

IN THE MATTER OF UK ATHLETICS DISCIPLINARY PROCEEDINGS
BEFORE THE DISCIPLINARY COMMITTEE

UK ATHLETICS LTD (Complainant)

and

ANDREW BUTCHART (Respondent)

Statement of Disciplinary Committee Decision

Hearing date 8th July 2021

This is the written decision statement of a Disciplinary Committee Decision arising from a hearing held via zoom on Thursday 8th July 2021 in accordance with the The Complainant's Disciplinary Rules and Procedures

Appeal Board [REDACTED] (Chairperson) [REDACTED] [REDACTED]

Complainant UK Athletics Ltd (represented by [REDACTED] of Counsel)

Respondent Andrew Butchart (represented by [REDACTED] of Counsel)

This was a hearing pursuant to complaints made by the Complainant against the Respondent (an Elite Athlete and a member of The Complainant's World Class Programme) arising out of a podcast made by the Respondent and broadcast on Sunday 27th June 2021 which the Complainant alleged breached certain provisions of The Respondent's Athlete Agreement with the Complainant and amounted to Misconduct within the Rules of the Complainant and further that within the podcast the Respondent had allegedly admitted to falsifying a PCR Test which also amounted to Misconduct.

There were two charges:-

1. That on or around the week of 21st June 2021 the Respondent participated in a podcast and made certain statements which were more fully set out in the letter of charge of 1st July 2021 and in so doing behaved in a manner which was disgraceful to or opposed to the general interest of The Complainant or the sport of athletics or which brought the sport into disrepute and which was behaviour which was otherwise considered by the Complainant to be unacceptable and contrary to the conduct expected of a person participating in athletics contrary to clause 2.1)v) of the Complainant's Rules and Dispute Resolution and Disciplinary Proceedings and clauses 9.1(9.1.1 to 9.1.5) of the Complainant's World Class Programme Athlete Agreement to which the Respondent was a party.

2. That on a date unknown at a location unknown whilst travelling for athletics purposes the Respondent falsified a PCR test form and in so doing behaved in a manner which was disgraceful or opposed to the general interests of the Complainant or the sport of athletics or which brought the sport into disrepute or which was behaviour that was otherwise considered by the Complainant to be unacceptable and contrary to the conduct expected of a person participating in athletics contrary to clause 2.1 (iv) of the Complainant's Disciplinary Rules and Dispute Resolution and Disciplinary Procedures and clause 9.1 (9.1.1 to 9.1.5) of the Complainant's World Class Programme Athlete Agreement to which the Respondent was a party

The Committee upheld the complaints of the Complainant in respect of Charge 1 as set out above in their entirety. However, even though the Committee at times doubted the veracity of the evidence given by The Respondent it felt that the evidence produced by the Complainant fell short of the proof required for them to find that he had actually falsified a PCR Test and therefore did not uphold the complaint of The Complainant in respect of Charge 2

The Committee was made aware of the urgency of publishing its decision given the impending Olympics in Tokyo for which the Respondent has been selected to represent his country. Consequently, full reasons for its decisions will be provided within the next 7 days.

Meanwhile, pursuant to the Powers of The Disciplinary Committee as set out on Part B Clause 5 of the Complainant's Disciplinary Procedure which sets out specific sanctions and also gives the Committee the power without limitation to impose such sanctions as it thinks fit where a complaint is upheld, the Committee in exercising sanction 5(iv) (a) has decided that Respondent is suspended forthwith from competition (or official participation within athletics) or from taking part in any event sanctioned by the Complainant for a period of 12 months from the date of this decision such suspension itself to be suspended for a period of 24 months. The Respondent is also fined the sum of £5000 to be paid within 28 days and if not so paid to be deducted from WCP funding. The Respondent is also warned as to his future conduct and ordered to provide a written apology to the Complainant in a form to be approved by the Complainant such apology to be provided within 7 days and to be published on the Complainant's website or wherever else the Complainant may think appropriate.

Dated this 9th day of July 2021



(Chairperson)