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Young athlete suspended for four months for anti-doping rule violation

The Sports Tribunal has suspended a young athlete for four months for the presence of a prohibited substance, 1,4 dimethylpentylamine, a specified stimulant under class S6b of the Prohibited List 2018. The positive test resulted from a sample taken from him in a New Zealand Championship tournament held in February 2018.

The athlete was provisionally suspended without opposition on 6 April 2018. He admitted the violation but asked to be heard as to the appropriate sanction. On 17 May 2018, a joint memorandum was provided to the Tribunal on behalf of Drug Free Sport New Zealand (DFSNZ) and the athlete. In the memorandum the parties proposed an appropriate sanction.

The parties agreed the case involved the unintentional use of a specified substance by consuming “kick pre-workout” product, for which the standard period of ineligibility is two years under the Sports Anti-Doping Rules 2018 (SADR). The memorandum proposed a reduced sanction on the basis that there was no significant fault or negligence in relation to the violation.

In a context where athletes have strict obligations under SADR to exercise utmost caution and understand what constitutes a violation, the memorandum outlined the athlete’s degree of fault based on his youth, inexperience for a careless “one-off” mistake and assessed his fault was at the lower level.

The parties proposed that a four month period of ineligibility was appropriate taking into account the particular circumstances of this case. Allowing credit for the period of provisional suspension served and backdating for timely admission, his suspension will end on 26 June 2018.

The Tribunal having considered all available material made an order as proposed. As the athlete is a minor, it was agreed to remove all details that would identify him and to publish a decision relating only to the circumstances that led to the violation.

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 A Minor* (ST 04/18). 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).