

**IN THE MATTER OF DISCIPLINARY PROCEEDINGS BROUGHT BY WORLD RUGBY
UNDER REGULATION 21 OF THE WORLD RUGBY ANTI-DOPING RULES**

Before:
Mr. Christopher Quinlan KC (Chair)
Dr Preston Wiley
Gregor Nicholson

BETWEEN:

World Rugby

Anti-Doping Organisation

-and-

Bryceson Agesa Adaka

Player

DECISION OF THE JUDICIAL COMMITTEE

A. INTRODUCTION

1. World Rugby is the world governing body for the sport of rugby union. World Rugby regulates anti-doping matters through Regulation 21: World Rugby Anti-Doping Rules (“**WRR21**”). World Rugby has responsibility for Results Management of this matter (WRR 21.7.1.2).
2. Bryceson Agesa Adaka (**the “Player”**) is an international rugby player from Kenya, registered with World Rugby. As a participant in competitions and other activities organised, convened, authorised, or recognised by World Rugby, the Player was at all relevant times subject to and bound to comply with WRR21. He is thereby required to be familiar with the

requirements of the Regulation, including being aware of what constitutes an anti-doping rule violation (“**ADRV**”) and what substances and methods are included on the Prohibited List (WRR 21.4.1 “Incorporation of the Prohibited List”).

3. By letter dated 3 October 2025 (**the “Notice”**), the Player was charged by World Rugby with two ADRVs, being the Presence of, and Use of a Prohibited Substance (WRR21.2.1 and 21.2.2). By response to the Notice dated 16 October 2025 (**the “Response”**), the Player accepted both ADRVs but denied they were committed In-Competition.
4. Pursuant to WRR21.8.1.1.1, the Judicial Committee was appointed by Christopher Quinlan KC in his capacity as World Rugby’s Anti-Doping Panel Chair. There was no objection to the appointment.
5. Case management directions were issued by consent following a directions hearing which took place by video conference call on 17 November 2025.
6. The hearing of this matter was conducted by remote video conference call on 18 December 2025. In addition to the witnesses the following attended:

On Behalf of the Player

Bryceson Agesa Adaka	Player
Hansen Omido	Player’s Counsel, Hansen Advocates

On Behalf of World Rugby

Ross Brown	Legal Counsel, Onside Law, representing World Rugby
Lauren Tainsh	Onside Law, representing World Rugby
Stephan Smith	Senior Legal Counsel, World Rugby
Susan Barry	Legal Counsel, World Rugby
Mike Earl	Director of Anti-Doping, World Rugby

Secretariat

Raffaella Prouet

Case Manager, Sport Resolutions

7. This document constitutes the Judicial Committee's final reasoned decision, reached after due consideration of the evidence, submissions, and all the material placed before it. It is necessarily a summary, but the Judicial Committee considered all of the available material.

B. ANTI-DOPING VIOLATIONS

8. The Player was part of the Kenya rugby squad that reached the final of the 2022 Rugby Africa Cup. More recently, he was part of the Kenya rugby squad that competed in the 2025 Rugby Africa Cup in Kampala, Uganda (**the "RAC 2025"**). The RAC 2025 took place from 8 to 19 July 2025 and formed part of the 2027 Men's Rugby World Cup qualifying programme.
9. Kenya reached the semi-final of the RAC 2025 but lost to Zimbabwe on 13 July 2025 (**the "Match"**). The Player played in the Match. Therefore, the In-Competition period began at 23:59 on 12 July 2025.
10. On 13 July 2025, under Mission Order 3722995714, the Player provided an In-Competition Urine Sample (**the "Sample"**). It was collected as part of his participation in the Match.
11. Under the supervision of a Doping Control Officer, the Sample was split into two (2) separate bottles which were given reference numbers A1564820 (the **"A Sample"**) and B1564820 (the **"B Sample"**). Both Samples were transported to the World Anti-Doping Agency (**"WADA"**) accredited laboratory, Laboratoire Suisse d'Analyse du Dopage in Lausanne, Switzerland (the **"Laboratory"**).
12. The A Sample was analysed in accordance with WADA's International Standard for Laboratories. Analysis of the A Sample returned an Adverse Analytical Finding (**"AAF"**) for Carboxy-THC, a metabolite of Tetrahydrocannabinol (**"THC"**). THC is listed under section S8 Cannabinoids of the WADA 2025 Prohibited List, in the category of Cannabinoids. It is a Specified Substance that is prohibited In-Competition when the urinary concentration

exceeds a certain threshold. The threshold is currently set at 150 ng/mL, with a Decision Limit of 180 ng/mL. The concentration detected in the urine sample provided by the Player during the In-Competition period was 424ng/mL, so above the permitted threshold for Carboxy-THC and therefore, constitutes an alleged AAF. THC is also listed as a Substance of Abuse under section S8 of the WADA 2025 Prohibited List.

13. According to World Rugby's records, the Player does not have a Therapeutic Use Exemption ("**TUE**") for THC.

14. The Player was notified on 19 August 2025 of the AAF and that he may have committed an ADRV pursuant to WRR 21.2.1 and/or WRR 21.2.2 (the "**AAF Notification**"). He was provisionally suspended with immediate effect and invited to provide an explanation for the AAF by 2 September 2025.

15. On 27 August 2025, the Player (by way of his Counsel) provided his response to the AAF Notification (the "**AAF Response**"). The AAF Response submitted that the Player's case "*falls within the framework of **inadvertent, out-of-competition exposure unrelated to sport performance under Regulation 21.10.2.4.1, warranting the minimum sanction of one (1) month upon completion of a substance abuse treatment programme***". Therein the Player:

"categorically denies ever intentionally using or attempting to use Tetrahydrocannabinol ("THC") for performance enhancement. He does, however, acknowledge inadvertent exposure which occurred after his return from South Africa on 27th June 2025. [...] This inadvertent exposure took place between 27th June and 2nd July 2025, while he was at his home in Kakamega County, before his unexpected recall to the national team."

16. On 10 September 2025, World Rugby wrote by email to the Player indicating that the AAF Response did not yet provide "*sufficient detail or evidence for World Rugby to assess the accuracy of this assertion [that the Use was Out-of-Competition and unrelated to sporting performance]*". World Rugby requested full details of the alleged facts relating to his ingestion of THC along with any available evidence.

17. On 11 September 2025, the Player provided further details regarding his ingestion of THC, including the alleged times and dates of ingestion. He also provided a supporting witness

statement from Samuel Owamu, his teammate and roommate whilst he was attending the RAC2 2025. Mr Owamu stated that:

“At no point during this period did I observe or have any reason to believe that Mr. Adaka used, possessed, or attempted to use cannabinoids or any other prohibited substances.”

18. On 17 September 2025, World Rugby requested from the Player any evidence to support his case, such as a witness statement/s. World Rugby also asked the Laboratory to *“undertake a pharmacokinetic review to evaluate the scientific plausibility of whether the ingestion/Use was... Out-of-Competition”*.

19. On 18 September 2025, the Player supplied a witness statement. In his statement he repeated that *“the inadvertent exposure occurred after our return from camp, during the period between 27th June and 2nd July 2025”* and that the *“use was entirely unrelated to sports”*.

20. On 26 September 2025, the Laboratory provided its conclusion that the timeline from the Player’s explanation was *“highly unlikely”* i.e. with it being more likely that the Use occurred much closer to the date of the Sample being taken. The Laboratory did not provide any view on the possible date that the Use did most likely occur.

21. By the Notice letter the Player was charged by World Rugby as follows:

- a. An ADRV pursuant to WRR 21.2.1 in that Carboxy-THC, a metabolite of tetrahydrocannabinol, was present in the A Sample; and/or
- b. An ADRV pursuant to WRR 21.2.2 in that the Player Used a Prohibited Substance, tetrahydrocannabinol, on or before 13 July 2025.

22. The Player’s email response to the Notice sent by his lawyer at 09.50 (GMT) on 20 October 2025 states:

“Please find attached our formal Response to the Notice of Charge. We have carefully reviewed the allegations contained therein and wish to deny the alleged Anti-Doping Rule Violations (ADRVs) outlined at paragraph 3.4 of the Notice.”

23. Attached to that email was the Player's formal response to the Notice dated 16 October 2025 ("**Notice Response**") in which his case was summarised thus:

"b) The Athlete denies the allegation of In-Competition ingestion or Use of Tetrahydrocannabinol ("THC").

c) Any ingestion occurred Out-of-Competition, between 27th June and 2nd July 2025, at his home in Kakamega County, Kenya, under circumstances wholly unrelated to sport performance and consistent with the definition of Substance of Abuse under Section S8 of the WADA 2025 Prohibited List.

d) The Athlete's position is corroborated by independent evidence and aligns fully with Article 10.2.4.1 of the WADA Code and Regulation 21.10.2.4.1 of the World Rugby Regulations, which prescribe a maximum sanction of three (3) months, reducible to one (1) month upon participation in a treatment programme; a period already served through the provisional suspension effective 19th August 2025."

24. The said email of 20 October 2025 was subsequently corrected by the Player's lawyer by a further email sent on 28 October (at 08.50 GMT) in which he said:

"The covering email does not form part of our substantive response. This was merely a diction issue and does not in any way affect the merits of our case. The word omitted in our email was "with concessions before the word deny. For clarity, our client maintains the position set out in our response dated 16th October 2025 and the accompanying documents thereto."

25. His admission in the Notice Response is consistent with the evidence he has provided for these proceedings. The Player has consistently admitted both ADRVs. Accordingly, and together with all the evidence, the Judicial Committee is comfortably satisfied that World Rugby has established both ADRVs (WRR 21.3.1).

26. The issues in this case concern the sanction.

C. SANCTION

(1) The regulatory scheme

27. THC is a Specified Substance in the Substances of Abuse category that is prohibited In-Competition when the urinary concentration exceeds a threshold of 150ng/mL. The Player's A Sample returned a concentration of Carboxy-THC of 424ng/mL, above the permitted threshold (and also above the (Adjusted) Decision Limit of 189ng/mL).

28. There are different sanctioning provisions dependent upon whether the ADRV was In-Competition or Out-of-Competition.

(a) In-Competition

29. In respect of intentional In-Competition Use, WRR 21.10.2.1 and WRR 21.10.2.1.2 provide:

"The period of Ineligibility [...] shall be four (4) years where:

[...]

The anti-doping rule violation involves a Specified Substance or a Specified Method and World Rugby can establish that the anti-doping rule violation was intentional"

30. WRR 21.10.2.3 sets out the test for whether an ADRV will be regarded as intentional. It states that the aim is to:

"[...] identify those Players or other Persons who engage in conduct which they 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 [...]"

31. In addition, WRR 21.10.2.4.2 informs whether an ADRV will be regarded as intentional where the Prohibited Substance is (as in this case) a Substance of Abuse. It states that:

"If the ingestion, Use or Possession occurred In-Competition, and the Player can establish that the context of the ingestion, Use or Possession was unrelated to sport performance, then the ingestion, Use or Possession shall not be considered intentional for purposes of Regulation 21.10.2.1 [...]"

32. In light of those provisions, and the facts of this case, World Rugby did not contend that the ADRVs were intentional. The Judicial Committee agrees.

33. For ADRVs involving Specified Substances where WRR 21.10.2.1 does not apply – and it does not in this case – then WRR 21.10.2.2 provides (for non-intentional In-Competition):

“If Regulation 21.10.2.1 does not apply, subject to Regulation 21.10.2.4.1, the period of Ineligibility shall be two (2) years.”

(b) Out-of-Competition

34. WRR 21.10.2.4.1 provides for circumstances where the two (2) -year starting point under WRR 21.10.2.2 may be reduced, namely where Out-of-Competition Use can be proven. WRR 21.10.2.4 and WRR 21.10.2.4.1 state:

“[...] where the anti-doping rule violation involves a Substance of Abuse:

***If the Player can establish** that any ingestion or Use occurred Out-of-Competition and was unrelated to sport performance, then the period of Ineligibility shall be three (3) months Ineligibility” (emphasis added).*

35. The words in WRR 21.10.2.4.1 are emboldened to emphasise as there was an issue in this case as to where the burden lay to establish that the Use was Out-of-Competition. The Player asserted it was not upon him, whereas World Rugby contended that it was.

36. WRR 21.10.2.4.1 provides that the period of Ineligibility may be reduced further:

“In addition, the period of Ineligibility calculated under this Regulation 21.10.2.4.1 may be reduced to one (1) month if the Player or other Person satisfactorily completes a Substance of Abuse treatment programme approved by World Rugby [...]”.

(c) No Fault of Negligence

37. Further, WRR 21.10.5 provides that any period of Ineligibility for the Player would be eliminated if he bears No Fault or Negligence for the Use. No reliance was placed upon this provision.

(d) No Significant Fault or Negligence

38. WRR 21.10.6 provides for where the period of Ineligibility may be reduced (but not eliminated) based on No Significant Fault or Negligence. By virtue of WRR 21.10.2.4.1, WRR 21.10.6 does not apply to reduce further a period of Ineligibility issued for Out-of-Competition Use. Therefore, a reduction to the period of Ineligibility based on No Significant Fault or Negligence can only apply if the Use of THC was In-Competition and unrelated to sport performance.

39. WRR 21.10.6.1 does not apply to Substances of Abuse.

40. WRR 21.10.6.2 limits the possible reduction to a minimum of a one (1) -year period of Ineligibility (assuming a starting point of two years at this stage). WRR 21.10.6.2 states:

“If a Player or other Person establishes in an individual case where Regulation 21.10.6.1 is not applicable that he bears No Significant Fault or Negligence, then [...] the otherwise applicable period of Ineligibility may be reduced based on the Player 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 [...].”

(2) The Player’s position

41. Helpful written submissions filed on the Player’s behalf are dated 3 December 2025. Therein it is contended, in summary, as follows:

- a. It was accepted that THC was present in the Sample¹.
- b. His case in summary was:

“The Athlete has consistently maintained, since the earliest stage of this process, that he did not ingest Cannabinoids/Carboxy-THC at any time during the period defined as In-Competition. His explanation has remained unchanged: any ingestion occurred between 28th June and 1st July 2025, at his home in Kakamega County, Kenya, during a period of significant personal distress [...].”²

¹ Submissions on behalf of Mr Bryceson Agesa Adaka, page 63 of the hearing bundle, §1.

² Submissions on behalf of Mr Bryceson Agesa Adaka, page 63 of the hearing bundle, §2.

- c. The burden was upon World Rugby to prove that the Ingestion was In-Competition³.
- d. World Rugby has failed to discharge that burden⁴.
- e. The appropriate sanction was a three (3)-month suspension which the Player had served since his Provisional Suspension from 19 August 2025.

42. The Player relied upon the following written evidence:

- a. His own Witness statement signed and dated 1 December 2025.
- b. Witness statement signed and dated 11 September 2025 from Samuel Ovwamu, Kenya player.
- c. Witnesses statement signed and dated 3 December 2025 from Jimmy Mnene, Team Manager, Kenya National 15s Team.

43. During the hearing before the Judicial Committee both Samuel Ovwamu and Jimmy Mnene gave evidence in addition to the player.

44. The Player confirmed the truth and accuracy of his witness statement. Therein he said he missed a significant period through an ACL injury in July 2024. He was called up to the national squad unexpectedly around May 2025 and was committed to take the opportunity. He said this about his exposure to THC:

“The inadvertent exposure occurred after our return from camp, during the period between 27th June and 2nd July 2025, when the entire team had been released to go home pending final selection. I was at my home in Kakamega County at this time. Competitive rugby was not ongoing for me, and no matches were imminent. It was in this period, within a purely social setting and entirely outside the rugby environment, that I was exposed to THC. Returning home meant confronting the same harsh realities I had briefly escaped; no income, no allowances, and the pressing responsibility of providing

³ Ibid, pages 63,64,77, and 78 of the hearing bundle, §1, §5 and §§39-43.

⁴ Ibid, pages 77 and 78 of the hearing bundle, for example, §§39-43.

for my newborn child. In that moment, THC felt like the only outlet that could provide temporary relief from the mental strain and anxieties I was enduring. This exposure was not in any way connected to enhancing my performance; it was purely a reflection of my personal struggles and the immense weight of life outside rugby.”

45. He was asked questions by Mr Brown and by the Judicial Committee. He said he smoked cannabis on 28 June - 1 July 2025 inclusive. He was with three or four friends, and they smoked a mix of their own cigarettes or shared a cigarette in a small room in his house. He could not help with any information on the quantity or strength of cannabis he ingested. He said it helped him escape from his worries and made him feel lazy and sleepy. Initially he said he had not used cannabis before but then said he had done so. He denied being a regular user or smoking cannabis on the day of the Match.

46. He confirmed he had received anti-doping training in 2021, 2024 and on 2 July 2025. He said he knew cannabis and THC were Prohibited but only In-Competition. Therefore, he did not believe he was at risk of committing an ADRV by using cannabis in the circumstances he described. He said he gave no thought to a three-month ban for an Out-of-Competition ADRV.

47. Mr Owamu adopted his statement in which he said he was the Player's roommate during a camp which started in Uganda on 3 July 2025 and he continued to be during the RAC 2025. He said they were in "*close and continuous contact*"⁵ throughout that period and did not see the Player "*use, possess or [attempt] to use cannabinoids or any prohibited substances*"⁶.

48. In answer to question from Mr Brown he said they did not leave the team hotel. He said they spent "*most of the time*" together.

49. Mr Mnene also adopted his statement. Therein he said that from 2 July 2025 the squad "*operated under a strict, pre-planned, minute-by-minute itinerary, as documented in the*

⁵ Witness Statement of Mr Samuel Owamu, page 103 of the hearing bundle, §3.

⁶ Ibid, §4.

official Simbas Coaching Itinerary authored by the technical team”⁷ which he provided. He said this:

*“All players, including Mr. Bryceson Adaka, were continuously accommodated in designated team hotels which had strict rules on behavior and were transported exclusively in official team vehicles for all engagements. Movements outside these structured activities were not permitted without permission, and no player, including Mr. Adaka, requested or was granted any exemption from these rules.”*⁸

50. He said there were no rule or other breaches of that regime by the Player, whom he said conducted himself professionally at all times. There was no report or suspicion of the Possession or Use of prohibited substances by the Player⁹.

51. Mr Mnene added that although free time was built into the itinerary, they knew where the players were at all times. He said they spent most of the time together. There were no disciplinary issues within the squad at the RAC 2025. He said the Player was “very professional” and was part of the leadership group.

52. Mr Omido developed his written submissions and invited us to conclude the Player had discharged the burden (he accepted) was upon him.

(3) World Rugby’s position

53. World Rugby provided helpful written submissions dated 1 December 2025 and 15 December 2025, the latter by way of reply to the submission filed on the Player’s behalf. In summary its position on the issues relevant to sanction (in advance of the hearing) was as follows:

- a. The burden was upon the Player to prove that the Ingestion was not In-Competition.
- b. World Rugby did not accept on the evidence served that he had discharged that burden.

⁷ Witness Statement of Mr. Jimmy Mnene, page 106 of the hearing bundle, §4.

⁸ Ibid, page 107 of the hearing bundle, §5.

⁹ Ibid, §6.

- c. It would explore the question of Fault with the Player at the Hearing and make its submissions on whether No Significant Fault or Negligence should apply and, if so, the amount of any reduction. Correctly, it recognised that the final determination of these questions will of course ultimately lie with the Judicial Committee.

54. World Rugby served and relied upon a report from Dr Tiia Kuuranne, the Laboratory director, dated 26 September 2025 and an annex thereto dated 27 November 2025. In her report Dr Kuuranne was asked:

“Whether the concentration level the Lausanne Laboratory found, of 424 ng/mL on 13 July, could be explained by ingestion/Use in the 28 June to 1 July period. If not, on what approximate date(s) would the Player have had to ingested/Used the THC to give rise to a positive test at this concentration on 13 July?”

55. For good reasons, Dr Kuuranne was required to and did make assumptions about the amount and strength (THC concentration) of the cannabis used by the Player. She set out in her first report several conclusions including:

- a. The urinary excretion of THC can vary between individuals.
- b. The time period over which THC might be detectable in his system will vary depending upon various factors including the route of administration, his levels of hydration and his personal rates of metabolism and excretion.

56. She also referenced several scientific studies. One of those, by Lowe et al¹⁰, found that a urinary concentration of over 424ng/mL was only observed within one to three days of administration for chronic users of THC at far higher doses (grams rather than milligrams).

57. Dr Kuuranne strongly disagreed with the plausibility of the Player’s explanation. She opined that *“the available scientific evidence does not support the scenario described by the athlete as an explanation for the measured result. It is highly unlikely that a single average dose of*

¹⁰ Report of Dr Tiia Kuuranne, page 96 of the hearing bundle, Figure 3.

smoked cannabis on four consecutive days would be detectable 12 days (286 hrs) later at the concentrations determined in the sample [...]”¹¹.

58. World Rugby subsequently asked Dr Kuuranne if she could “*opine on whether, based on the information available, the Use likely took place before or after*” the start of the In-Competition period namely 23:59 on 12 July 2025. She replied thus:

“Based on the details available for the assessment, there is no explicit answer to the question of whether cannabis use occurred before or after 23:59 on 12 July, 2025. The results presented in scientific publications have repeatedly emphasized the differences in metabolism and elimination rates between occasional and chronic users. Single, low dose exposure will be eliminated within hours to the concentrations that fall below the decision limit of 180 ng/mL, whereas chronic exposure to high cannabis amounts could be detected in urine samples for several days at levels measured in sample 1564820.”

59. Dr Kuuranne was questioned. The assumptions she made were in the Player’s favour. She said another way of expressing “highly unlikely” was 1 in 10,000. She agreed with the Judicial Committee that the science did not enable her to say when the cannabis was used. She said she did not have sufficient material to take a position on whether the Ingestion was In-Competition or Out-of-Competition.

60. Mr Brown expanded upon and supported the contentions in his written submissions.

D. DECISION

61. This is a majority decision.

(1) Burden of proof

62. The terms of WRR 21.10.2.4.1 are clear:

“Where the anti-doping rule violation involves a Substance of Abuse:

¹¹ Report of Dr Tiia Kuuranne, page 94 of the hearing bundle, Conclusion 4.

If the Player can establish that any ingestion or Use occurred Out-of-Competition and was unrelated to sport performance, then the period of Ineligibility shall be three (3) months Ineligibility (emphasis added).

63. It is incumbent upon the Player to establish (prove) that his Ingestion or Use of THC occurred Out-of-Competition. If authority were needed for that conclusion, beyond the clear words of the regulation in the rulings of both *Bassem Mohammed v Fédération Équestre Internationale*¹² and *Sheikh Ali Al Thani v Fédération Équestre Internationale*¹³, the Court of Arbitration for Sport opined that in similar provisions derived from the WADA Code “*the Athlete bears the burden of proving, on the balance of probabilities, that his consumption was Out-of-Competition*”. In *UK Anti-Doping v Anthony De Luca*¹⁴, the tribunal accepted the athlete’s evidence that he had not Ingested or Used cannabis In-Competition and so had “*satisfied the burden on him*” to prove as such.

64. When pressed on the point and taken expressly to WRR 21.10.2.4.1 the Player’s counsel Mr Omido conceded the burden was on the Player.

65. As for the Standard of Proof, WRR 21.3.1 provides:

“[...] Where these Anti-Doping Rule place the burden of proof upon the Player or other Person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances [...] the standard of proof shall be by a balance of probability.”

66. Therefore, it is for the Player to establish on the balance of probability that his Ingestion or Use of THC occurred Out-of-Competition.

¹² Case Law, number 16, dated 21 April 2023, pages 119-141 of the hearing bundle.

¹³ Case Law, number 17, dated 21 April 2023, pages 142-166 of the hearing bundle.

¹⁴ Case Law, number 14, dated 21 June 2022, page 113 of the hearing bundle, §16.

(2) In-Competition or Out-of-Competition

(a) WADA guidance

67. WADA's guidance from March 2024 is that the "*presence of carboxy-THC at a concentration above (>) the Decision Limit (DL) (1) of 180 ng/mL should be considered **likely** to correspond to an In-Competition use of cannabis*"¹⁵ (emphasis added).

68. Therefore, the starting point under the Code and the associated WADA guidance is that any AAF showing a urinary concentration over the Decision Limit of 180ng/mL is likely to correspond to In-Competition Use. The Player's urinary concentration was 424ng/mL, over double the Decision Limit.

69. However, we agree that the use of the word "*likely*" by WADA means the position is not definitive. All circumstances and evidence must be taken into account when determining whether an individual athlete has discharged the burden so far as the timing of Ingestion is concerned.

(b) Scientific evidence

70. We must decide this case on the evidence before us. On the crucial issue of the timing of Use Dr Kuuranne opined:

"Based on the details available for the assessment, there is no explicit answer to the question of whether cannabis use occurred before or after 23:59 on 12 July, 2025. The results presented in scientific publications have repeatedly emphasized the differences in metabolism and elimination rates between occasional and chronic users. Single, low dose exposure will be eliminated within hours to the concentrations that fall below the decision limit of 189 ng/mL, whereas chronic exposure to high cannabis amounts could be detected in urine samples for several days at levels measured in sample 1564820."

71. In the written submissions dated 1 December 2025 World Rugby stated:

"World Rugby interprets Dr Kuuranne's evidence as saying that if Mr Adaka is not a chronic user of THC, then it is more likely that the concentration level detected in the A Sample

¹⁵ substances_of_abuse_guidelines_final_28022024_en_0.pdf

occurred through In-Competition Use. Conversely, if Mr Adaka is a chronic user, then Out-of-Competition Use becomes more plausible."¹⁶

72. She was not asked about that interpretation during the hearing. She was not asked to expand upon that part of her report except to say she did not have sufficient material to opine of the Ingestion was In-Competition or not.

(c) Player's account

73. The Player was asked directly and denied using cannabis on the day of the Match.

(d) Case law

74. The decisions are all fact-specific decisions but of some utility and interest.

75. *Mohammed v FEI*¹⁷ and *Al Thani v FEI*¹⁸ were considered together by the same sole arbitrator. Both riders alleged that they had used THC on 8 October 2019, the In-Competition period starting on 9 October 2019. Their samples were both taken on 13 October 2019, with Mr Mohammed returning a urinary concentration of Carboxy-THC at 2955ng/mL and Mr Al Thani returning 404ng/mL. We also note that the expert evidence of the FEI in each case was as follows:

- a. *Mohammed* - "it was *“highly implausible”* that the AAF resulted from the Athlete's Out-of-Competition consumption of cannabis, and that it was *“highly likely [...]”* that the Athlete used cannabis [...] around 13 October 2019"¹⁹
- b. *Al Thani* – *“it was not plausible that the AAF resulted from the Athlete's Out-of-Competition consumption of cannabis”*²⁰.

76. *AIU v Ferreira*²¹ is an agreed decision where the AU accepted the Athlete's account that his use of cannabis was Out-of-Competition. It is of interest only because in that case the expert

¹⁶ Submissions of World Rugby, page 55 of the hearing bundle, §97.

¹⁷ Case Law, number 16, dated 21 April 2023, pages 119-141 of the hearing bundle.

¹⁸ Case Law, number 17, dated 21 April 2023, pages 142-166 of the hearing bundle.

¹⁹ Case Law, number 16, dated 21 April 2023, page 134 of the hearing bundle, §80.

²⁰ Case Law, number 17, dated 21 April 2023, page 159 of the hearing bundle, §78.

²¹ Case Law, number 15, dated 9 December 2022, pages 116-1118 of the hearing bundle

instructed by the AIU accepted that the findings were consistent with the Athlete's explanation that he used cannabis two days before testing.

77. The decision *UKAD v De Luca*²² deserves the careful attention it received from Mr Brown. The athlete returned an In-Competition urine sample containing THC at an estimated concentration of 295 ng/mL. He asserted Out-of-Competition Use unrelated to sporting performance *and* claimed the Use took place on 10 September 2021 (and prior). The In-Competition period began after 23:59 on 25 September 2021.

78. Professor Cowan, expert for UK Anti-Doping, opined that, based on the concentration of THC in the athlete's Sample, it was "unlikely" no Use had taken place since 10 September 2021. On that basis, the tribunal noted that "*we would not be minded to accept Mr De Luca's evidence that he did not use cannabis at any time after his arrival in England on 10 September 2021*"²³. However, Prof. Cowan "*could not say from the results whether Mr De Luca had used cannabis after 23:59 on 25 September 2021; on the basis of the analysis of the test he said it was '50/50'*"²⁴. Therefore, the Tribunal found that "*there was no material on which we could be satisfied that Mr De Luca had used cannabis after 23:59 on 25 September 2021... We accept Mr De Luca's denial that he used cannabis after 23:59 on 25 September 2021 and find that he has satisfied the burden on him under ADR Articles 2.1 and 10.2.4(a)*"²⁵.

79. We agree with Mr Brown that "*the key point from the De Luca case was that notwithstanding Mr De Luca's explanation being rejected, the Tribunal felt unable to find In-Competition Use given the nature of Prof. Cowan's evidence*"²⁶. We also note Mr Brown's concession that "*it appears open to the Judicial Committee to reach the same outcome by rejecting Mr Adaka's explanation but nonetheless finding he has met his burden to prove Out-of-Competition Use unrelated to sport performance through factual circumstances not yet identified*"²⁷.

²² Case Law, number 14, dated 21 June 2022, page 109-115 of the hearing bundle.

²³ Case Law, number 14, dated 21 June 2022, page 113 of the hearing bundle, §16

²⁴ *Ibid*, 13(b).

²⁵ *Ibid*, §16.

²⁶ Submissions of World Rugby, page 56 of the hearing bundle, §107..

²⁷ *Ibid*, page 57, §109.

(e) Conclusion

80. The key question for us is not to determine specifically when the Use occurred, but rather whether the Player has established that it is more likely than not that it occurred Out-of-Competition (WRR 21.10.2.2.4).

81. The majority accepted the Player's denial that he did not use cannabis on the day of the Match. Dr Kuuranne's evidence undermined considerably the Player's account that he did not use cannabis post 1 July 2025. However, as in *De Luca*, that is not the issue for us to decide. Dr Kuuranne's evidence did not establish that the Player used or was likely to have used cannabis on the day of the Match. In contrast to the expert evidence in *Mohammed* and *Al Thani* her evidence on that crucial issue was (with respect) equivocal. Her evidence on that issue therefore did not undermine the Player's denial.

82. Therefore, we (by majority) are satisfied that the Player discharged the burden upon him that the cannabis Use was Out-of-Competition (WRR 21.10.2.2.4). The dissenting view drafted by the dissenting panel member is annexed hereto.

(3) Period of Ineligibility

83. Pursuant to WRR 21.10.2.4 the appropriate period of Ineligibility is three (3) months.

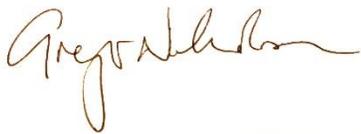
84. The period of Ineligibility will commence on the day the Player has been provisionally suspended, namely 19 August 2025 (WRR 21.10.13.2) and will end at 23:59 on 18 November 2025.

E. RIGHT OF APPEAL

85. The rights of appeal are as provided by WRR 21.13.



Christopher Quinlan KC
(Chair)



Gregor Nicholson



Preston Wiley

On behalf of the Judicial Committee

13 January 2026

London, UK

1 Paternoster Lane, St Paul's London EC4M 7BQ resolve@sportresolutions.com 020 7036 1966

Company no: 03351039 Limited by guarantee in England and Wales
Sport Resolutions is the trading name of Sports Dispute Resolution Panel Limited

www.sportresolutions.com



ENABLING FAIR PLAY