



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT
SITTING TUESDAY 5th MARCH 2019**

**Mike Garton
David Scott
Guy Spollon (Chairman)**

CASE No J2019/02 - Paul Bird

ORDER

WHEREAS Pursuant to Order of Motorsport UK dated 13 February 2019 the Motor Sports Council National Court convened an Inquiry into the above matters and

WHEREAS the National Court sitting on 5 March 2019 has noted that Mr Bird was invited to make representations but declined and

WHEREAS the National Court was addressed by Mr Champkin Regulatory Counsel for Motorsport UK and

WHEREAS the National Court makes the following Findings of fact:

1. Mr Paul Bird being licensed by Motorsport UK and the holder of an 2018 International Rally Licence competed in the above Championship and
2. Mr Bird was selected for doping test by UKAD officials at the Rallynuts Championship event and he refused to provide a sample and
3. Mr Bird subsequently took part in the Plains Rally and the Carlisle Stages prior to the imposition of a temporary suspension by UKAD ON 11 July 2018 and
4. On 8 January 2019 the UKAD Tribunal published its Decision and whereby Mr Bird was following a finding of a second offence declared ineligible to take part in all sport for a period of 8 years and
5. Mr Bird's co-driver Jack Morton is innocent of any breach of the General Regulations whether in relation to UKAD or at all and
6. The consequential effect of the UKAD Tribunal Decisions was that Mr Bird is disqualified from the Rallynuts event and also from the Plains Rally and Carlisle Stages Rally and

7. The Court being satisfied that the UKAD Decision and its underlying facts being of such gravity and contrary to the interests of the Motor Sports Council and
8. The Court noting the General Regulations 2019 and their interdependence on the UKAD Regulations within the framework of WADA and the International Sporting Code of FIA and
9. The Court noting General Regulation H.35.1.6 and the extent of its authority and Powers under General Regulation C.9.1

ORDERS

- A. That Mr Bird shall be removed from the results of each of the Rallynuts Stages and The Plains Rally and the Carlisle Stages (all 2018) and
- B. The event and Championship Organisers shall prepare and publish within 7 days of this Order amended results giving full effect to Order A above ('the Amended Results') and consequential repositioning of competitors and
- C. Mr Bird must return to the relevant organiser all prizes and awards affected by the above Orders A and B and
- D. The Amended Results shall not be subject to any Appeal and
- E. There be no Order as to Costs

In passing the National Court remarks that:

- i. the effective integration of UKAD Regulations and consequences with Motorsport UK General regulations might be reviewed by Motorsport UK as early as possible and
- ii. The National Court is very concerned that competitors are consuming prohibited drugs and hopes that the ASN will react accordingly and
- iii. The National Court makes clear that it will in future actively consider Disqualification from all championship results (in other words pre and post violation) in any doping or alcohol case.

Guy Spollon

Chairman

5th March 2019