



Issued Decision

Rugby Football Union and Aaron Lyle

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

This is an Issued Decision made by the Rugby Football Union ('RFU') pursuant to its Anti-Doping Rules ('ADR'). It concerns Anti-Doping Rule Violations ('ADRVs') committed by Mr Aaron Lyle contrary to the ADR 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 RFU is the national governing body for rugby union in England. World Rugby Regulation 21¹ ('WRR 21') was in effect at the time of the alleged ADRVs in this case and therefore serves as the substantive ADR which govern this case. From 1 January 2021, under an amended RFU Regulation 20, the RFU adopted the UK Anti-Doping Rules² ('UK ADR') to apply to Results Management carried out by UKAD. Accordingly, whilst WRR 21 will serve as the substantive anti-doping rules in this case, in accordance with UK ADR Article 1.6.2(d), the UK ADR will serve as the procedural rules in this case, unless the RFU determines that a *lex mitior* in the UK ADR in relation to Consequences should apply instead (i.e., if a less severe sanction is available under the UK ADR). Pursuant to ADR

¹ Versions dated January 2017, January 2018 and January 2019

² Version 1.0, in effect from 1 January 2021.

Article 1.3.4 (e), for the purposes of this case, UKAD has delegated Results Management responsibility to the RFU.

2. Mr Lyle is a 37-year-old former rugby union player for Market Harborough RUFC. At all material times in this matter, Mr Lyle was subject to the jurisdiction of the RFU and bound to comply with the ADR.
3. Between 11 May 2017 and 9 April 2019, officers with UK Border Force ('UKBF') seized packages containing a range of Prohibited Substances addressed to properties with links to Mr Lyle. Specifically, UKBF seized:

80 units of testosterone ('Sustanbolin 250mg') injections (240 ampoules total),

1900 oxymetholone 50mg tablets, and

426 vials of testosterone ('Testobolin 325mg').

4. Oxymethalone is listed under section S1.1 of the WADA 2017 Prohibited List as an Anabolic Agent. It is a non-Specified substance that is prohibited at all times.
5. Testosterone is listed under section S1.1 of the WADA 2017 Prohibited List as an Anabolic Agent. It is a non-Specified substance that is prohibited at all times.
6. On 5 May 2018, Mr Lyle was arrested by Leicestershire Police ('Police') who, following a search of Mr Lyle's property, found further Prohibited Substances, namely two boxes of metandienone and eight boxes of testosterone.
7. Metandienone is listed under section S1.1 of the WADA 2018 Prohibited List as an Anabolic Agent. It is a non-Specified substance that is prohibited at all times.
8. On 9 October 2020, following a Police investigation that included the seizure and download of Mr Lyle's mobile phone, Mr Lyle accepted a caution for possession with intent to supply Class C drugs.
9. Material from the Police investigation was provided to UKAD's Intelligence & Investigations team in April 2021, who proceeded to interview Mr Lyle. Mr Lyle confirmed to UKAD that he received packages on behalf of an unnamed person, knowing that they were steroids and that they would be supplied to others. He denied having any

other part in that supply. He also denied using steroids and stated the steroids seized from the addresses by Police belonged to somebody else. He said that he told Police in his interview that the steroids were for his own use because he did not want to admit to supplying them.

10. In April 2022, the download of Mr Lyle's mobile phone was reviewed by UKAD. This download provided evidence of Mr Lyle admitting to Using Prohibited Substances, as well as evidence of his involvement in the Possession, Trafficking and Attempted Trafficking of Prohibited Substances. Those Prohibited Substances include trenbolone, testosterone, metandienone, tamoxifen, nandrolone and oxandrolone.
11. Oxandrolone is listed under section S1.1 of the WADA 2018 Prohibited List as an Anabolic Agent. It is a non-Specified substance that is prohibited at all times.
12. Nandrolone is listed under section S1.1 of the WADA 2018 Prohibited List as an Anabolic Agent. It is a non-specified substance that is prohibited at all times.
13. Trenbolone is listed under section S1.1. of WADA 2018 Prohibited List as an Anabolic Agent. It is a Specified substance that is prohibited at all times.
14. Tamoxifen is listed under section S4.2 of the WADA 2018 Prohibited List as a Hormone and Metabolic Modulators . It is a Specified substance that is prohibited at all times.
15. Mr Lyle was invited to a second UKAD interview on 9 September 2022 in which he confirmed the mobile phone seized by the Police was his but declined to answer any questions regarding the contents of the phone download.
16. On 7 September 2023, UKAD sent Mr Lyle a notification letter (the 'Notice Letter'). The Notice Letter confirmed the imposition of a Provisional Suspension and formally notified Mr Lyle, in accordance with ADR Article 7.8, that he may have committed multiple ADRVs pursuant to WRR 21.2.7 (Trafficking and Attempted Trafficking of Prohibited Substances and/or Methods); WRR21.2.2 (Use of Prohibited Substances and/or Methods); and WRR 21.2.6 (Possession of Prohibited Substances).
17. On 18 September 2023, Mr Lyle replied to the Notice Letter and admitted the ADRVs.

18. On 3 October 2023, UKAD issued the RFU with a Notification of Case to Answer providing the RFU with the authority to charge Mr Lyle with the ADRVs detailed in paragraph 16 above.
19. On 1 March 2024, the RFU proceeded to issue Mr Lyle with a Charge Letter in accordance with RFU Regulation 20.13.4. The Charge Letter asserted the commission of the following:
 1. an ADRV pursuant to WRR 21.2.7, in that between 10 May 2017 and 1 April 2019 Mr Lyle Attempted to Traffic one or more Prohibited Substance(s), namely oxymethalone and/or testosterone.
 2. an ADRV pursuant to WRR 21.2.7, in that between 14 July 2018 and 21 October 2018 Mr Lyle Trafficked one or more of the following Prohibited Substance(s), namely testosterone; and/or oxandrolone; and/or trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one); and/or tamoxifen; and/or nandrolone (19-nortestosterone); and/or metandienone.
 3. an ADRV pursuant to WRR 21.2.2, in that on or before 21 August 2018, Mr Lyle Used one or more Prohibited Substance(s), namely trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one); and/or testosterone.
 4. an ADRV pursuant to WR 21.2.6, in that between 9 June 2018 and 30 October 2018 Mr Lyle was in Possession of one or more of the following Prohibited Substance(s), namely trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one); and/or metandienone (17 β -hydroxy-17amethylandrosta-,4-dien-3-one); and/or testosterone; and/or tamoxifen; and/or nandrolone (19-nortestosterone); and/or oxandrolone.
 5. an ADRV pursuant to WRR 21.2.6, in that on or before 05 November 2018 Mr Lyle was in Possession of one or more Prohibited Substance(s), namely metandienone (17 β -hydroxy-17amethylandrosta-,4-dien-3-one); and/or testosterone.
20. On 19 April 2024, Mr Lyle's legal representative responded to the Charge Letter on Mr Lyle's behalf. He admitted the ADRVs as described in paragraph 19.

Admission and Consequences

21. WRR 21.2.2 provides that the following is an ADRV:

21.2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method.

21.2.2.1 It is each Player's personal duty to ensure that no Prohibited Substance enters his or her body and that no Prohibited Method is Used. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use on a Player's part be demonstrated in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method.

22. WRR 21.2.6 provides that the following is an ADRV:

21.2.6 Possession of a Prohibited Substance or a Prohibited Method.

21.2.6.1 Possession by a Player In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by a Player Out-of-Competition of any Prohibited Substance or Method which is prohibited Out-of-Competition unless the Player establishes that the Possession is consistent with a therapeutic use exemption ("TUE") granted in accordance with Regulation 21.4.4 or other acceptable justification.

23. WRR 21.2.7 provides that the following is also an ADRV:

21.2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.

24. Use is defined by WRR 21 as follows:

The utilisation, application, ingestion, injection or consumption by any whatsoever of any Prohibited Substance or Prohibited Method.

25. Possession is defined by WRR 21 as follows:

The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or

Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited Method and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes Possession by the Person who makes the purchase. The utilisation, application, ingestion, injection or consumption by any whatsoever of any Prohibited Substance or Prohibited Method.

26. Trafficking is defined by WRR 21 as follows:

Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by a Player, Player Support Person or any other Person subject to the jurisdiction of an Anti-Doping Organisation to any third party; provided, however, this definition shall not include the actions of "bona fide" medical personnel involving a Prohibited Substance used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

27. Pursuant to WRR 21.10.7.4.1, for the purposes of imposing a sanction, the ADRVs will be considered as a single first ADRV, and the sanction shall be based on the ADRV that carries the more severe sanction, which in this case is the ADRV of Trafficking or Attempted Trafficking pursuant to WRR 21.2.7.

28. WRR.21.10.3.3 provides as follows:

For violations of Regulations 21.2.7 (Trafficking) or 21.2.8 (Administration), the period of Ineligibility shall be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation. A Regulation 21.2.7 (Trafficking) or 21.2.8 (Administration) violation involving a Minor shall be considered a particularly serious violation and, if committed by Player Support Personnel for violations other than for Specified Substances, shall result in lifetime Ineligibility for Player Support Personnel. In addition, significant violations of Regulations 21.2.7 (Trafficking) or 21.2.8 (Administration) which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

29. In accordance with WRR 21.10.3.3, having assessed the seriousness of the ADRVs committed by Mr Lyle, the RFU has determined that the applicable period of Ineligibility is nine (9) years.

Commencement of period of Ineligibility

30. 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.

31. 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.

32. Mr Lyle has been subject to a Provisional Suspension since the date of the Notice Letter, i.e. since 7 September 2023.

33. On 9 October 2024, the RFU became aware of evidence that Mr Lyle may have violated the prohibition against participation during his Provisional Suspension pursuant to ADR Article 10.14.1. The violation concerned social media posts pertaining to the fact that Mr Lyle had been selected for Market Harborough 2nd XV in three matches during September (on the 7, 14 and 21 September 2024).

34. The RFU informed Mr Lyle's legal representative of the above on 11 October 2024 to request Mr Lyle's observations in respect to the possible prohibition against participation during his Provisional Suspension.
35. On 28 October 2024, Mr Lyle's legal representative confirmed via an email response that Mr Lyle did participate in two of three matches in September, those on the 7 and 14 September 2024, but did not participate on the match on the 21 September 2024.
36. Therefore, Mr Lyle cannot be afforded any credit for the time he has spent provisionally suspended, and the period of Ineligibility shall commence on the date of this Issued Decision (27 November 2024).

Status during Ineligibility

37. During the period of Ineligibility, in accordance with ADR Article 10.14.1, Mr Lyle 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 RFU or any body that is a member of, or affiliated to, or licensed by the RFU;
 - 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;
 - e) Any elite or national-level sporting activity funded by a governmental agency.
38. Mr Lyle may return to train with a team or to use the facilities of an RFU club or a Signatory's member organisation during the last two months of his period of Ineligibility (i.e., from 11.59pm on 26 September 2033) pursuant to ADR Article 10.14.4(b).

Summary

39. For the reasons given above, the RFU has issued this Decision in accordance with ADR Article 7.12.2, and records that:

- a) Mr Lyle has committed ADRVs pursuant to WRR 21.2.2, WRR 21.2.6 and WRR 21.2.7.
 - b) A period of Ineligibility of nine (9) years is imposed pursuant to WRR 21.10.3.3
 - c) Pursuant to ADR Article 10.14.6 where a player breaches his Provisional Suspension, they shall receive no credit for the period of the Provisional Suspension served and therefore the Period of Ineligibility shall commence on the date of this Issued Decision (27 November 2024) and will end at 11:59pm on 26 November 2033.
 - d) Mr Lyle's status during the period of Ineligibility shall be as detailed in ADR Article 10.14.
40. Mr Lyle, UKAD, World Rugby, and WADA have a right to appeal against this Decision or any part of it in accordance with ADR Article 13.4.
41. The Decision will be publicly announced via UKAD's website in accordance with ADR Article 8.5.3 and ADR Article 10.15.

27 November 2024