Tribunal Arbitral du Sport



Court of Arbitration for Sport

MEDIA RELEASE

ANTI-DOPING – TENNIS

THE COURT OF ARBITRATION FOR SPORT (CAS) INCREASES THE SUSPENSION OF ITALIAN TENNIS PLAYER SARA ERRANI

Lausanne, 11 June 2018 – The Court of Arbitration for Sport (CAS) has issued its decision in the appeals filed by the Italian national anti-doping agency (Nado Italia), on one hand, and by the Italian tennis player Sara Errani (the Athlete), on the other hand, against the decision taken on 3 August 2017 by the Independent Tribunal of the International Tennis Federation (ITF) in which Sara Errani admitted an anti-doping rule violation and was sanctioned with a two-month period of ineligibility and the disqualification of the results she achieved in the period from 16 February 2017 to 7 June 2017.

The CAS Panel upheld Nado Italia's appeal and imposed a ten-month period of ineligibility, effective immediately. The period of ineligibility of two months served from 3 August 2017 through 2 October 2017 will be credited against the total period of ten months.

The appeal filed by Sara Errani was dismissed by the CAS Panel.

On 16 February 2017, Sara Errani underwent an out of competition doping control at her family home. Analysis of the sample revealed the presence of letrozole, a prohibited substance in the family of "Hormones and Metabolic Modulators" on the 2017 WADA Prohibited List (section S4). During the proceedings before the ITF and the CAS, Sara Errani did not contest the presence of letrozole. The tribunal of the ITF imposed a period of ineligibility of two months and disqualified the results achieved in the period 16 February 2017 to 7 June 2017.

On 23 August 2017, Nado Italia and Sara Errani filed appeals at the CAS challenging different elements of the first-instance decision. Nado Italia sought the imposition of a period of ineligibility between two and twenty-four months, whereas Sara Errani sought to overturn the disqualification of the results achieved in the period 16 February 2017 to 7 June 2017.

The CAS Panel in charge of this matter held a hearing in the presence of the parties in November 2017 at the CAS headquarters in Lausanne, Switzerland.

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With respect to Nado Italia's appeal, the Panel accepted that the Athlete established, by a balance of probability, like the ITF Tribunal did, that the source of letrozole found in her sample was medication taken by her mother that found its way into the family meal prepared by the Athlete's mother and eaten by the entire family, including the Athlete on 13 and/or 14 February 2017.

The Panel concluded that the Athlete's personal departure from the objective and subjective standards of care, expected to be exercised by her, together with her mother's fault which is imputed to her, amounted to a light degree of fault, however it its upper range, and determined that a period of ineligibility of ten months is to be imposed on the Athlete.

In relation to Sara Errani's appeal, the Panel noted that the Athlete was warned in the Notice of Charge by the ITF dated 18 April 2017 that by not accepting a voluntary suspension immediately, she took the risk of a disqualification of results *a posteriori*.