

**NATIONAL ANTI-DOPING PANEL
IN THE MATTER OF PROCEEDINGS BROUGHT UNDER THE ANTI-DOPING RULES
OF UK ATHLETICS**

Before:

Charles Flint QC

Professor Dorian Haskard

Jeremy Summers

B E T W E E N:

UK Anti-Doping Limited

Anti-Doping Organisation

-and-

Dr Georgios Skafidas

Respondent

DECISION

Introduction

1. This tribunal has been appointed to determine charges brought by UK Anti-Doping ("UKAD") against Dr Georgios Skafidas in respect of breaches of UK Athletics Anti-Doping Rules as set out in a letter dated 23 November 2015.

2. The charges all relate to Dr Skafidas' conduct as the coach of Bernice Wilson, a sprinter who competed at international level and represented Great Britain at the 2010 Indoor European Championships. The charges are that between May and June 2011 Dr Skafidas administered testosterone and other prohibited substances to Bernice Wilson, and was thus also guilty of the possession of and trafficking in prohibited substances. The athlete tested positive in a sample taken at the Bedford International Games on 12 June 2011. It is alleged that at a hearing before the National Anti-Doping Panel held on 12 and 13 September 2011, at which Dr Skafidas represented Bernice Wilson, he knowingly provided false information to the panel and was thus guilty of conduct which subverted the doping control process and constituted a breach of the rules against tampering. Following that hearing a 4 year period of ineligibility was imposed on Bernice Wilson. It is further alleged that between January and February 2015 Dr Skafidas again administered prohibited substances to Bernice Wilson, and was thus also guilty of the possession of and trafficking in those substances. A sample taken from Bernice Wilson on 12 February 2015 tested positive. Dr Skafidas is then alleged to have subverted the doping control process by removing and concealing from Bernice Wilson a Notice of Charge dated 9 April 2015 sent to her by UKAD, and by knowingly providing a false account of his conduct in an interview with representatives of UKAD on 10 June 2015, thus further contravening the rules against tampering.
3. A statement of the 9 charges made in the letter dated 23 November 2015 is set out in an annex to this decision.
4. Those 9 charges have all been admitted by Dr Skafidas. The issue to be determined by this tribunal is whether, as contended by UKAD, Dr Skafidas should be subject to a lifetime disqualification from the sport of athletics.

Procedure

5. The response of Dr Skafidas to the Notice of Charge was to refer to the paragraph number of the letter in which it was stated that he could admit the charges and

dispute that a lifetime period of ineligibility should be applied. The matter was referred to the NADP on 9 December 2015, and this tribunal was appointed.

6. A directions hearing took place by telephone on 22 December in which Dr Skafidas participated. As it was not entirely clear whether he had admitted all the charges he was required to state by 24 December by letter or email whether he admitted each of the rule violations listed at paragraphs 3 and 4 of the letter from UKAD dated 23 November 2015.
7. By an email sent on 24 December 2015 to UKAD and the tribunal Dr Skafidas stated “please accept this Email as my official letter to admit all charges as listed in paragraphs 3 & 4 of your letter dated 23 November.”
8. Under the directions Dr Skafidas was also required to serve any evidence and submissions on which he proposed to rely at the hearing of the case. In the event he served no evidence nor submissions and he stated that he did not require a hearing. Accordingly this case has been decided on the papers.
9. The evidence served by UKAD consisted of witness statements from Bernice Wilson, Graeme Simpson, David Brown, Joseph White and Stacey Shevill. The exhibits to those witness statements included a transcript of the NADP hearing on 12 & 13 September 2011, interviews with Bernice Wilson on 5 May and 28 July 2015 and with Dr Skafidas on 10 June 2015.
10. UKAD served very clear and detailed written submissions to which, as noted above, Dr Skafidas has not responded.

Jurisdiction

11. UKAD submits that Dr Skafidas was subject to the jurisdiction of UK Athletics (“UKA”) at all material times, and bound by the UKA Anti-Doping Rules in force

between 2011 and 2015. Rule 2.1 adopted the Anti-Doping Rules of the IAAF (as amended from time to time) as its anti-doping rules.

12. Under IAAF Rule 30.1 the rules apply to Athlete Support Personnel, defined as including any coach, trainer or manager working with, treating or assisting an Athlete participating in, or preparing for, competition in Athletics. That rule, which provides a functional test which is not dependent on any licence granted to a coach, was not changed between 2011 and in 2015.
13. UK Athletics granted Dr Skafidas a coaching licence on 23 October 2005, which was renewed in April 2009 and again in May 2012 for a period of 3 years. However as a result of a complaint received in April 2013 a disciplinary body convened by UKA withdrew Dr Skafidas' licence for a period of five years. So in 2015 Dr Skafidas did not hold a licence to act as a coach but it is clear from the evidence that in administering prohibited substances to Bernice Wilson in January or February he was assisting in her preparation for competition after the 4 year period of ineligibility expired in July 2015.
14. The 2015 UKA ADR do include at Rule 4.1 a provision that the rules shall apply to, amongst others, all Athlete Support Personnel, a term which is defined in the IAAF rules as set out above. The further provisions of Rule 4.1 which state to whom the rules apply is not expressed to be an exhaustive statement and cannot circumscribe the wide definition of Athlete Support Personnel contained in the IAAF rules. It is not necessary for a coach to be subject to UKA ADR that he should hold a valid licence from UKA or participate in events organised by UKA.
15. In acting as Bernice Wilson's coach, trainer or manager between 2011 and 2015 Dr Skafidas was bound by the UKA Anti-Doping Rules, and the contraventions alleged in this case fall within the jurisdiction of this tribunal.

Facts

16. Dr Skafidas is a Greek national, who has been involved in sport for many years, both as an athlete and as a coach. He does not have any medical qualification but was awarded a Doctorate in Sports Sciences from Vassil Levski University in Sofia, Bulgaria, in 2008. He has been coaching in athletics since 1991. In 2006 he set up a training group for young athletes at Princess Royal Sports Arena in Lincolnshire.
17. In 2006 he met Bernice Wilson, who was 22 at the time and had completed her university education. She was a talented sprinter, who had represented England at the age of 15. She used to train at the Princess Royal Sports Arena and was coached by her father. Dr Skafidas was working as a tutor for UK Athletics and he became Ms Wilson's coach on 1 September 2007. They commenced a relationship in 2008 and lived together in Lincolnshire. Theirs was a troubled and at times abusive relationship, in which Dr Skafidas exercised control and she was frightened of him.
18. The evidence from Bernice Wilson, in her witness statement dated 29 January 2016, is that Dr Skafidas made clear to her that he believed that track athletes needed to take banned drugs in order to succeed, and he pressurised her to do so. That evidence is corroborated by the evidence of Joseph White an athlete who was also coached by Dr Skafidas in 2011. At a meeting in 2012 Dr Skafidas told him that he needed to take prohibited substances to improve his performance.
19. On 12 June 2011 whilst participating at the Bedford International Games in Bedford, Ms Wilson provided a urine sample which tested positive for the anabolic steroid testosterone and the sympathomimetic amine clenbuterol.
20. Ms Wilson was charged by UKAD with the presence of two prohibited substances and use or attempted use of a prohibited substance. A hearing took place on 12 and 13 September 2011 before the National Anti-Doping Panel. Ms Wilson was represented at the hearing by Dr Skafidas. Dr Skafidas argued that there had been a number of departures from procedures during the sample collection process and

that these departures could have caused the clenbuterol and testosterone findings, or could have created an opportunity for the sample to be contaminated.

21. Bernice Wilson gave evidence in which she stated that she deplored drug taking and saw herself as a role model for younger athletes. At page 62 of the transcript she denied that Dr Skafidas or anyone else had ever supplied her with steroids or other prohibited substances. At page 136 she denied that she had taken illegal substances and suggested that there may have been contamination of the sample or spiking of what she ingested. On her evidence to this tribunal, referred to at paragraph 39 below, that evidence was false. Dr Skafidas did not himself give evidence to the panel nor did he clearly state that there had been spiking of any substance ingested by the athlete. His argument to the panel was that there had been material departures from doping control procedures which could have caused contamination of the sample.

22. The panel found that there was no evidence to suggest that her sample had been tampered with, nor was there any evidence to suggest that there were any departures in the procedure which might have created an opportunity for her sample to be contaminated. The panel found that Ms Wilson had, on repeated occasions, taken substances which contained clenbuterol and testosterone. The decision states at paragraph 62:

There is not a shred of evidence to support any allegation that another person – such as a jealous competitor – spiked her drink. We... have no hesitation in saying this is just another unsubstantiated attempt to excuse herself by blaming someone else.

23. The standard sanction provided for by the UKA Anti-Doping Rules was a period of ineligibility of two years. However, the NADP considered that there were several aggravating features present which justified an increase of the sanction. These included the fact she was an experienced athlete who worked with members of the public as well as younger athletes and so was expected to set a good example. Instead of admitting her guilt, she had consistently denied all guilt and unfairly

blamed others. She wrongly suggested that unidentified competitors might have wanted to spike her drink, or that departures from doping control procedures had created the opportunity for her sample to be contaminated. The NADP found that there was considerable aggravation and so imposed the maximum period of ineligibility of four years.

24. Ms Wilson appealed against the decision. The NADP Appeal Panel rejected the arguments advanced by Ms Wilson and the appeal was dismissed. In the appeal decision dated 19 January 2012 the panel describe the arguments advanced as 'entirely without merit'.
25. As a condition of regaining eligibility to compete, Ms Wilson remained bound to comply with the UKA Anti-Doping Rules and was eligible to be tested throughout the duration of her period of ineligibility. She was tested at her home address on 12 February 2015. The sample tested positive for clomiphene, which is classified as a hormone and metabolic modulator under the 2015 WADA Prohibited List.
26. By a letter dated 9 April 2015 UKAD charged Ms Wilson with contravention of the ADR in respect of the presence of prohibited substances in her sample. Ms Wilson did not receive this letter, and Dr Skafidas has since admitted intercepting and concealing it. A second Notice of Charge, dated 15 May 2015, was sent and Ms Wilson has been provisionally suspended since this date.
27. Ms Wilson was interviewed by UKAD on 5 May 2015. She initially claimed that she had taken a supplement containing clomiphene which had been given to her by a person at her gym. In the course of the interview she changed her account. She said that Dr Skafidas had given her the tablets which contained clomiphene. After the adverse result on her sample, Dr Skafidas had admitted to her that he had given her clomiphene tablets, but, she said, without her knowledge. She claimed he had pressurised her into giving a false account as to how she came to test positive for clomiphene.

28. She then stated Dr Skafidas told her that to succeed in athletics she would need to take performance enhancing drugs. She explained that she suffered incidents of domestic abuse. She stated that she felt under pressure to take supplements. She did not know what they were but she believed them to be drugs. Before she tested positive in 2011 she was given masking agents such as insulin and T3 by Dr Skafidas. She said that she was also given clenbuterol and testosterone, which she thought was administered by injection. She said that since 2011 Dr Skafidas had been asking her to take prohibited substances.
29. Following that interview Dr Skafidas sent an email to UKAD on 11 May 2015 saying:
- “Please accept this E-Mail as my official acceptance of the full responsibility of the adverse findings of the two Doping Controls applied to Miss Bernice Wilson on 12 June 2011 and 12 February 2015. ... I did administer those prohibited substances with no permission and knowledge of Miss Wilson”.
30. Dr Skafidas was interviewed by UKAD on 10 June 2015. He stated that he had administered clenbuterol and testosterone to Ms Wilson in 2011 and that prior to her positive test he had also given her clenbuterol, stanozolol, testosterone and ephedrine. However, his contention, consistent with what he had said in his email sent on 11 May, was that the athlete had not known that she was ingesting prohibited substances and this was done without her knowledge. The explanation advanced was that in 2011 the athlete had thought she was taking vitamins.
31. He maintained the same line in respect of the prohibited substances found in the athlete's sample in 2015. He admitted that he had administered clomiphene and stanozolol, but this had been done with “no knowledge whatsoever” on the part of Ms Wilson.
32. Bernice Wilson was interviewed again on 28 July 2015. At this interview she was accompanied by a solicitor. When questioned about the clomiphene found in her

sample in 2015 she stated that she did not have any idea she might be committing an anti-doping rule violation. She produced a recording of a conversation with Dr Skafidas, apparently made before he was interviewed by UKAD and in which he discussed the line he was going to take in that interview in relation to the prohibited substances administered in 2011. In that recording Ms Wilson is recorded as saying:

"I don't think that you should say that I didn't know, that I wasn't taking them for the first violation because I did know, do you know what I mean? There's no point in saying that I didn't know with the first violation."

Dr Skafidas responds:

"I still think this is the correct thing to do especially now that I mentioned to UK Anti-Doping this and it is going to be seen even more positive to you."

33. The recording continued with a discussion as to the substances taken in January 2015, immediately prior to the positive sample taken on 12 February. Dr Skafidas states that supplements were used for only one week from 19 January,

"If they were testing you the week after, two or three days after, you were going to be clear completely.

Ms Wilson: "Right, so you decided to take that risk on me?"

Dr Skafidas: "I did, I did."

The anti-doping rule violations

34. In the light of the admissions made by Dr Skafidas it is not necessary to examine in any detail the evidence concerning the offences of administration, possession and trafficking in the prohibited substances testosterone, clenbuterol, stanozolol and ephedrine in 2011 (Charges 1 – 3) and clomiphene and stanozolol in 2015 (Charges 5 – 7). All those offences involve prohibited substances administered to Bernice Wilson. The offences are clearly established by the evidence and are admitted by Dr Skafidas.

35. Charge 4 is a charge of Tampering contrary to IAAF Rule 32.2(e) in providing false information to the NADP in the hearing held on 12 & 13 September 2011. Tampering

is defined as “Tampering or Attempted Tampering with any part of Doping Control” including “misleading or engaging in any fraudulent conduct to alter results or to prevent normal procedures from occurring; or providing fraudulent information”. Doping Control is defined as “all steps and processes ... through to ultimate disposition of any appeal ...”.

36. Deliberately misleading an anti-doping panel does constitute tampering contrary to rule 32.2 (e). The purpose and intended effect of such conduct is to subvert the doping control process by persuading the panel to proceed on a false basis. Dr Skafidas did not himself tell a direct lie to the panel but he knew that the case advanced by him on behalf of the athlete was founded on a false premise, namely that the athlete had not herself taken or had administered to her the prohibited substances found in her sample. He knew that in fact the athlete had ingested or been injected with those substances under his direction. The argument advanced by him at the hearing that the sample collection process had been defective, and the questions he asked of the doping control officers in support of that argument, were designed to further the falsehood in the defence that the cause of the positive test result was not the ingestion or administration of prohibited substances. This was misleading conduct designed to prevent the panel from reaching the correct decision, thus subverting the doping control process.
37. Charge 8 is a further offence of tampering, contrary to IAAF Rule 32.2(e), by knowingly removing the letter dated 9 April 2015 containing the Notice of Charge addressed to Bernice Wilson. It was an official communication between UKAD and an athlete. To deliberately remove the letter is to prevent the normal process of doping control from operating properly. Dr Skafidas admitted in his interview on 10 June 2015 that he had taken the letter, and admits this charge.
38. Charge 9 is a further offence of tampering by providing a false account in an interview with representatives from UKAD on 10 June 2015. The substance of the misleading conduct lay in stating that the athlete had not knowingly taken prohibited substances in 2011. The relevant passages from the interview transcript are:

Q130 Mr Simpson: Let me go back and ask you the question that I asked you a minute ago which you didn't answer. You told me you were responsible but the question was, how did the clenbuterol and testosterone get into her system?

A130 Mr Skafidas: All right, all right, without her knowledge

Q150 Mr Simpson: I am just concentrating at the moment at what she failed for the Bedford Games in 2011, the clenbuterol and the testosterone, you had substituted Bernice Wilson's tablets for those so that she didn't know she was taking clenbuterol and testosterone, you substituted them?

A150 Mr Skafidas: Correct. She thought she was taking Vitamin E and beta-carotene, specific.

A172 Mr Skafidas: she didn't know anything about this and this whole process.

Q180 Mr Simpson: And she had no idea that you were feeding her clenbuterol, stanozolol, testosterone and ephedrine leading up to the testing at the Bedford Games...

A180 Mr Skafidas: Correct, especially from here.

Q181 Mr Simpson: What did you tell her?

A181 Mr Skafidas: Oh that UK Anti-Doping, that UKA, that they are against me, they are not against you, they are against me

39. The assertion that in 2011 Bernice Wilson had not knowingly taken any of the prohibited substances which Dr Skafidas admitted administering was untrue. Bernice Wilson in her first interview stated that in 2011 that she was placed under pressure to take different supplements, some of which she believed to be drugs (page 893, A177) and that Dr Skafidas had injected her with testosterone daily for a period of four to six months (page 896, A 205 – 212). In her second interview she produced a recording of a conversation with Dr Skafidas in which she admitted that she had known in 2011 that she was taking prohibited substances (page 936, A92), and Dr Skafidas then stated that he would give evidence to UKAD that she had not known because he considered that the correct thing to do to assist her (page 936, A93). Those are admissions by the athlete, contrary to her own interest, that she

had known in 2011 that prohibited substances were being administered to her. The tribunal is satisfied that the statements to the contrary made by Dr Skafidas in his interview were false and designed to mislead, and thus prevent the normal process of doping control from operating properly. This offence is admitted by Dr Skafidas and is established on the evidence.

Sanction

40. The 2011 version of the UKA Anti-Doping Rules implemented the 2009 WADA Code, and the 2015 rules implement the 2015 WADA Code. The sanctions applicable to the violations which occurred in 2011 and 2015 respectively do not differ in respect of administration and trafficking where the period of ineligibility is a minimum of 4 years up to lifetime ineligibility. In respect of possession and tampering the period of ineligibility in 2011 was 2 years, and in 2015 the period of ineligibility was 4 years, subject to the question whether the violation was intentional.
41. All violations committed by Dr Skafidas were clearly intentional. The sanctions required to be imposed in respect of possession and tampering in 2011 (Charges 2 and 4) are a period of ineligibility of 2 years, and in 2015 (Charges 6, 8 and 9) are a period of ineligibility of 4 years.
42. There is a suggestion in the UKAD submissions that there might be grounds for reducing the sanction in respect of Charge 9 because Dr Skafidas only provided misleading information in his interview. The commentary to article 10.6.2 of the 2015 WADA Code makes clear that this article is only intended to apply where the anti-doping organisation is not already aware that a violation might have been committed. By the time of the interview UKAD had very substantial grounds for believing that any material statement made by Dr Skafidas might be a lie. In fact he did tell a lie in his interview and it is that lie which forms the basis of Charge 9. This is no admission. Whilst respecting the sense of fairness which underlies this submission the tribunal is clear that even if article 10.6.2 were in principle applicable, the facts of this case could not justify any reduction in sanction. Similarly

the tribunal would not on the facts of this case exercise any discretion to reduce the sanction under Charge 2. UKAD was not, prior to the admission, aware of every prohibited substance, stanozolol and ephedrine, that had been in Dr Skafidas' possession in 2011 but it was aware from reliable evidence that he had committed the offence of possession of prohibited substances.

43. The tribunal will deal with the applicable sanctions in respect of administration and trafficking (Charges 1, 3, 5 and 7) together on the basis of an overall consideration of the seriousness of the conduct of Dr Skafidas in respect of his treatment of Bernice Wilson in 2011 and 2015. There is a statement in the UKAD submissions, at paragraph 154, that UKAD does not accept the evidence of Dr Skafidas that he did not also administer prohibited substances to other athletes. However the charges in this case relate only to his conduct in relation to Bernice Wilson and the tribunal must deal with the case on this basis.
44. The charges brought in respect of trafficking substantially duplicate the charge of administration. Literally Dr Skafidas' conduct in giving or delivering prohibited substances to Bernice Wilson does fall within the definition of Trafficking contained in the IAAF Rules, but the real vice in his conduct lies in the act of administering prohibited substances to the athlete. That is a most serious offence because it places the athlete in jeopardy of losing her right to participate in the sport and exposes her to the risk of taking substances, without medical advice, from undisclosed sources the physiological effect of which is unknown to the athlete. Administration is an invasion of the personal rights of the athlete, and is quite different in quality from the personal decision of an athlete to cheat by doping. A coach who abuses his position of responsibility and influence to induce an athlete to accept the administration of prohibited substances is committing a very serious offence which strikes at the core rationale of the anti-doping programme "to protect the athlete's fundamental right to participate in doping-free sport and thus promote health, fairness and equality for athletes worldwide."

45. UKAD in its submissions correctly accepts the principle that the sanction imposed in any particular case must be proportionate. The sanction must be proportionate to the seriousness of the conduct involved and the risk the individual poses to the sport of athletics, and be fairly based on the facts proved in the case. UKAD has referred to a number of cases in which anti-doping tribunals have decided not to impose a lifetime disqualification, and some in which they have. Each case must depend on its own facts and it is the principles to be derived from those cases which are important. In *USADA v Block*, AAA Panel decision dated 17 March 2011, the panel discussed the principles to be applied when sanctioning the athlete support personnel involved in the BALCO doping conspiracy. It observed:

9.3 The cases are clear that athlete support personnel owe a higher duty to the integrity of the anti-doping system than even do athletes. The athlete support personnel suspensions are generally far more severe than those for athletes because of the position of trust and commitment to integrity of athlete support personnel.

The panel noted that it had a discretion in formulating an appropriate period of ineligibility on a fact-specific, case-by-case basis, and proceeded to set out the factors which may be taken into account:

9.5 ... lifetime bans typically have involved multiple doping offenses regarding athletes and lengthy, substantial involvement in comprehensive doping activity, and efforts to cover up doping in cases involving athlete support personnel

9.6 In reviewing the period of suspension, the cases that have addressed athlete support personnel suspensions ... have addressed a number of factors, including the effect of the doping activities of the coach; the health and safety risk to the athletes involved; the intent of the coach; the extent of the doping activities; the extent of efforts to conceal the doping; the volume and type of communications between the athlete support personnel and the source of the doping materials or methods; whether doping has been established the role of the athlete support personnel in the doping conspiracy; the number of athletes affiliated with the athlete support personnel who are implicated in doping; and the need to send a clear and deterring message to other athlete support personnel.

Those are all relevant considerations but there is no principle that all such factors have to be present before a lifetime disqualification can be imposed. In particular there is no principle to be derived from the WADA Code or the cases decided under it that a lifetime period of ineligibility can only be considered where a coach has administered prohibited substances to a number of athletes.

46. The conduct of Dr Skafidas in administering prohibited substances to Bernice Wilson is clearly at the most serious end of the spectrum considering his relationship with the athlete, the steps he took to induce her to take doping agents, the risk to her health, the jeopardy in which he placed her, the steps he took to cover up the violations and the effect his conduct has had on the life and career of the athlete.

47. Dr Skafidas had a personal relationship with the athlete from 2008 and she was clearly under his influence. He was physically and emotionally abusive to her and she was frightened of him. It is clear from Dr Skafidas' own words that Bernice Wilson sought to resist taking prohibited substances, but he exercised his influence to ensure that she did. Speaking of the period in early 2015 he said, as recorded in the recording of a conversation with the athlete (page 938, A 123):

“... We had a big meeting, we sat down, we spoke about this, you said not taking, not taking, not taking, not taking and then the whole idea came knowing this was soon as possible ... But this is not detectable, there are risks, there are continued risks, there are risks because you said are they detectable and I said no.”

48. It is impossible to be certain as to the extent to which the athlete did actually appreciate at any particular time whether the substances which she was being given by Dr Skafidas were prohibited substances, but there can be no doubt that all these substances were taken at his instigation and much of the administration was concealed from the athlete. Although as set out at paragraph 39 above the tribunal is clear that in 2011 the athlete did understand that some of the supplements she was taking contained prohibited substances, it does not follow that she knew the full extent of the drugs to which she was being exposed. In 2015 the evidence of

Bernice Wilson is that she had no intention of contravening the rules again, and she was induced to take clomiphene by the subterfuge of substituting tablets containing clomiphene for beta-carotene tablets which she understood she was taking (page 925 – 929, A1, A4, A27). The statement by Dr Skafidas (page 938, A 123) might indicate that she had appreciated that clomiphene was being administered, but in his interview (page 824 – 825) he described his practice of swapping tablets when Bernice Wilson was out of the house in 2011, and then stated (page 834, A120 – 121) that she did not know that clomiphene, administered in 2015, had been substituted for vitamin pills. Dr Skafidas had a well thought out regime for administering prohibited substances to the athlete without her knowledge and consent. As is evident from his description of the plan to avoid detection in 2015 he conducted his doping operation with a degree of sophistication. That was a sustained and dishonest abuse of his position as coach.

49. In this case the prohibited substances included steroids and clomiphene which may have serious adverse effects on the health of an athlete. Clomiphene is a highly potent agent that acts through inhibiting oestrogen receptors in the brain. It is used medically to stimulate ovulation and treat infertility. However, as it acts by stimulating the release of endogenous hormones it may enhance athletic performance. It should only be taken upon the recommendation of a medically qualified practitioner with experience in endocrine or gynaecological disorders. Clomiphene should be commenced at the lowest dose possible to obtain the desired therapeutic effect. Side effects are relatively common and potentially serious, and in rare cases may include an ovarian hyper-stimulation syndrome that can be fatal.
50. Dr Skafidas has no medical or pharmacological qualifications and he was in no position to give any medical advice as to the risks to the athlete, nor did he purport to do so. He held and expressed the view that doping was necessary for athletes to succeed in competition and he subordinated her interest to his ambition.
51. Not only was the conduct sustained and dishonest, Dr Skafidas exercised his influence over the athlete to ensure that it was covered up. The first occasion, when

the NADP was misled, is the subject of Charge 4. The second occasion is when he induced the athlete to give a false account in her first interview of acquiring supplements which might have included clomiphene from a man called Alex in the gym. Those deceptions have the common element of seeking to cast blame on others.

52. Dr Skafidas was placed in a position of great responsibility as the coach of a young, very talented international level sprinter. The result of his sustained misconduct is, as he said in his interview (page 834, A126):

“I ruined her career and not only, her life.”

53. The tribunal unanimously decides that the right, proportionate and necessary sanction for this misconduct is a ban for life.

Decision

54. Charges 1 – 9 having been admitted, and established to the satisfaction of the tribunal on the evidence, the following periods of Ineligibility are to be imposed under the UKA Anti-Doping Rules Rule 40, as applicable in 2011 and 2015:
- (1) 2 years from 23 November 2015 in respect of Charges 2 and 4
 - (2) 4 years from 23 November 2015 in respect of Charges 6, 8 and 9
 - (3) For life, in respect of the offences of administration and trafficking under Charges 1, 3, 5 and 7.
55. Dr Skafidas has a right of appeal against this decision under Rule 13.1 of the 2015 Rules of the National Anti-Doping Panel, such right to be exercised within 21 days of receipt of this decision.

Charles Flint QC

Professor Dorian Haskard

Jeremy Summers

A handwritten signature in black ink, reading "Charles Flint." with a long horizontal stroke extending to the right.

Signed on behalf of the tribunal

22 February 2016

The Charges made in the Notice of Charge dated 23 November 2015

The charges against Dr Skafidas are that he acted in a manner contrary to the UKA Anti-Doping Rules provisions set out below:

Charge 1

IAAF Rule 32.2(h), namely Administration of one or more of the following Prohibited Substances to Bernice Wilson, an Athlete:

- Testosterone
- Clenbuterol
- Stanazolol
- Ephedrine

Charge 2

IAAF Rule 32.2(f)(ii), namely Possession of one or more of the following Prohibited Substances by an Athlete Support Person:

- Testosterone
- Clenbuterol
- Stanazolol
- Ephedrine

Charge 3

IAAF Rule 32.2(g), namely Trafficking one or more of the following Prohibited Substances:

- Testosterone
- Clenbuterol
- Stanazolol
- Ephedrine

Charge 4

IAAF Rule 32.2(e), namely Tampering by knowingly providing false information in a hearing on 12 and 13 September 2011 before the National Anti-Doping Panel.

In respect of Charges 1, 2 and 3, UK Anti-Doping does not know the precise dates upon which the violations took place but says some or all of the violations must have taken place in (at least) May and/or June 2011.

Charge 5

IAAF Rule 32.2(h), namely Administration of one or more of the following Prohibited Substances to Bernice Wilson, an Athlete:

- Clomiphene
- Stanazolol

Charge 6

IAAF Rule 32.2(f)(ii), namely Possession of one or more of the following Prohibited Substances by an Athlete Support Person:

- Clomiphene
- Stanazolol

Charge 7

IAAF Rule 32.2(g), namely Trafficking one or more of the following Prohibited Substances:

- Clomiphene
- Stanazolol

Charge 8

IAAF Rule 32.2(e), namely Tampering by knowingly removing a letter addressed to Bernice Wilson which was sent in the course of Anti-Doping Proceedings in April 2015

Charge 9

IAAF Rule 32.2(e), namely Tampering by providing a false account in an interview with representatives from UK Anti-Doping on 10 June 2015

In respect of Charges 5, 6 and 7, UK Anti-Doping does not know the precise dates upon which the violations took place but says that they must have taken place in (at least) January and/or February 2015.



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