

**(Revised statement of grounds as proposed by the AFL, Friday 16 August)**

AFL Commission makes determination and Essendon FC agrees that Essendon FC:

1 - established a cutting edge program relating to the administration of supplements to its Players; and

2 – neither Essendon nor Hird, Reid, Corcoran, Thompson, Robson or Hamilton set out to implement a supplements program that would result in players being administered WADA prohibited or harmful substances.

Notwithstanding the foregoing, AFL Commission determines and Essendon FC agrees that the Club:

- (a) engaged in practices that exposed players to risks to their health and safety as well as the risk of using substances that were prohibited by the AFL Anti-Doping Code and the World Anti-Doping Code;
- (b) disregarded standard practices involving the human resources department when employing Robinson and Dank at the Club;
- (c) failed to conduct routine, systematic pre-employment checks in respect of Robinson and Dank;
- (d) failed to ensure that persons with the necessary integrity, reputation, qualifications and training were engaged by the Club to implement the program;
- (e) failed to ensure that those implementing the program were adequately supervised;
- (f) failed to devise or implement any adequate system or process to ensure that all substances provided to and used by players were safe and were compliant with the AFL Anti-Doping Code and the World Anti-Doping Code;
- (g) failed to have proper regard to player health and safety, including failing to ensure that all substances had no potentially negative effects on players;

- (h) failed to identify and record the source from which all substances used by players were obtained;
- (i) failed to adequately monitor and record the use of substances;
- (j) failed to audit or monitor all substances held on the premises of the Club;
- (k) failed to implement a system for recording and storing all substances held on the premises of the Club;
- (l) failed to meaningfully inform players of the substances the subject of the program and obtain their informed consent to the administration of the substances;
- (m) failed to take any appropriate and adequate action when it became aware of facts that strongly suggested that unsatisfactory and potentially risky practices were occurring in relation to the administration of supplements; and
- (n) permitted a culture at the Club that legitimised and encouraged the frequent, uninformed and unregulated use of the injection of supplements;

By reason of the matters referred to in paragraphs (a) to (n) above:

- (i) the Club failed to adequately protect the health, welfare and safety of the players
- (ii) there was an unacceptable risk that players may have been administered substances that were prohibited by the AFL Anti-Doping Code and the World Anti-Doping Code; and
- (iii) the Club is unable to determine whether players were administered substances prohibited by the AFL Anti-Doping Code and the World Anti-Doping Code.