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Rugby league player suspended for 7 months for anti- doping rule violation

The Sports Tribunal has suspended rugby league player Samuel Henry for seven months for the presence of a metabolite of cannabis in a concentration higher than that permitted under WADA's Prohibited List in a sample taken from him in competition.

Mr Henry tested positive for cannabis in a concentration of 547 ng/ml in a sample he provided at a competition rugby league game on 6 October 2018. The limit for cannabis was increased by WADA in 2012 to 180 ng/ml.

Mr Henry was provisionally suspended without opposition on 10 December 2018. He admitted the violation but asked to be heard as to the appropriate sanction. DFSNZ acknowledged that Mr Henry had shown that he had not taken cannabis to enhance his sporting performance and that Mr Henry had established no significant fault on his part for his recreational use of cannabis. The Tribunal was asked to assess Mr Henry's degree of fault in deciding on a period of ineligibility between a reprimand and two years.

The Tribunal referred to its prior decisions of *Drug Free Sport New Zealand v Travell Ngatoko* (ST17/17, 3 February 2017) and *Drug Free Sport New Zealand v Stacey Mikara* (ST16/16, 17 February 2017) which both involved recreational cannabis use. Both cases involved athletes whose test results recorded lower levels of cannabis usage – with *Mikara*, the higher of the two, attracting a suspension of six months.

In line with these prior decisions, the Tribunal decided that suspension of seven months was the minimum sanction that was appropriate. The Tribunal exercised its discretion to backdate the start of the ineligibility period to one month prior to the date of the provisional suspension (to reflect Mr Henry's timely admission), which means that Mr Henry will be ineligible to participate in any competitive sport until 10 June 2019.

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 Nicholas Byrne* (ST 11/18). 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).