

Issued Decision

UK Anti-Doping and Lance Randall

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 (the 'ADR') of the Welsh Rugby Union ('WRU'). It concerns an Anti-Doping Rule Violations ('ADRVs') committed by Mr Lance Randall 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 the sport of rugby union in Wales. UKAD is the National Anti-Doping Organisation for the United Kingdom. The WRU has adopted, as its own ADR, the UK Anti-Doping Rules¹, which are issued by UKAD and subject to updates made by UKAD, as necessary and in accordance with the World Anti-Doping Code.
2. Mr Randall is a 30-year-old rugby union player for Pontypool RFC. At all material times in this matter, Mr Randall 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 6 January 2024, UKAD collected a urine Sample from Mr Randall, In-Competition, at a game between Pontypool RFC and Aberavon RFC.
4. Assisted by a UKAD Doping Control Officer ('DCO') in attendance, Mr Randall split the urine Sample in two separate bottles, which were given reference numbers A1189629 (the 'A Sample') and B1189629 (the 'B Sample').
5. Both Samples were transported to the World Anti-Doping Agency ('WADA') accredited laboratory in London, the Drug Control Centre, King's College London ('the Laboratory'). The Laboratory analysed the A Sample in accordance with the procedures set out in WADA's International Standard for Laboratories and Technical Document TD2022MRPL.

¹ Version 1.0, in effect as from 1 January 2021.

6. Analysis of the A Sample returned Adverse Analytical Findings ('AAFs') for:
 - a) Benzoylecgonine, a Metabolite of cocaine, at an estimated concentration of 121 ng/mL;
 - b) Modafinil, at an estimated concentration of 2.2 µg/mL; and
 - c) Modafinil acid, a Metabolite of modafinil, at an estimated concentration of 13.9 µg/mL.
7. Cocaine is listed under S6.A of the WADA 2024 Prohibited List as a Stimulant. It is a non-Specified Substance that is prohibited In-Competition only. Cocaine is identified as a Substances of Abuse in the WADA 2024 Prohibited List.
8. Modafinil is listed under S6.A of the 2024 WADA Prohibited List as a Stimulant. It is a non-Specified Substance that is prohibited In-Competition only.
9. On 16 February 2024, UKAD sent Mr Randall a letter (the 'Notice Letter'). The Notice Letter confirmed the imposition of a Provisional Suspension and formally notified Mr Randall in accordance with ADR Article 7.8 that he may have committed ADRV's 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).
10. In his responses to the Notice Letter and UKAD's follow-up queries, Mr Randall admitted taking cocaine and modafinil. Mr Randall said that he had taken the cocaine on 31 December 2023 at a social event he attended (i.e., Out-of-Competition). He said that he had taken modafinil after it was prescribed to him by a pharmacist to treat a medical condition. He said that he did not realise modafinil was a Prohibited Substance, but said that he had not taken it during the In-Competition period.
11. In respect of the cocaine, UKAD sought the opinion of Professor David Cowan, former Director of the Laboratory, as to whether Mr Randall's explanation regarding his ingestion of cocaine was consistent with the estimated concentrations detected in his Sample. Professor Cowan concluded that it was not likely that Mr Randall's last administration of cocaine took place In-Competition (i.e., after 23:59 on 5 January 2024).
12. In respect of the modafinil, Mr Randall was invited by UKAD to apply for a retroactive TUE to cover his prior Use. Ultimately, however, Mr Randall's application for a TUE could not be processed by UKAD as the medication prescribed to the Athlete was not considered to be the correct treatment for his medical condition.
13. UKAD, therefore, sought the opinion of Professor Cowan as to whether Mr Randall's explanation that he had taken modafinil Out-of-Competition (i.e., before 11.59pm on 5 January 2024) was consistent with the estimated concentrations of modafinil

detected in his Sample. Professor Cowan concluded that Out-of-Competition ingestion was a plausible explanation for the AAF.

14. On 30 August 2024, UKAD proceeded to issue Mr Randall with a Charge Letter in accordance with ADR Article 7.11.2.
15. The Charge Letter asserted the commission of ADRV^s pursuant to ADR Article 2.1² (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample) in respect of cocaine and modafinil.

Admission and Consequences

16. 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.

17. ADR Article 10.2.2 provides:

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) *The Anti-Doping Rule Violation involves a Specified Substance or a Specified Method and UKAD can establish that the Anti-Doping Rule Violation was intentional.*

² Mr Randall was not charged with ADRV^s pursuant to ADR Article 2.2 (Use of a Prohibited Substance or a Prohibited Method) as cocaine and modafinil are prohibited In-Competition only and, in light of the Athlete's account and the expert reports of Professor Cowan, there is insufficient evidence to suggest Mr Randall ingested the substances after 11:59 pm on 5 January 2024 (i.e., within the In-Competition period).

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.

18. ADR Article 10.2.3 provides:

10.2.3 As used in Article 10.2, the term "intentional" is meant to identify those Athletes or other Persons who engage in conduct which they know constitutes an Anti-Doping Rule Violation or they know that there is a significant risk that the conduct might constitute or result in an Anti-Doping Rule Violation and they manifestly disregard that risk.:

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

19. ADR Article 10.2.4 provides:

10.2.4 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.*
- (b) [...]

- 20. In accordance with ADR Article 10.2.3(b), as UKAD is satisfied that Mr Randall's ingestion of modafinil is more likely than not to have occurred Out-of-Competition and in a context unrelated to sport performance, that ADRV shall not be considered 'intentional' within the meaning of ADR Article 10.2.3, and therefore a period of Ineligibility of two (2) years applies pursuant to ADR Article 10.2.2³.
- 21. Further, in accordance with ADR Article 10.2.4(a), as UKAD is satisfied that Mr Randall's ingestion of cocaine (a Substance of Abuse) is more likely than not to have

³ UKAD has considered the application of ADR Articles 10.5 and 10.6 to this case and does not consider Mr Randall is entitled to any reduction to the otherwise applicable period of Ineligibility following an assessment of his Fault.

occurred Out-of-Competition, a period of Ineligibility of three (3) months applies pursuant to ADR Article 10.2.4(a).

22. For the purposes of imposing a sanction, the ADRVs for cocaine and modafinil will be considered together as a single first violation⁴, 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...

23. In view of the above, the applicable period of Ineligibility in this case is two (2) years (this being the applicable period of Ineligibility for the ADRV that carries the most severe sanction).

24. On 5 September 2024, Mr Randall provided his response to the Charge Letter. Within his response he admitted to the ADRVs charged, and agreed to the two (2) year period of Ineligibility asserted by UKAD.

Commencement of period of Ineligibility

25. ADR Article 10.13 requires that the period of Ineligibility starts on the date the Ineligibility is accepted or otherwise imposed where there is no hearing.

26. However, ADR Article 10.13.2 allows 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.

27. Mr Randall has been subject to a Provisional Suspension from the date of the Notice Letter, 16 February 2024, and as far as UKAD is aware, Mr Randall has respected the terms of that Provisional Suspension. Therefore, affording Mr Randall credit for

⁴ While Mr Randall had previously committed a violation for Presence of cocaine (pursuant to 2015 ADR Article 2.1) and a received a two-year period of Ineligibility by way of a UKAD Issued Decision dated 1 June 2020, ADR Article 10.9.3(b) explicitly excludes a violation sanctioned under 10.2.4(a), i.e., a violation relating to a Substance of Abuse, from being considered a second ADRV under ADR Article 10.9.1.

the time he has spent provisionally suspended, his period of Ineligibility is deemed to have commenced on 16 February 2024 and will end at 11:59pm on 15 February 2026.

Status during Ineligibility

28. During the period of Ineligibility, in accordance with ADR Article 10.14.1, Mr Randall 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.
29. Mr Randall 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 midnight on 15 December 2025) pursuant to ADR Article 10.14.4(b).

Summary

30. For the reasons given above, UKAD has issued this Decision in accordance with ADR Article 7.12.2, and records that:
 - a) Mr Randall has committed ADRV's pursuant to ADR Article 2.1;
 - b) In accordance with ADR Article 10.9.4(a), the ADRV's are considered as a single first violation for the purposes of imposing a sanction;
 - c) A period of Ineligibility of two (2) years is imposed pursuant to ADR Article 10.2.2;
 - d) Acknowledging Mr Randall's Provisional Suspension, the period of Ineligibility is deemed to have commenced on 16 February 2024 and will expire at 11:59pm on 15 February 2026; and

- e) Mr Randall's status during the period of Ineligibility shall be as detailed in ADR Article 10.14.
- 31. Mr Randall, 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.
- 32. This Decision will be publicly announced via UKAD's website in accordance with ADR Article 8.5.3 and ADR Article 10.15.

16 October 2024