADRVs charged shall be four (4) years, unless Mr Walker can establish on the balance of probabilities, that the ADRVs were not 'intentional' (within the meaning of ADR Article 10.2.3).

16. Within his responses to UKAD, Mr Walker has admitted the ADRVs with which he has been charged. Ultimately, Mr Walker has not sought to establish that his ADRVs were not 'intentional' (within the meaning of ADR Article 10.2.3). Accordingly, Mr Walker is not entitled to a two (2) year period of Ineligibility pursuant to ADR Article 10.2.2, or any reduction pursuant to ADR Article 10.5 (No Fault or Negligence) or ADR Article 10.6 (No Significant Fault or Negligence) thereafter.

17. For the purposes of imposing a sanction, the ADRVs will be considered together as a single first violation, pursuant to ADR Article 10.9.4, which states as follows:

*10.9.4 Additional rules for certain potential multiple offences:*

*(a) For the purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.4(b) and 10.9.4(c) an Anti-Doping Rule Violation will only be considered a second (or third, as applicable) Anti-Doping Rule Violation if UKAD can establish that the Athlete or other Person committed the additional Anti-Doping Rule Violation*

*after they received notice, or after UKAD or its designee made a reasonable attempt to give notice, of the first (or the second, as applicable) Anti-Doping Rule Violation. Otherwise, the first and second Anti-Doping Rule Violations (or the second and third Anti-Doping Rule Violations as applicable shall be considered as one single first Anti-Doping Rule Violation, and the sanction imposed shall be based on the Anti-Doping Rule Violation that carries the most severe sanction...*

18. The asserted period of Ineligibility for both ADRVs is therefore four (4) years.

### **Application of ADR Article 10.8.1**

---

19. ADR Article 10.8.1 provides:

*10.8.1 One (1) year reduction for certain Anti-Doping Rule Violations based on early admission and acceptance of sanction:*

*Where UKAD sends an Athlete or other Person a Charge Letter for an Anti- Doping Rule Violation that carries an asserted period of Ineligibility of four (4) or more years (including any period of Ineligibility asserted under Article 10.4), if the Athlete or other Person admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving the Charge Letter, they shall receive a one (1) year reduction in the period of Ineligibility asserted by UKAD. Where the Athlete or other Person receives the one (1) year reduction in the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.*

20. Mr Walker admitted both the ADRVs and accepted the asserted period of Ineligibility of four (4) years on 15 November 2023 (having been sent the Charge Letter on 27 October 2023). Accordingly, ADR Article 10.8.1 applies and Mr Walker shall receive a one (1) year reduction to the period of Ineligibility of four (4) years. The period of Ineligibility to be imposed is therefore three (3) years.

### **Commencement of period of Ineligibility**

---

21. ADR Article 10.13 requires that the period of Ineligibility starts on the date Ineligibility is accepted or otherwise imposed where there is no hearing.

22. However, ADR Article 10.13.2 allows for credit to be given against the total period of Ineligibility to be served where an Athlete has been provisionally suspended and has respected the terms of that Provisional Suspension.

23. Mr Walker has been subject to a Provisional Suspension since the date of the Notice Letter, i.e., since 27 September 2023 and as far as UKAD is aware, he has respected

the terms of that Provisional Suspension. Therefore, affording Mr Walker credit for the time he has spent provisionally suspended, his period of Ineligibility is deemed to have commenced on 27 September 2023 and will end at 11:59pm on 26 September 2026.

### **Status during Ineligibility**

---

24. During the period of Ineligibility, in accordance with ADR Article 10.14.1, Mr Walker shall not be permitted to participate in any capacity (or assist any Athlete participating in any capacity) in a Competition, Event or other activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened, authorised or recognised by:
- a) BT or by any body that is a member of, or affiliated to, or licensed by BT;
  - b) Any Signatory;
  - c) Any club or other body that is a member of, or affiliated to, or licensed by, a Signatory or a Signatory's member organisation;
  - d) Any professional league or any international or national-level Event organisation; or
  - e) Any elite or national-level sporting activity funded by a governmental agency.
25. Mr Walker may return to train with a team or to use the facilities of a BT club or a Signatory's member organisation during the last two months of his period of Ineligibility (i.e. from 11:59pm on 26 July 2026) pursuant to ADR Article 10.14.4(b).

### **Summary**

---

26. For the reasons given above, UKAD has issued this Decision in accordance with ADR Article 7.12.2, and records that:
- a) Mr Walker has committed ADRVs pursuant to ADR Articles 2.2 and 2.6;
  - b) In accordance with ADR Article 10.9.4(a), the ADRVs are considered as a single first violation for the purposes of imposing a sanction;
  - c) In accordance with ADR Article 10.8.1, Mr Walker is entitled to a one (1) year reduction to the asserted period of Ineligibility of four (4) years. A period of Ineligibility of three (3) years is therefore imposed;
  - d) Acknowledging Mr Walker's Provisional Suspension, the period of Ineligibility is deemed to have commenced on 27 September 2023 and will expire at 11:59pm on 26 September 2026; and

e) Mr Walker's status during the period of Ineligibility shall be as detailed in ADR Article 10.14.

27. Mr Walker, BT, World Triathlon, and WADA have a right to appeal against this Decision or any part of it in accordance with ADR Article 13.4.

28. This Decision will be publicly announced via UKAD's website in accordance with ADR Article 8.5.3 and ADR Article 10.15.

**5 January 2024**