



For immediate release

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Professional cyclist Nathan O'Neill's sanction increased on appeal

The Australian Sports Anti-Doping Authority (ASADA) today acknowledged the decision by the Court of Arbitration for Sport (CAS) Appeals Panel to increase Australian professional cyclist Nathan O'Neill's sanction from 15 months to the maximum two years.

A Commonwealth Games Gold and Bronze medallist and eight times Australian Time Trial Champion, Mr O'Neill tested positive to the presence of the prohibited stimulant Phentermine in an in-competition sample collected on 12 August 2007, following the 'Tour of Elk Grove' cycling event in the United States.

In its original decision, the CAS tribunal determined that while Mr O'Neill had committed an anti-doping rule violation, he had established no significant fault or negligence in taking the substance before competition, thereby resulting in a 15 month sanction.

ASADA along with the World Anti-Doping Agency (WADA) and the International Cycling Union (UCI) appealed the decision to the CAS Appeal Division on the grounds that the athlete had not demonstrated no significant fault or negligence.

In upholding the appeal of ASADA, WADA and the UCI, the CAS Appeals Panel found significant fault and negligence on the part of Mr O'Neill in ingesting Phentermine before competition and then competing whilst the substance was in his system.

In determining the matter, the CAS wrote, "Also of importance is the evidence from Mr O'Neill that he took the risk because he was of the view that without Phentermine he was not going to be competitive. Mr O'Neill therefore self-medicated with a view of gaining a competitive advantage."

The CAS decision also reminded athletes of their obligations under anti-doping rules by stating, "This rule violation and the circumstances surrounding the breach brings into focus once again the rigorous standard of care required from an athlete competing at national and international levels. Athletes have to ensure that no prohibited substance is in his/her body in-competition. An athlete must exercise the utmost care to that end."

The new sanction, effective from the day the original sanction was imposed, means that Mr O'Neill is not eligible to compete until 13 June 2010.

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