

MEDIA RELEASE 3 April 2017

Cricket player suspended for two years for anti-doping rule violations

The Sports Tribunal has suspended cricket player Adam King for two years for the use and possession of prohibited substances in 2014 and 2015.

In February 2016, Medsafe provided Drug Free Sport New Zealand (DFSNZ) with information as part of its investigation into the illegal drug supply website NZ Clenbuterol which led to proceedings being brought against Mr King under the Sports Anti-Doping Rules (SADR). Mr King admitted ordering the anabolic steroids Nandrolone Decanoate and Testosterone Propionate on two occasions in August and October 2014 and using these prohibited substances between August and December 2014. He also admitted purchasing the hormones Tamoxifen (brandname Nolvadex) and Anastazole (brandname Arimidex) in January 2015 and using these prohibited substances between January and April / May 2015.

Mr King was provisionally suspended without opposition on 20 December 2016. He asked to address the Tribunal regarding the appropriate sanction and the commencement date of this sanction. The SADR provides that where proceedings involve multiple violations, the sanction imposed is based on the violation which carries the most severe sanction. The SADR was amended in 2015 in line with changes made to the WADA Code and increased the penalty for intentional breaches from a period of ineligibility of two years to four years. Therefore, while Mr King's conduct in 2014 was clearly of relevance, the determination of the sanction was based on the 2015 violations.

Having considered the evidence in its totality, the Tribunal observed the competing arguments as to whether Mr King's conduct in purchasing and using the steroids was intentional as defined in SADR was finely balanced. The term "intentional" requires an athlete to engage in conduct which he or she knew constituted an Anti-Doping Rule Violation or knew there was a significant risk of this and manifestly disregarded that risk.

However, the Tribunal found no evidential basis to show Mr King's conduct in purchasing and using the hormones in 2015 was intentional under SADR. Accordingly, a period of ineligibility of two years was imposed. The Tribunal backdated the commencement date of the sanction to 1 May 2016 in light of delays not attributable to Mr King and also for his prompt admission and co-operation once the allegations were made by Drug Free Sport in November 2016.