

MEDIA RELEASE

14 November 2011

Sports Tribunal Suspends Basketball player for 2 years

The Sports Tribunal has suspended NBL basketball player, Daniel Ryan, from participating in sport for two years because of an anti-doping violation involving the prohibited substances D-Methamphetamine and D-Amphetamine. Mr Ryan tested positive to these substances after playing for the Waikato Pistons in the National Basketball League Semi-Final.

Mr Ryan initially filed defences that the substances were taken “out of competition” as he believed his season was over when he took the substances (he was called in at the last minute to play by the team coach) and that the substances had not been taken for performance enhancing purposes.

However, he subsequently withdrew these defences and indicated that he did not require a formal hearing, he would accept the violation infringement and would not challenge the mandatory penalty of two years set out under the Sports Anti-Doping Rules for a violation with these substances.

The Tribunal noted in its decision that these withdrawn defences could not have succeeded under the Sports Anti-Doping Rules. The presence of a prohibited substance in a sample collected in competition is a violation under the Rules regardless of when the substance was taken by the athlete. The infringement is that Mr Ryan competed with prohibited substances in his body. Whether a substance was taken for performance enhancing reasons or not is only relevant when the substance is of a type classified as a “specified substance” under the Rules and the substances in this case were not specified substances.

Mr Ryan asked the Tribunal to note in its decision his position that, while out drinking, he was given a pill that he thought was a “legal party pill” which he took for relaxation and stress relief and that he would not have taken the pill if he knew what it really was. He accepted that the Tribunal was not able to comment on, or accept the circumstances surrounding the offence, as there had been no hearing in which to test this evidence.

The Tribunal noted his position as requested. The Tribunal further noted that the circumstances, whatever they may be, were not relevant to the decision which it was required to give in this case under the Rules.

The Tribunal therefore imposed the mandatory penalty of two years’ suspension.