

Written Decision of the
Independent Anti-Doping Disciplinary Panel

Panel sitting in the following composition:

Chair: Mr. O'Neil Brown, Attorney-at-Law
Panelists: Dr. Denise Forrest, Sports Representative
Dr. Japheth Ford, Medical Practitioner

Athletics (Track and Field)

Application No. 1 of 2024

IN THE MATTER BETWEEN

Jamaica Anti-Doping Commission, Kingston, Jamaica **Complainant**

(Represented by Gabrielle Chin, (Hart Muirhead Fatta) Attorney-at-Law, Kingston

Jamaica)

v.

Rajay Hamilton, South Carolina, United States of America **Respondent**

I. The Parties

1. The Respondent, Rajay Hamilton, is a track and field athlete competing at the international level in middle distance events and is therefore an "athlete" within the meaning of Article 1 and Appendix 1 of the Jamaica Anti-Doping Commission Anti-Doping Rules, 2021 (Rules). And he is therefore subject to the JADCO Rules, and the International Testing Standards.
2. The Jamaica Anti-Doping Commission (JADCO) "is a distinct body" which was established by the Anti-Doping in Sport Act, 2014. According to the

introduction to the 2015 Anti-Doping Rules, JADCO is “an independent Anti-Doping Organisation in Jamaica and is charged with the responsibility to administer the anti-doping programme.” It has the necessary authority to fulfil certain core functions including but are not limited to, so far as is relevant, “vigorously pursuing all potential Anti-Doping Rule Violations (ADRV) within its jurisdiction...and to ensure proper enforcement consequences.”

3. JADCO is completely independent of the disciplinary authorities, that is, the Independent Anti-Doping Disciplinary Panel (IADP) and the Anti-Doping Appeal Tribunal.
4. The Independent Anti-Doping Disciplinary Panel is established under section 14 of the Anti-Doping in Sport Act, 2014 and is responsible for hearing and determining any matter referred to it by JADCO pursuant to the JADCO, 2015 Rules.

II. The Factual Background and Charges

5. By letter dated the 20th October, 2023, JADCO referred this matter to the IADP. The basis of the referral is that the athlete was charged with an Anti-Doping Rule Violation (ADRV) in that he “intentionally, negligently, or knowingly” used a prohibited substance, namely **GW501516 SULFONE and GW501516 SULFOXIDE**; causing markers of the same prohibited substance to be detected in the Athlete’s “A” sample collected from the athlete on the 9th July, 2023.
6. It is alleged that the in-competition sample collection session was conducted by JADCO at the National Stadium, Kingston on the 9th July 2023. The Doping

Control Officer (DCO) was a Ms. Keisha Carlyle, and the Chaperone was a Mr. Audley Ffolkes. The athlete accepted the formal notification from the Chaperone and then provided urine and blood samples as requested by the DCO. The samples were sent to the World Anti-Doping Agency (WADA) accredited laboratory, namely INRS- Institute Armond Frappier, Laval, Quebec, Canada, for analysis. The lab received the samples on the 11th July, 2023. The “A” sample was analyzed and the results returned an adverse analytical finding due to the presence of GW501516 metabolites (sulfone and sulfoxide), which was then communicated in an analytical report dated the 28th July, 2023.

7. By letter dated 13th September 2023, the athlete was provisionally suspended by JADCO pursuant to Article 7.4. 1 of the JADCO Rules, 2021. The athlete was informed by (and thereafter responded to) JADCO accordingly. The matter was then referred to the IADP. The preliminary hearing was then conducted on the 8th February, 2024, via video conference.
8. No orders were made for submissions to be lodged with the Secretariat.

III. The Evidence Presented

9. The evidence presented was not in dispute or contradicted. This includes the lab analytical report of the 28th July, 2023, which indicates that GW501516 metabolites (sulfone and sulfoxide) were found to be present.

IV. Discussion and Ruling

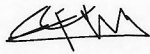
10. The athlete had in his body some metabolites of prohibited substances in violation of the World Anti-Doping Code and as defined in the World Anti-Doping Agency's 2023 Prohibited list.
11. According to Article 2.1.1 "it is each Athletes' personal duty to ensure that no *Prohibited Substance* enters their bodies. *Athletes* are responsible for any *Prohibited Substance*, or its *Metabolites* or *Markers* found to be present in their tested samples. Accordingly, it is not necessary that intent, *Fault*, *Negligence* or knowing *Use* on the athlete's part be demonstrated in order to establish an Anti-Doping Rule Violation under Article 2.1."
12. This was an in-competition testing of a substance that is prohibited at all times and as such we are bound by the rules as stipulated.
13. The athlete accepted the findings and assumed responsibility for his actions at the preliminary hearing and in fact indicated that he has or will shortly retire professionally.
14. Though the panel will indicate a great degree of sympathy with the explanation advanced by the athlete during the preliminary hearing, it finds itself in a situation where there can be no deviation from the applicable sanction as there was no evidence or other material submitted by the athlete or any other representative of him to disprove intentionality
15. Having reviewed the materials brought before the panel by JADCO and noting the athlete's lack of evidence to rebut JADCO's findings, the Panel having consulted, was of the unanimous view that the athlete committed an Anti-Doping Rule

Violation as under Article 2.1 of the JADCO Rules, 2021 and is therefore subject to the sanction prescribed at Article 10.2.1.1, for a period of 4 years.

16. The period of ineligibility will commence from September 13th, 2023, the date on which the athlete's provisional suspension.

17. This was an in-competition testing of a substance that is prohibited at all times and as such we are bound by the rules as stipulated.

Dated this 12th day of September 2024



Mr. O'Neil Brown - Chairman



Dr. Japheth Ford - Member



Dr. Denise Forrest - Member