

Issued Decision

UK Anti-Doping and Caine Rees-Jones

Disciplinary Proceedings under the Anti-Doping Rules of the Welsh Rugby Union

This is an Issued Decision made by UK Anti-Doping Limited ('UKAD') pursuant to the Anti-Doping Rules ('ADR') of the Welsh Rugby Union ('WRU'). It concerns Anti-Doping Rule Violations ('ADRVs') committed by Mr Rees-Jones 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

1. The WRU is the national governing body for rugby union in Wales. UKAD is the National Anti-Doping Organisation ('NADO') for sport in the United Kingdom. The WRU has adopted, as its own ADR, the UK Anti-Doping Rules¹, which are issued by UKAD and are subject to updates made by UKAD, as necessary and in accordance with the World Anti-Doping Code.
2. Mr Rees-Jones is a 22-year-old rugby union player, with his last registered club being Llanelli Wanderers. At all material times in this matter, Mr Rees-Jones was subject to the jurisdiction of the WRU and bound to comply with the ADR. Pursuant to ADR Article 7.2, UKAD has Results Management responsibility in respect of all players that are subject to the jurisdiction of the WRU.
3. On 26 March 2024, a UKAD Doping Control Officer ('DCO') collected a urine Sample from Mr Rees-Jones Out-of-Competition at a Llanelli Wanderers training session at Stradey Park Avenue, Llanelli, SA15 3EF.
4. Assisted by the DCO in attendance, Mr Rees-Jones split the urine Sample into two separate bottles which were given reference numbers A1194189 (the 'A Sample') and B1194189 (the 'B Sample').
5. 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

¹ Version 1.0, in effect as from 1 January 2021

in WADA's International Standard for Laboratories and Technical Document for the Measurement and Reporting of Endogenous Anabolic Androgenic Steroid Markers of the Urinary Steroid Profile ('TD2021EAAS') and found to have a testosterone epitestosterone ratio ('T/E ratio') of 21.91.

6. As a result, the A Sample was sent to the WADA accredited laboratory in Rome, Laboratorio Antidoping FMSI (the 'Rome Laboratory'), and underwent further analysis by way of Gas Chromatography / Combustion / Isotope-Ratio Mass Spectrometry ('GC/C/IRMS') to determine the origin of testosterone within the A Sample.
7. GC/C/IRMS analysis of the A Sample was conducted by the Rome Laboratory in accordance with the procedures set out in WADA's Technical Document for the Detection of Synthetic Forms of Prohibited Substances by IRMS ('TD2022IRMS'). The results of the GC/C/IRMS analysis were consistent with exogenous origin of testosterone and the following Metabolites:
 - a) 5 α -androstane-3 α , 17 β -diol ('5 α Adiol');
 - b) 5 β -androstane-3 α , 17 β -diol ('5 β Adiol');
 - c) Androsterone; and
 - d) Etiocholanolone

and therefore, amounted to an Adverse Analytical Finding ('AAF').

8. Testosterone is listed under Section 1.1 of the 2024 WADA Prohibited List as an Anabolic Androgenic Steroid when administered exogenously. It is a non-Specified Substance that is prohibited at all times (both In- and Out-of-Competition) when administered exogenously.
9. Mr Rees-Jones did not have a Therapeutic Use Exemption ('TUE') for testosterone.
10. On 18 June 2024, UKAD sent Mr Rees-Jones a notification letter (the 'Notice'). The Notice confirmed the imposition of a Provisional Suspension and formally notified Mr Rees-Jones, in accordance with ADR Article 7.8, that he may have committed ADRVs pursuant to ADR Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample) and/or ADR Article 2.2 (Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method).
11. On 28 June 2024, Mr Rees-Jones responded to the Notice and admitted that he had used testosterone, stating that he took it for aesthetic purposes unrelated to sports performance.

12. On 9 July 2024, UKAD proceeded to issue Mr Rees-Jones with a Charge Letter in accordance with ADR Article 7.11.2. The Charge Letter asserted the commission of ADRVs pursuant to Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample) and/or Article 2.2 (Use of a Prohibited Substance) (the 'Charges').

Admission and Consequences

13. On 19 July 2024, Mr Rees-Jones responded to the Charge Letter. He admitted both ADRVs and confirmed that he had used testosterone.

14. ADR Article 2.1 provides that the following is an ADRV:

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.

15. ADR Article 2.2 provides that the following is an ADRV:

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method, unless the Athlete establishes that the Use or Attempted Use is consistent with a TUE granted in accordance with Article 4.

16. ADR Article 10.2 provides 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 elimination, reduction or suspension pursuant to Article 10.5, 10.6 or 10.7:

10.2.1 Save where Article 10.2.4(a) applies, the period of Ineligibility shall be four (4) years where:

(a) The Anti-Doping Rule Violation does not involve a Specified Substance or a Specified Method, 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, then (subject to Article 10.2.4(a)) the period of Ineligibility shall be two (2) years.

17. In accordance with ADR Article 10.2.1(a), since this matter concerns a non-Specified Substance, the period of Ineligibility to be imposed shall be four (4) years, unless Mr

Rees-Jones can establish on the balance of probabilities, that the ADRVs were not intentional (within the meaning of ADR Article 10.2.3).

18. Within his responses to UKAD, Mr Rees-Jones has accepted responsibility for the presence of testosterone detected in his Sample and admits the ADRVs with which he has been charged. Mr Rees-Jones has not sought to establish that his ADRVs were not intentional (within the meaning of ADR Article 10.2.3). On the contrary, Mr Rees-Jones has admitted to having deliberately used testosterone. Accordingly, Mr Rees-Jones is not entitled to a two (2) year period of Ineligibility pursuant to ADR Article 10.2.2, or any reduction pursuant to ADR Article 10.5 (No Fault or Negligence) or ADR Article 10.6 (No Significant Fault or Negligence) thereafter.
19. For the purposes of imposing a sanction, the two ADRVs will be considered together as a single first violation, pursuant to ADR Article 10.9.4 which states as follows:

10.9.4 Additional rules for certain potential multiple offences:

- (a) *For the purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.4(b) and 10.9.4(c) an Anti-Doping Rule Violation will only be considered a second (or third, as applicable) Anti-Doping Rule Violation if UKAD can establish that the Athlete or other Person committed the additional Anti-Doping Rule Violation after they received notice, or after UKAD or its designee made a reasonable attempt to give notice, of the first (or the second, as applicable) Anti-Doping Rule Violation. Otherwise, the first and second Anti-Doping Rule Violations (or the second and third Anti-Doping Rule Violations as applicable 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 most severe sanction...*

20. The applicable period of Ineligibility is therefore four (4) years.

Application of ADR Article 10.8.1

21. ADR Article 10.8.1 provides:

10.8.1 One (1) year reduction for certain Anti-Doping Rule Violations based on early admission and acceptance of sanction:

Where UKAD sends an Athlete or other Person a Charge Letter for an Anti-Doping Rule Violation that carries an asserted period of Ineligibility of four (4) or more years (including any period of Ineligibility asserted under Article 10.4), if the Athlete or other Person admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving the Charge Letter, they shall receive a one (1) year reduction in the period of Ineligibility asserted by UKAD. Where the Athlete

or other Person receives the one (1) year reduction in the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.

22. Mr Rees-Jones admitted the ADRVs and accepted the asserted period of Ineligibility of four (4) years on 19 July 2024 (having been sent the Charge Letter on 9 July 2024). Accordingly, ADR Article 10.8.1 applies and Mr Rees-Jones shall receive a one (1) year reduction to the period of Ineligibility of four (4) years. The period of Ineligibility to be imposed is therefore three (3) years.

Commencement of period of Ineligibility

23. ADR Article 10.13 requires that the period of Ineligibility starts on the date Ineligibility is accepted or otherwise imposed where there is no hearing.
24. However, ADR Article 10.13.2 allows for credit to be given against the total period of Ineligibility to be served where an Athlete has been provisionally suspended and has respected the terms of that Provisional Suspension.
25. Mr Rees-Jones has been subject to a Provisional Suspension since the date of the Notice, i.e., since 18 June 2024, and as far as UKAD is aware he has respected the terms of that Provisional Suspension. Therefore, affording Mr Rees-Jones credit for the time he has spent provisionally suspended, his period of Ineligibility is deemed to have commenced on 18 June 2024 and will end at 11:59pm on 17 June 2027.

Status during Ineligibility

26. During the period of Ineligibility, in accordance with ADR Article 10.14.1, Mr Rees-Jones shall not be permitted to participate in any capacity (or assist any Athlete participating in any capacity) in a Competition, Event or other activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened, authorised or recognised by:
- a) The WRU;
 - 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 or national-level Event organisation;
or
 - e) Any elite or national-level sporting activity funded by a governmental agency.
27. Mr Rees-Jones may return to train with a team or to use the facilities of a WRU club or a Signatory's member organisation during the last two months of his period of Ineligibility (i.e. from 11:59pm on 17 May 2027) pursuant to ADR Article 10.14.4(b).

Summary

28. For the reasons given above, UKAD has issued this Decision in accordance with ADR Article 7.12.2, and records that:
- a) Mr Rees-Jones has committed ADRVs pursuant to ADR Articles 2.1 and 2.2;
 - b) In accordance with ADR Article 10.9.4(a) the ADRVs are considered as one single ADRV for the purposes of imposing a sanction;
 - c) This constitutes Mr Rees-Jones' first ADRV and in accordance with ADR Article 10.8.1, Mr Rees-Jones is entitled to a one (1) year reduction to the asserted period of Ineligibility of four (4) years. A period of Ineligibility of three (3) years is therefore imposed;
 - d) Acknowledging Mr Rees-Jones' Provisional Suspension, the period of Ineligibility is deemed to have commenced on 18 June 2024 and will expire at 11:59pm on 17 June 2027; and
 - e) Mr Rees-Jones' status during the period of Ineligibility shall be as detailed in ADR Article 10.14.
29. Mr Rees-Jones, the WRU, World Rugby, and WADA have a right to appeal against this Decision or any part of it in accordance with ADR Article 13.4.
30. This Decision will be publicly announced via UKAD's website in accordance with ADR Article 8.5.3 and ADR Article 10.15.

8 August 2024