



Australian Government

**Australian Sports
Anti-Doping Authority**

FINAL INVESTIGATION REPORT

OPERATION COBIA

AUSTRALIAN FOOTBALL LEAGUE (AFL)

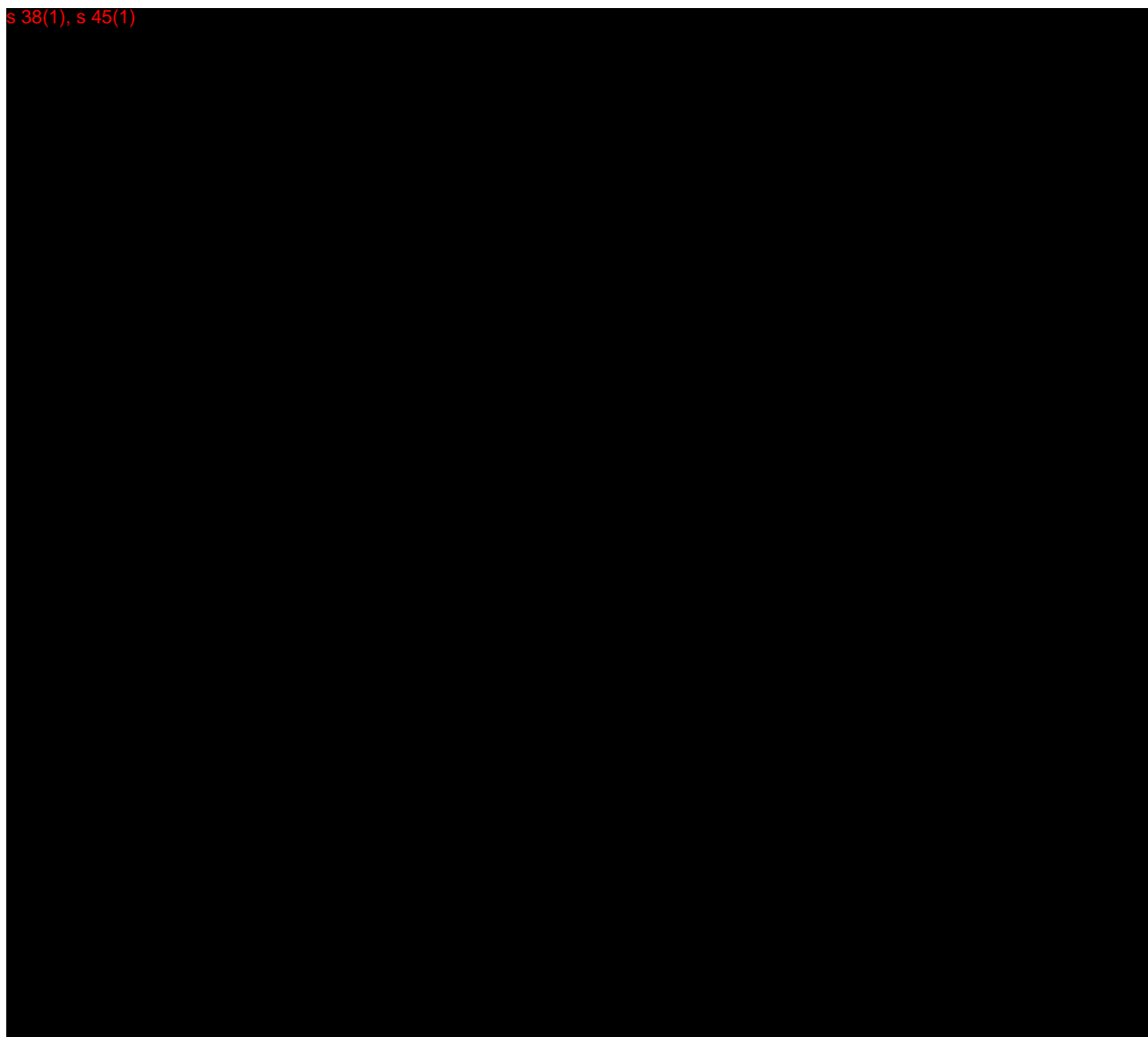
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Date: 4 March 2014

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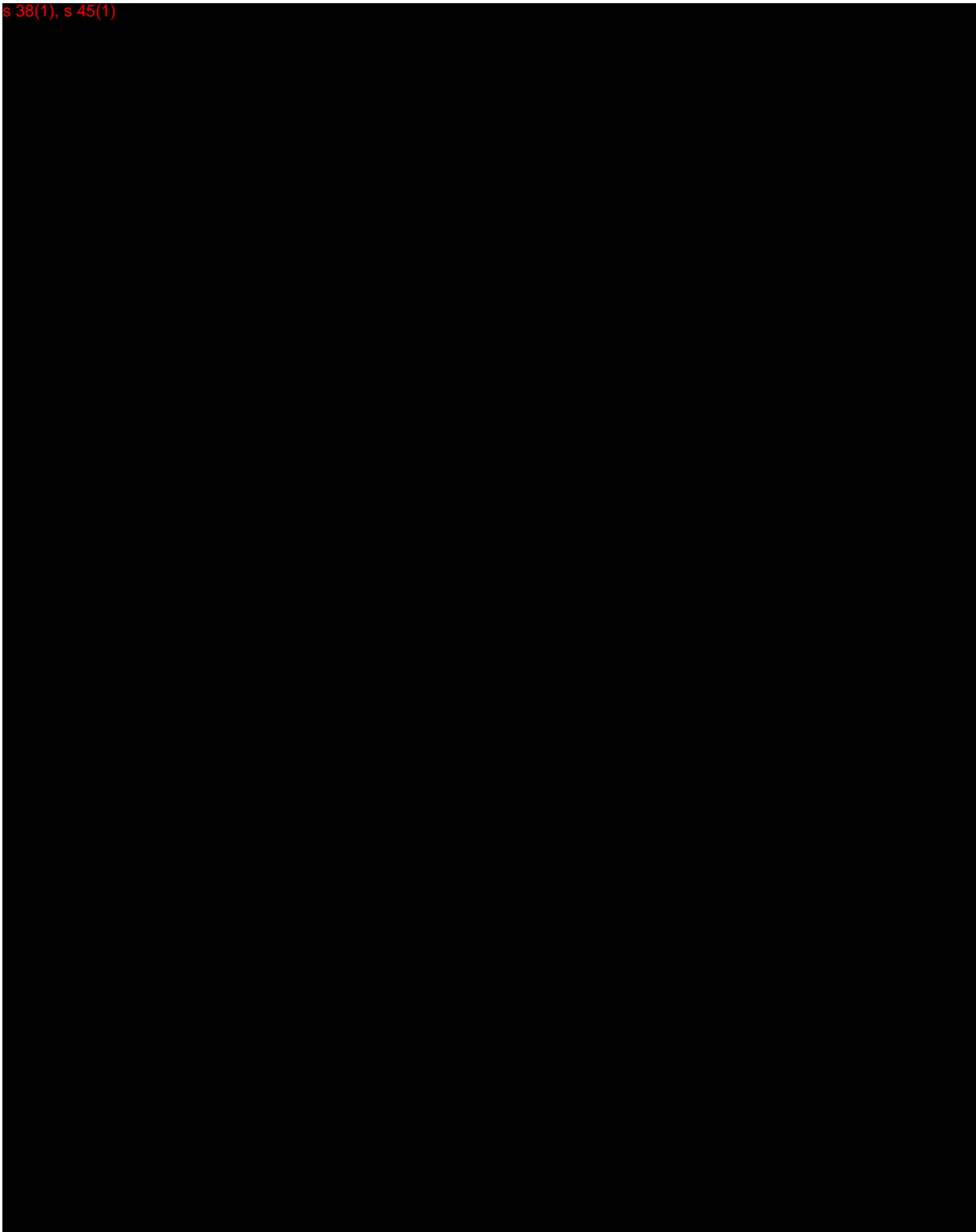
s 38(1), s 45(1)




OVERVIEW OF INTERIM REPORT

It is beneficial to commence this, the final report with a brief review of the interim report:

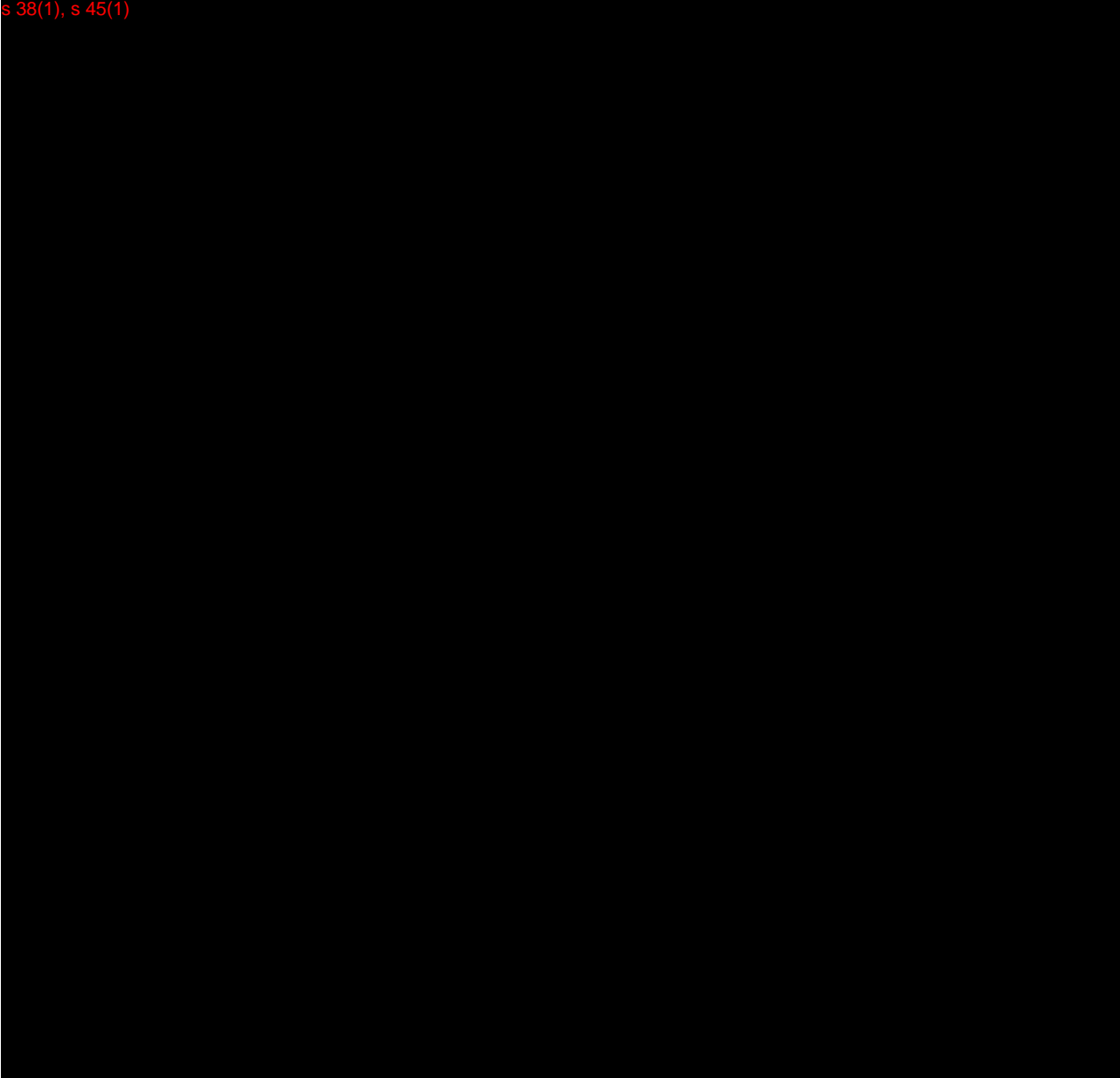
s 38(1), s 45(1)



1 s 38(1), s 45(1)



s 38(1), s 45(1)



AFL Sanctions

21. On 27 August 2013, the Essendon Club appeared before the AFL Commission and formerly acknowledged that their 2012 supplementation program constituted a breach of Rule 1.6 of the AFL Player Rules in that it was conduct which was unbecoming or likely to prejudice the interests of reputation of the AFL or bring the game of football into disrepute.
22. The conduct accepted by the Essendon Club as constituting a breach of Rule 1.6 included, that Essendon:
 - i. established a program relating to the administration of supplements to its players in preparation for, and during, the 2012 AFL premiership season (the Program);


- ii. engaged in practices that exposed players to potential risks to their health and safety as well as the potential risk of using substances that were prohibited by the AFL Anti-Doping Code and the World Anti-Doping Code;
 - iii. disregarded standard practices involving the human resources department when employing Mr Robinson and Mr Dank at the Essendon Club;
 - iv. failed to ensure that persons with the necessary integrity, reputation and training were engaged by the Essendon Club to implement the Program;
 - v. failed to ensure that those implementing the Program were adequately supervised;
 - vi. failed to devise or implement adequate systems or processes to ensure that some substances provided to and used by players were safe and were compliant with the AFL Anti-Doping Code and the World Anti-Doping Code;
 - vii. failed to have proper regard to player health and safety, including failing to ensure that some substances had no potentially negative effects on players;
 - viii. failed to identify and record the source from which some substances used by players were obtained;
 - ix. failed to adequately monitor and record the use of some substances;
 - x. failed to audit or monitor some substances held on the premises of the Essendon Club;
 - xi. failed to implement a system for recording and storing some substances held on the premises of the Essendon Club;
 - xii. failed to meaningfully inform players of some substances the subject of the Program and obtain their informed consent to the administration of some of the substances;
 - xiii. failed to take appropriate and adequate action when it became aware of facts that suggested that unsatisfactory and potentially risky practices were occurring in relation to the administration of supplements; and
 - xiv. permitted a culture at the Essendon Club of frequent, uninformed and unregulated use of the injection of supplements.
23. The AFL Commission further determined, and the Club further acknowledged, that by reason of the above matters:
- i. The Essendon Club failed to ensure it adequately protected the health, welfare and safety of the players;

- ii. there was a risk that the players could have been administered substances prohibited by the AFL Anti-Doping Code and the World Anti-Doping Code (WADC) and any such risk is an unacceptable risk; and
 - iii. EFC is unable now to determine whether players were administered some substances prohibited by the AFL Anti-Doping Code and WADC.
24. The sanctions then imposed upon the Club included a \$2 Million fine and a forfeiture of its place in the 2013 AFL final series.

OPERATION COBIA (AFL) FINAL INVESTIGATION REPORT

Introduction

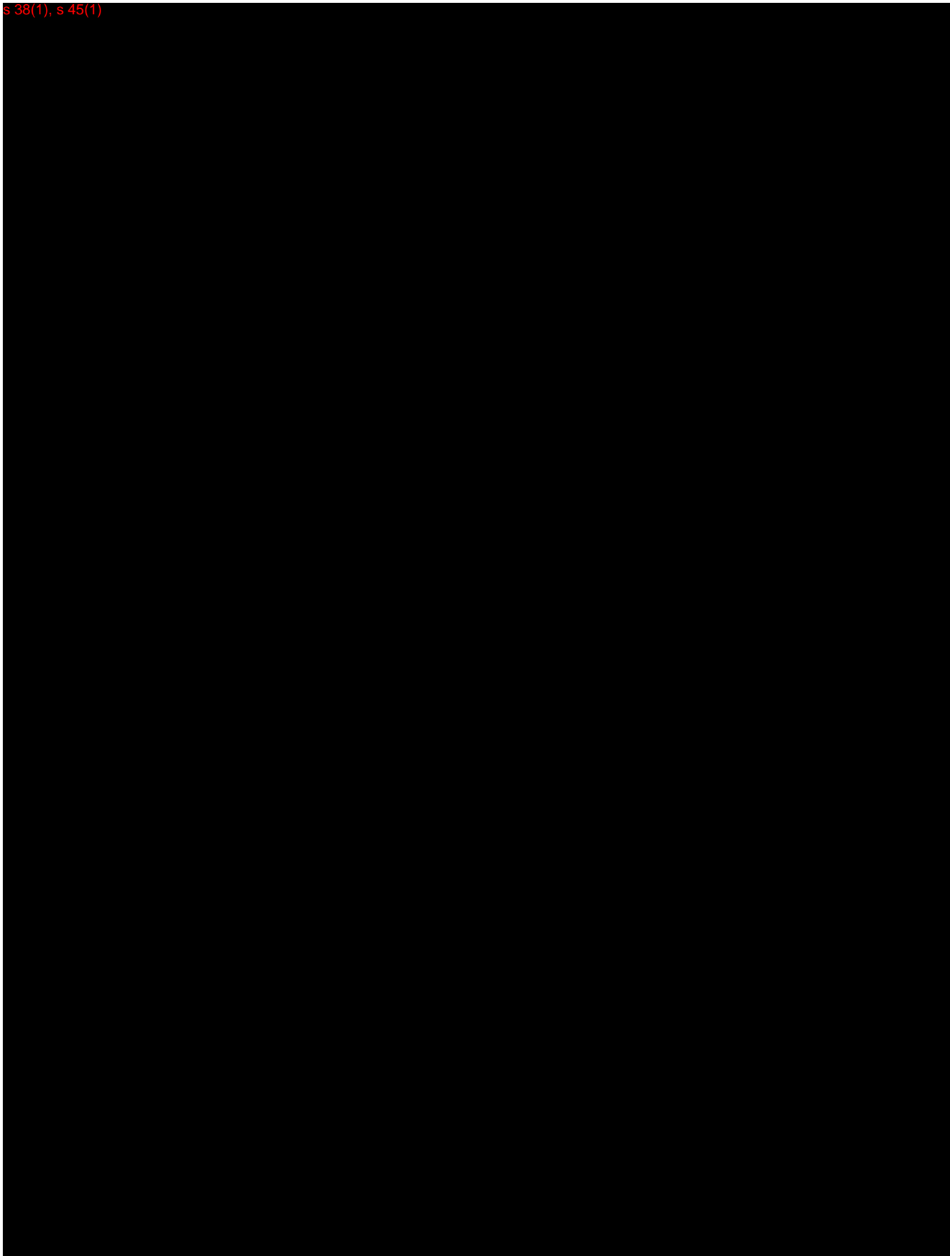
This report represents the culmination of the Australian Sports Anti-Doping Authority's (ASADA) investigation into the Essendon Football Club's (the Essendon Club) 2012 supplementation program and is to be read in conjunction with the 'interim' report completed on 31 July 2013. s 38(1)



s 38(1)

Chronology of key events

s 38(1), s 45(1)



Conclusion: The investigative findings

s 38(1)



Prohibited substances were administered

The question ultimately posed at the commencement of this investigation was whether or not players from the Essendon Football Club had committed anti-doping rule violations. ^{s 38(1),}

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45(

1)

s 38(1)




Although determination of these questions are matters clearly within the ambit of the expert legal counsel currently engaged by ASADA, it is both necessary and proper for this report to raise in a cursory fashion some matters of relevance in order to assist these deliberations.

³⁶² See TRIM BDOC14-8770.


³⁶³ See TRIM BDOC14-5247.

At the outset it is important to recognise that the conduct identified by this investigation, and the circumstances of its occurrence were unprecedented in the world of anti-doping.

s 38(1), s 45(1)



s 38(1), s 45(1)



s 38(1), s 45(1)

Issues of particularisation

Given the time imperative to deliver this report the following section is provided with a disclaimer that it has been derived from a review of the player transcripts that were conducted by staff no longer with ASADA. To this end, the author of this report has not sought to validate those reviews.

s 38, s 38(1)