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Powerlifter suspended for four years for anti-doping rule violation

The Sports Tribunal has suspended powerlifter Hinewai Pouwhare-Anderson for four years for returning a positive, in-competition test for clenbuterol, which is a non-specified substance prohibited at all times.

Ms Pouwhare-Anderson tested positive for clenbuterol in a sample she provided at a competition test on 27 May 2019.

Ms Pouwhare-Anderson was provisionally suspended without opposition on 5 June 2019. She elected not to have a 'B' sample tested, admitted the violation and expressed a reluctance to participate in the process in any way. The Tribunal was asked to assess the penalty that should be imposed in such circumstances.

The Tribunal observed that this case provided a stark reminder of the framework which Drug Free Sport New Zealand has determined is necessary and appropriate for sports people in New Zealand, and vividly demonstrated what must happen when an athlete charged failed to engage.

The Tribunal further observed that the system is not concerned or interested in actual culpability, and unlike every other adjudicative body in New Zealand was prevented from assessing a fair, reasonable and proportionate response which properly reflected what had occurred.

The Tribunal concluded that in the circumstances it had no choice but to impose a period of ineligibility of four years, which was backdated to the date of the test because of the timely admission of the violation. This meant that Ms Pouwhare-Anderson is ineligible to participate in any competitive sport until 13 April 2023.

The decision in this case is available for download from the website of the Sports Tribunal (www.sportstribunal.org.nz). See *Drug Free Sport New Zealand v Hinewai Pouwhare-Anderson* (ST 03/19). Copies can also be obtained directly from the Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sportstribunal.org.nz).