

ISSUED DECISION

In the Matter of:

UK ANTI-DOPING LIMITED

and

TERRY BRIDGE

Relating to:

Disciplinary Proceedings under the Anti-Doping Rules of the Rugby Football League

This is an Issued Decision as between UK Anti-Doping Limited (“UK Anti-Doping”) and Mr Terry Bridge (the “Athlete”) relating to an Anti-Doping Rule Violation arising from the Rugby Football League (“RFL”) Anti-Doping Rules (the “Anti-Doping Rules” or “ADR”).

Background and Facts

1. UK Anti-Doping is the National Anti-Doping Organisation for the UK. It is responsible for managing the results of doping matters pertaining to the Anti-Doping Rules of the RFL, the governing body for the sport of rugby league in Great Britain.
2. The Athlete is a 24-year-old rugby league player for Oldham Rugby League Football Club. At all material times he was a participant in the sport of rugby league and subject to the Anti-Doping Rules.

The Charge

3. ADR 2 relevantly provides:

“Article 2: Anti-Doping Rule Violations

Each of the acts or omissions set out in Articles 2.1 to 2.8 shall constitute an Anti-Doping Rule Violation under these Rules:

2.6 Possession of Prohibited Substances and/or Prohibited Methods.

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.”

4. On 2 July 2012, the Athlete was charged by UK Anti-Doping with the commission of Anti-Doping Rule Violations pursuant to ADR Rules 2.6 and 2.7 relating to matters occurring between January and March, 2011. The charge explained the facts relied on in support of the allegation, the details of the charge and the consequences of an admission or proof of

an Anti-Doping Rule Violation. The Athlete was Provisionally Suspended from this date.

5. In particular, the Athlete was charged with Possession of boldenone; clenbuterol; drostanolone; methandienone; nandrolone; oxandrolone; oxymetholone; stanozolol; tamoxifen; testosterone and trenbolone. The Athlete was also charged with Trafficking in clenbuterol; human Growth Hormone; oxymetholone; testosterone and trenbolone (the "Controlled Drugs").
6. The Controlled Drugs are each included on the World Anti-Doping Agency 2011 Prohibited List (the "Prohibited List") in the following categories:
 - a. S1.1(a): Exogenous Anabolic Androgenic Steroids: boldenone; drostanolone; methandienone; nandrolone; oxandrolone; oxymetholone; stanozolol and trenbolone;
 - b. S1.1(b): Endogenous AAS administered exogenously: testosterone;
 - c. S1.2: Other Anabolic Agents: clenbuterol;
 - d. S2: Peptide Hormones, Growth Factors and Related Substances: human Growth Hormone; and
 - e. S4.2: Hormone Antagonists and Modulators: tamoxifen.
7. On 9 August 2012, the Athlete admitted the charges in writing.

Consequences

8. RFL ADR 10.2 provides:

"10.2 Imposition of a Period of Ineligibility for the Presence, Use or Attempted Use, or Possession of Prohibited Substances and/or Prohibited Methods

For an Anti-Doping Rule Violation under Article 2.1 (presence of a Prohibited Substance or its Metabolites or Markers), Article 2.2 (Use or Attempted Use of a Prohibited Substance or Prohibited Method) or Article 2.6 (Possession of a Prohibited Substance and/or a Prohibited Method) that is the Participant's first violation, a period of Ineligibility of two years shall be imposed, unless the conditions for eliminating or reducing the period of Ineligibility (as specified in Article 10.4 and/or Article 10.5) or for increasing the period of Ineligibility (as specified in Article 10.6) are met."

9. ADR 10.3.3 provides:

"10.3.3 Imposition of a Period of Ineligibility for Other Anti-Doping Rule Violations

For an Anti-Doping Rule Violation under Article 2.7 (Trafficking or Attempted Trafficking) or Article 2.8 (Administration or Attempted Administration of a Prohibited Substance or Prohibited Method, etc) that is the Participant's first violation, a period of Ineligibility of at least four (4) years but up to a lifetime shall be imposed, unless the conditions for eliminating or reducing the period of Ineligibility as set out in Article 10.5 are met..."

10. Where an Athlete is found to have committed a first Anti-Doping Violation under ADR 2.6, a period of Ineligibility of two years must be imposed pursuant to ADR 10.2. Where an Athlete commits a first Anti-Doping Rule Violation under ADR 2.7, a period of Ineligibility of four years to life must be imposed.
11. The matters pertaining to the Notice of Charge dated 2 July 2012 are the Athlete's first doping offences.
12. The Athlete did not seek any mitigation of sanction under ADR 10.5.1 or 10.5.2.

13. Given that the Athlete has admitted two separate Anti-Doping Rule Violations, the provisions of ADR 10.7.4 are relevant. ADR 10.7.4 provides:

“10.7.4 Additional rules for certain potential multiple offences:

a. A second Anti-Doping Rule Violation may only be considered for the purposes of imposing sanctions under Article 10.7 if the NADO can establish that the Participant committed the second Anti-Doping Rule Violation after he/she received notice, or after the NADO or its designee made a reasonable attempt to give notice, of the first Anti-Doping Rule Violation. Otherwise, the Anti-Doping Rule Violations shall be considered as one single first Anti-Doping Rule Violation, and the sanction imposed shall be based on the Anti-Doping Rule Violation that carries the more severe sanction. However, the occurrence of multiple Anti-Doping Rule Violations may be considered as a factor in determining aggravated circumstances under Article 10.6.”

14. The Athlete has committed multiple anti-doping rule violations. However, because the subsequent violations did not occur prior to the Athlete having received notice of the first violation, the provisions of ADR 10.7.4 regarding all violations being considered as one single violation must apply.
15. The impact of this provision as far as Consequences are concerned is that the Athlete should receive the greater of the sanctions applicable to ADR 2.6 and 2.7, notwithstanding that multiple anti-doping rule violations have been committed. The greater sanction as between Possession and Trafficking is Trafficking.
16. Based on all the evidence made available to it, including that provided by the Athlete, and in consideration of the Athlete’s admission and cooperation, UK Anti-Doping specifies the Consequences relating to the Anti-Doping Rule Violation to be a period of Ineligibility of four (4) years.

Start date of sanction

17. ADR Article 10.9 relevantly provides:

“10.9 Commencement of Ineligibility period

10.9.1 Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Participant charged, the period of Ineligibility may be deemed to have started at an earlier date, commencing as far back as the date that the Anti-Doping Rule Violation last occurred...

10.9.2 Where the Participant promptly (which means, in any event, before he/she participates again) admits the Anti-Doping Rule Violation after being confronted with it, the period of Ineligibility may be deemed to have started at an earlier date, commencing as far back as the date the Anti-Doping Rule Violation last occurred...”

18. The Athlete submitted that ADR Art 10.9 be applied to back-date the commencement of his period of Ineligibility. UK Anti-Doping carefully considered the start date for the Athlete’s sanction, and has applied its discretion under ADR 10.9.1 to back-date the Athlete’s period of Ineligibility.
19. As such, the period of Ineligibility shall commence on 6 February 2012, and will expire at midnight on 5 February 2016.

Decision

20. ADR 7.5.4 relevantly provides:

In the event that the Participant admits the Anti-Doping Rule Violation(s) charged and accedes to the Consequences specified by the NADO..., the NADO shall promptly issue a decision confirming the commission of the Anti-Doping Rule Violation(s) and the imposition of the specified Consequences, shall send notice of the decision to the Participant and to each Interested Party, and shall publish the decision in accordance with Article 14.

21. The Athlete has admitted the Anti-Doping rule Violations as charged.

22. ADR 10.8 provides:

"Unless fairness requires otherwise, in addition to the automatic Disqualification of results under Article 9.1 and Article 10.1, any other results obtained by the Athlete, in Competitions taking place after the date the Sample in question was collected or other Anti-Doping Rule Violation occurred, shall be Disqualified, with all of the resulting consequences, including forfeiture of any medals, titles, points and prizes."

23. The Athlete has not competed in any competition in which he has obtained individual results: ADR 10.8 does not therefore apply.

24. The Athlete, the RFL, the RLIF and the World Anti-Doping Agency have a right of appeal against this Decision or any part of it in accordance with ADR 13.

25. The disposition of these proceedings on the terms set out above will be publicly announced via UK Anti-Doping's website media release after any appeal period by third parties has expired and no appeal has been filed, or any appeal has been finalised.

SUMMARY

26. Accordingly, for the reasons given above, UK Anti-Doping has issued this Decision, pursuant to ADR 7.5.4, which records that:

- a. Anti-Doping Rule Violations in accordance with ADR 2.6 and 2.7 have been established;
- b. A period of Ineligibility of four years shall be the Consequences imposed pursuant to Anti-Doping Rules 10.2 and 10.3;
- c. That period of Ineligibility is deemed to have commenced as from 6 February 2012, and will end at midnight on 5 February 2016; and
- d. The Athlete's status during this period of Ineligibility shall be as set out in Article 10.10.

27. During the period of Ineligibility, in accordance with Anti-Doping Rule 10.10.1, the Athlete shall not be permitted to participate in any capacity in a competition or other activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened or authorised by:

- i. the RFL or by any body that is a member of, or affiliated to, or licensed by the RFL;
- ii. any Signatory (as that term is defined in the Anti-Doping Rules);
- iii. any club or other body that is a member of, or affiliated to, or licensed by, a Signatory or a Signatory's member organisation; or

iv. any professional league or any international- or national-level Event organisation.

Dated this 26th day of September, 2012.