

## Issued Decision

# UK Anti-Doping and Daniel Bridge

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

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This is an Issued Decision made by UK Anti-Doping Limited ('UKAD') pursuant to the Anti-Doping Rules (the 'ADR') of the Rugby Football League ('RFL'). It concerns a violation of the ADR committed by Mr Daniel Bridge and records the applicable Consequences.

Capitalised terms used in this Decision shall have the meaning given to them in the ADR unless otherwise indicated.

### Background and Facts

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1. The RFL is the national governing body for the sport of rugby league in England. UKAD is the National Anti-Doping Organisation for the United Kingdom.
2. Mr Bridge is a 27-year old rugby league player who was registered to play for Oldham RLFC. At all material times in this matter, Mr Bridge was subject to the jurisdiction of the RFL and bound to comply with the ADR. Pursuant to the ADR, UKAD has results management responsibility in respect of all players subject to the jurisdiction of the RFL.
3. On 16 February 2020, UKAD collected an In-Competition urine Sample from Mr Bridge following a Championship match between Whitehaven RLFC and Oldham RLFC at Recreation Ground, Coach Road, Whitehaven. The Sample was separated into two bottles which were given the reference numbers A1157229 (the 'A Sample') and B1157229 (the 'B Sample').
4. Both Samples were transported to the World Anti-Doping Agency ('WADA') accredited laboratory, the Drug Control Centre, King's College London (the 'Laboratory'). The A Sample was analysed in accordance with the procedures set out in WADA's International Standard for Laboratories. The analysis of Mr Bridge's A Sample returned an Adverse Analytical Finding ('AAF') for benzoylecgonine (a metabolite of cocaine).
5. Cocaine is listed under section S6a of the WADA 2020 Prohibited List as a Stimulant. It is a non-Specified Substance that is prohibited In-Competition only.
6. Mr Bridge did not have a Therapeutic Use Exemption.

7. On 2 April 2020 UKAD issued Mr Bridge with a Notice of Charge ('the Charge') and a Provisional Suspension. The Charge alleged the commission of an Anti-Doping Rule Violation ('ADRV') pursuant to ADR Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample).

### **Admission and Consequences**

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8. On 14 April 2020 Mr Bridge formally admitted committing an ADRV pursuant to ADR Article 2.1 in his initial response to the Charge.
9. ADR Article 2.1 states as follows:

*The following constitute Anti-Doping Rule Violations:*

- 2.1 ***Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample, unless the Athlete establishes that the presence is consistent with a TUE granted in accordance with Article 4***

10. ADR Article 10.2 states as follows:

- 10.2 ***Imposition of a Period of Ineligibility for the Presence, Use or Attempted Use, or Possession of a Prohibited Substance and/or a Prohibited Method***

*The period of Ineligibility for an Anti-Doping Rule Violation under Article 2.1, 2.2 or 2.6 that is the Athlete's or other Person's first anti-doping offence shall be as follows, subject to potential reduction or suspension pursuant to Article 10.4, 10.5 or 10.6:*

*10.2.1 The period of Ineligibility shall be four years where:*

- (a) *The Anti-Doping Rule Violation does not involve a Specified Substance, unless the Athlete or other Person can establish that the Anti-Doping Rule Violation was not intentional.*
- (b) *[...]*

*10.2.2 If Article 10.2.1 does not apply, the period of Ineligibility shall be two years.*

11. With regards to the meaning of 'intentional', ADR Article 10.2.3. states as follows:

*10.2.3 As used in Articles 10.2 and 10.3, the term "intentional" is meant to identify those Athletes or other Persons who cheat. The term, therefore, requires that the Athlete or other Person engaged in conduct which he or she knew constituted an Anti-Doping Rule Violation or knew that there was a significant risk that the conduct might constitute or result in an Anti-Doping Rule Violation and manifestly disregarded that risk...An Anti-Doping*

*Rule Violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall not be considered "intentional" if the substance is not a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition in a context unrelated to sport performance.*

12. ADR Article 10.2.1.(a) therefore provides that since cocaine is a non-Specified Substance that is prohibited In-Competition only, the period of Ineligibility shall be four years, unless Mr Bridge can establish on the balance of probability that his violation of ADR Article 2.1 was not intentional. If Mr Bridge can establish that his ingestion of cocaine took place Out-of-Competition and in a context unrelated to sport performance, his ADRV shall not be considered intentional and the period of Ineligibility shall be two years.
13. Mr Bridge provided an explanation for his ADRV in his further response dated 22 June 2020. In his response Mr Bridge explains that during the afternoon of 14 February 2020 (two days before Sample collection) he was out at a pub and drinking alcohol with his friend. Mr Bridge asserts that he intranasally ingested two lines of cocaine; the first line at approximately 5:00pm and the second line at approximately 5.30pm. Mr Bridge submits that this was the final time he ingested cocaine prior to the match on 16 February 2020.
14. On the basis of the account provided by Mr Bridge, UKAD sought an opinion from Professor David Cowan OBE, former Director of the Laboratory. Professor Cowan considered Mr Bridge's account and confirmed that in his professional opinion, the concentration of benzoylecgonine in Mr Bridge's Sample is in keeping with Out-of-Competition ingestion of cocaine.
15. In light of the opinion provided by Professor Cowan, UKAD accepts the account given by Mr Bridge and is satisfied that Mr Bridge did not act intentionally, as that term is defined in ADR Article 10.2.3. That is, Mr Bridge's ingestion of cocaine, on the balance of probability, took place Out-of-Competition in a context unrelated to sport performance. The period of Ineligibility to be applied in these circumstances is two years.
16. The period of Ineligibility can be reduced if Mr Bridge can establish that he acted with No Significant Fault or Negligence in accordance with ADR Article 10.5.2.
17. ADR Article 10.5.2 states as follows:

**10.5 Reduction of the period of Ineligibility based on No Significant Fault or Negligence**

**10.5.1 [...]**

*10.5.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.5.1: In an individual case where Article 10.5.1 is not applicable, if an Athlete or other Person establishes that he/she bears No Significant Fault or Negligence, then (subject to further reduction or elimination as provided in Article 10.6) the otherwise applicable period of Ineligibility may be reduced based on the Athlete's or other Person's degree of Fault, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable...*

18. Fault is defined in the ADR as follows:

*Fault is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an Athlete or other Person's degree of Fault include, for example, the Athlete's or other Person's experience, whether the Athlete or other Person is a Minor, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of care and investigation exercised by the Athlete in relation to what should have been the perceived level of risk. In assessing the Athlete's or other Person's degree of Fault, the circumstances considered must be specific and relevant to explain the Athlete's or other Person's departure from the expected standard of behaviour. Thus, for example, the fact that an Athlete would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact that the Athlete only has a short time left in his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.5.1 or 10.5.2.*

19. No Significant Fault or Negligence is defined in the ADR as follows:

*The Athlete or other Person establishing that his or her Fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relation to the Anti-Doping Rule Violation. Except in the case of a Minor, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his/her system.*

20. UKAD has considered Mr Bridge's responses and representations in full. UKAD's position in respect of ADR Article 10.5.2 is that Mr Bridge has not established that he bore No Significant Fault or Negligence. Therefore no reduction is to be applied to Mr Bridge's period of Ineligibility.

21. In these circumstances, Mr Bridge accepts that the period of Ineligibility to be applied is two years.

### **Commencement of period of Ineligibility**

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22. ADR Article 10.11 requires that the period of Ineligibility starts on the date Ineligibility is accepted or otherwise imposed where there is no hearing.

23. However, ADR Article 10.11.2 allows for the period of Ineligibility to start as early as the date of Sample collection (in Mr Bridge's case, 16 February 2020) where there is a timely admission of the ADRV.
24. Mr Bridge was charged on 2 April 2020. Mr Bridge accepted the ADRV in his initial response to UKAD dated 14 April 2020. UKAD considers this to be a timely admission and therefore ADR Article 10.11.2 applies. As such, the period of Ineligibility is therefore deemed to have commenced on 16 February 2020 and will expire at midnight on 15 February 2022.

### **Status during Ineligibility**

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25. During the period of Ineligibility, in accordance with ADR Article 10.12.1 Mr Bridge shall not be permitted to participate in any capacity in any Competition, Event or other activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened, authorised or recognised by:
  - a. The RFL or any body that is a member of, or affiliated to, or licensed by the RFL;
  - b. Any Signatory;
  - c. Any club or other body that is a member of, or affiliated to, or licensed by a Signatory or a Signatory's member organisation;
  - d. Any professional league or any international-level or national-level Event organisation; or
  - e. Any elite or national-level sporting activity funded by a governmental agency.
26. Mr Bridge may return to train with a team or to use the facilities of a club or other member organisation of the RFL or a Signatory's member organisation during the last two months of his period of Ineligibility (i.e. from midnight on 15 December 2021) pursuant to ADR Article 10.12.4(b).

### **Summary**

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27. For the reasons given above, UKAD has issued this Decision in accordance with ADR Article 7.7.4 and records that:
  - a. Mr Bridge has committed an ADRV pursuant to ADR Article 2.1;
  - b. A period of Ineligibility of two years is imposed pursuant to ADR Article 10.2.2;
  - c. Acknowledging his timely admission pursuant to ADR Article 10.11.2, Mr Bridge's period of Ineligibility is deemed to have commenced on 16 February 2020 and will expire at midnight on 15 February 2022; and

- d. Mr Bridge's status during the period of Ineligibility shall be as detailed in ADR Article 10.12.
- 28. Mr Bridge, the RFL, International Rugby League and WADA have a right to appeal against this decision or any part of it in accordance with ADR Article 13.4.
- 29. This Issued Decision will be publicly announced via UKAD's website in accordance with ADR Articles 8.4.3 and 14.1.2.

**4 December 2020**

## Supplementary Issued Decision

# UK Anti-Doping and Daniel Bridge

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

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This is a Supplementary Issued Decision made by UK Anti-Doping Limited ('UKAD') pursuant to the Anti-Doping Rules of the Rugby Football League ('RFL'). It concerns a violation of the Anti-Doping Rules committed by Mr Daniel Bridge and is supplementary to the Issued Decision dated 4 December 2020.

The 2021 World Anti-Doping Code and the 2021 UK Anti-Doping Rules (the '2021 ADR') came into effect on 1 January 2021. Mr Bridge applied to UKAD on 8 January 2021 to reduce his period of Ineligibility in light of a *lex mitior* in the 2021 ADR. This Supplementary Issued Decision records UKAD's decision on that application and the applicable Consequences.

Capitalised terms used in this Decision shall have the meaning given to them in the 2021 ADR unless otherwise indicated.

### Background

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1. On 4 December 2020 UKAD issued a Decision imposing a period of Ineligibility of two years on Mr Bridge, a rugby league player registered with Oldham RLFC, as a result of Mr Bridge committing an Anti-Doping Rule Violation ('ADRV') pursuant to the UK Anti-Doping Rules<sup>1</sup> (the '2019 ADR').
2. Mr Bridge committed an ADRV pursuant to Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample) of the 2019 ADR. The Prohibited Substance present in his Sample was benzoylecgonine (a metabolite of cocaine).
3. On the basis of the explanation provided by Mr Bridge for his ADRV and in light of the opinion UKAD received from Professor David Cowan OBE, former Director of the Drug Control Centre, King's College London, UKAD accepted the account given by Mr Bridge. UKAD was satisfied that Mr Bridge had established on the balance of probability that his ADRV was not intentional and that his ingestion of cocaine took place Out-of-Competition in a context unrelated to sport performance (applying the definition of Out-of-Competition and meaning of 'intentional' in Article 10.2.3 of the 2019 ADR).

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<sup>1</sup> UK Anti-Doping Rules, Version 2.0, in effect as from 1 October 2019.

4. Mr Bridge's two-year period of Ineligibility was deemed to have commenced on 16 February 2020 and is to therefore expire on 15 February 2022.

#### **The 2021 World Anti-Doping Code and 2021 ADR**

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5. The 2021 World Anti-Doping Code and the 2021 ADR came into effect on 1 January 2021 (the 'Effective Date').
6. In accordance with Article 27.3 of the 2021 World Anti-Doping Code, Article 1.6.2(e) of the 2021 ADR allows an Athlete still serving a period of Ineligibility as of the Effective Date, to apply to UKAD for a reduction to their period of Ineligibility in light of a *lex mitior* in the 2021 ADR. Article 1.6.2(e) of the 2021 ADR provides:

*...Where a final decision finding an Anti-Doping Rule Violation has been rendered prior to the Effective Date, but the Athlete or other Person is still serving the period of Ineligibility as of the Effective Date, the Athlete or other Person may apply to UKAD before the period of Ineligibility has expired to reduce the period of Ineligibility in light of a lex mitior in these Rules...*

7. The 2021 Prohibited List classifies cocaine as a 'Substance of Abuse'.
8. Article 10.2.4 of the 2021 ADR provides:

*Notwithstanding any other provision in Article 10.2, where the Anti-Doping Rule Violation involves a Substance of Abuse:*

*(a) If the Athlete can establish that any ingestion or Use occurred Out-of-Competition and was unrelated to sport performance, the period of Ineligibility shall be three (3) months; provided that it may be further reduced to one (1) month if the Athlete satisfactorily completes a Substance of Abuse treatment program approved by UKAD. The period of Ineligibility established in this Article 10.2.4(a) is not subject to any reduction pursuant to Article 10.6...*

9. Out-of-Competition is defined in the 2021 ADR as:

*Any period which is not In-Competition.*

10. In-Competition is defined in the 2021 ADR as:

*The period commencing at 11:59 p.m. on the day before a Competition in which the Athlete is scheduled to participate through the end of such Competition and the Sample collection process related to such Competition; provided, however, that WADA may approve, for a particular sport, an*



*alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport. Upon such approval by WADA, the alternative definition shall be followed by all Major Event Organisations for that particular sport.*

11. Accordingly, in relation to a Substance of Abuse, a period of Ineligibility of three (3) months applies under Article 10.2.4 of the 2021 ADR, where an Athlete can establish that ingestion occurred Out-of-Competition and was unrelated to sport performance.

### **Application of the 2021 ADR to Mr Bridge's ADRV**

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12. Mr Bridge is still serving the two-year period of Ineligibility imposed on him by UKAD's Issued Decision dated 4 December 2020.
13. UKAD is satisfied that Mr Bridge's ingestion of cocaine took place Out-of-Competition (as defined in the 2021 ADR) and was unrelated to sport performance.
14. In accordance with Articles 1.6.2(e) and 10.2.4 and a *lex mitior* in the 2021 ADR, UKAD therefore reduces Mr Bridge's period of Ineligibility from two years to three (3) months.
15. Mr Bridge's period of Ineligibility commenced on 16 February 2020. Mr Bridge has already served a period of Ineligibility of over 10 months. Accordingly, Mr Bridge's period of Ineligibility expires forthwith on 8 January 2021.

### **Summary**

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16. For the reasons given above, UKAD has considered Mr Bridge's application, period of Ineligibility and issued this Supplementary Issued Decision which records that:
  - a. Mr Bridge is still serving the period of Ineligibility imposed on him by UKAD's Issued Decision dated 4 December 2020;
  - b. Mr Bridge applied to UKAD on 8 January 2021 to reduce his period of Ineligibility in light of a *lex mitior* in the 2021 ADR;
  - c. In accordance with Articles 1.6.2(e) and 10.2.4 of the 2021 ADR Mr Bridge's period of Ineligibility is reduced from two years to three (3) months; and
  - d. Given that Mr Bridge has served over 10 months of his period of Ineligibility, Mr Bridge's period of Ineligibility expires forthwith on 8 January 2021.

17. Mr Bridge, the RFL, International Rugby League and WADA have a right to appeal against this decision or any part of it in accordance with 2021 ADR Article 13.4.
18. This Supplementary Issued Decision will be publicly announced via UKAD's website in accordance with 2021 ADR Articles 8.5.3 and 14.1.3.

**8 January 2021**