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Basketball player suspended for 4 years for anti-doping rule violation

The Sports Tribunal has suspended basketball player Gareth Dawson, for a period of four years for the presence of a prohibited substance, higenamine, in a sample taken from him at a National Basketball League (NBL) game on 27 May 2017. Higenamine is a specified substance banned in and out of competition and is on the Prohibited List 2017. The source of higenamine was from the supplement Oxyshred, a thermogenic fat burner product used by Mr Dawson. This is Mr Dawson's second anti-doping rule violation, he was suspended for 12 months in 2014.

Mr Dawson was provisionally suspended on 4 September 2017. The Tribunal had significant difficulties contacting Mr Dawson who lives in Western Australia. On 18 October 2017, Mr Dawson formally admitted the violation but asked to be heard as to the appropriate sanction. Mr Dawson filed a statement outlining his position and confirmed he would attend a hearing set in November. He failed to do so, and the Tribunal adjourned the hearing to allow Mr Dawson an opportunity to participate in a rescheduled hearing.

The Tribunal cautioned Mr Dawson from the outset that he was subject to substantial mandatory penalties, offering assistance and advice. Despite numerous efforts to engage Mr Dawson throughout the process, and to accommodate his overseas residence and work commitments, Mr Dawson did not take any action to mitigate the consequences and declined to attend the rescheduled hearing. He said he had outlined his circumstances and was satisfied for the matter to be dealt with in his absence. A further hearing date was set, and the matter determined but without Mr Dawson's direct participation.

The presumptive period of ineligibility for the unintentional presence of a specified substance (such as higenamine) is two years. For a second anti-doping rule violation, Mr Dawson was subject to "twice the period of ineligibility" otherwise applicable. The applicable period of ineligibility is four years.

Mr Dawson exercised no caution, given the high risk associated with supplements to ensure compliance with sports anti-doping rules. Mr Dawson, as an experienced athlete with a previous anti-doping suspension, understood the high standards expected and the strict anti-doping obligations under the Code.

In the circumstances, the Tribunal was unable to consider any elimination or reduction in the period of ineligibility. The mandatory period of four years ineligibility was imposed. A small allowance was made for Mr Dawson's prompt admission and credit provided for the period since the provisional suspension. The four year period of disqualification was backdated to 31 July 2017.