



## MEDIA RELEASE

### SWIMMING - DOPING

#### THE COURT OF ARBITRATION FOR SPORT (CAS) CONFIRMS THE TWO-YEAR PERIOD OF INELIGIBILITY IMPOSED ON SHAYNA JACK

*Lausanne, 16 September 2021* - The Court of Arbitration for Sport (CAS) has dismissed the appeals filed by Sports Integrity Australia (SIA) (formerly, the Australian Sports Anti-Doping Authority (ASADA)) and the World Anti-Doping Agency (WADA) against the first instance decision issued by the CAS Oceania Registry on 16 November 2020 (the Appealed Decision) in which the Australian swimmer, Shayna Jack, was found to have violated Article 2.1 of the Swimming Australia Ltd Anti-Doping Policy 2015 and was suspended for a period of two years, commencing on 12 July 2019.

On 26 June 2019, Shayna Jack was subject to an out-of-competition doping control. The sample returned a positive result for “ligandrol”, an anabolic agent which is prohibited at all times according to the WADA Prohibited List. On 12 July 2019, Swimming Australia imposed a provisional suspension on the athlete. Following an investigation, on 19 December 2019, ASADA, on behalf of Swimming Australia, sent an Infraction Notice to the athlete in accordance with Article 7.9A of the Swimming Australia Ltd Anti-Doping Policy 2015, informing her that, subject to any procedure she would initiate at CAS, a four-year period of ineligibility would be imposed on her, commencing from 12 July 2019, as a result of the anti-doping rule violation. On 2 January 2020, Shayna Jack filed a request for arbitration at the CAS Oceania Registry and the ensuing arbitration culminated in the issuance of the Appealed Decision.

On 7 December 2020, the SIA and WADA filed appeals at the CAS seeking a review of the Appealed Decision and the imposition of a four-year period of ineligibility on the athlete. The appeals were referred to a Panel of CAS arbitrators composed of Prof. Jan Paulsson (Bahrain), President, The Hon. Michael Beloff QC (UK) and Prof. Richard H. McLaren OC (Canada). The Panel held a hearing on 28 and 29 June 2021 by video-conference.

The majority of the Panel determined that while it disagreed with the reasoning set out in the Appealed Decision it nevertheless upheld its ultimate holding, for different grounds: the finding of an ADRV and the sanction of a two-year period of ineligibility, on the basis that Shayna Jack had, on the balance of probabilities, established that she did not intentionally or recklessly consume the prohibited substance and could therefore benefit from a reduction in the period of ineligibility from four years to two years.

The Arbitral Award will be published on the CAS website in the coming days.