

## 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**