

BETWEEN DRUG FREE SPORT

Applicant

AND NAT CONNELL

Respondent

DECISION OF THE TRIBUNAL IMPOSING PROVISIONAL SUSPENSION

Dated 24 April 2008

Tribunal Members Participating: Barry Paterson QC, Chairman
Nick Davidson QC
Ron Cheatley

Registrar: Brent Ellis

1. The respondent played for the Otago Nuggets against Taranaki on 28 March 2008. He gave a sample after that match and the A sample has tested positive for cannabis.
2. Drug Free Sport has advised Basketball New Zealand of the position and the latter in accordance with rules of Basketball New Zealand and the Sports Anti-Doping Rules 2007 ("the Rules") which apply, has referred the matter to the Tribunal to determine whether the athlete should be provisionally suspended.
3. The Tribunal contacted the athlete and arranged for an urgent hearing by telephone conference. The athlete did not attend that conference, although it was attended by Mr Steel of Drug Free Sport and Mr Dale Stephens (who is currently in Beijing) on behalf of Basketball New Zealand.
4. The level of cannabis was 308 mg/ml which is a particularly high level of cannabis. Basketball New Zealand supports Drug Free Sport and has expressed the view that where there has been a positive test, the athlete should be provisionally suspended until the matter has been fully resolved. In this case the Tribunal spent some time trying to contact the athlete so he could participate in the conference but was unable to do so notwithstanding that the athlete had been advised of the conference and had indicated where he would be at the time.
5. In the circumstances, the athlete is provisionally suspended in accordance with Rule 12 of the Rules.
6. The athlete may apply to remove the provisional suspension and the matter will be given urgency.
7. In accordance with the provisions of Rule 17 of the Rules, Basketball New Zealand and Otago Basketball may report that the athlete has been provisionally suspended under the Rules pending the outcome of

an allegation that the athlete has committed an anti-doping rule violation.

Dated 24 April 2008

A handwritten signature in black ink, appearing to read 'B J Paterson', is positioned above a horizontal dotted line.

Hon B J Paterson QC
Chairman