

MEDIA RELEASE

23 December 2013

Sports Tribunal Suspends Rugby League Player for Failing to Provide a Sample

The Sports Tribunal suspended rugby league player Rocky Masoe from participating in sport for two years for refusing or failing to provide a sample for drug testing.

On 7 October 2013, Rocky Masoe played in a Pirtek National Rugby League match for the Wellington Orcas at Mount Smart Stadium in Auckland. After the match, he was requested by doping control officials to provide a urine sample for testing. Although initially cooperating with the officials, he failed to comply and left the doping control station.

Mr Masoe admitted the violation. In explaining why he left the doping control station before providing the sample, he referred to getting anxious and frustrated and feeling tired, cold and hungry after waiting for a while. He then left the doping control area and went for a shower, despite the officials warning him of the consequences of leaving the area before providing a sample.

The Sports Anti-Doping Rules provide that the penalty for refusing or failing to provide a sample without compelling justification is a suspension of two years, unless there is no fault or negligence or no significant fault or negligence on the part of the athlete.

There is a substantial threshold to be met by any athlete seeking to avoid a two year suspension for this type of violation and serious consequences must follow a breach except in very limited circumstances. This was not a case of “no significant fault or negligence” in the Tribunal’s view. The facts in this case came nowhere near meeting that hurdle and a two year suspension must be imposed.

The Tribunal therefore suspended Mr Masoe for two years (commencing from 2 December 2013 which was the date he was provisionally suspended by the Tribunal).

The decision in this case will be made available for download from the website of the Sports Tribunal (www.sporttribunal.org.nz). See *Drug Free Sport New Zealand v Rocky Masoe* (ST 07/13). Copies can also be obtained directly from Brent Ellis, Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sporttribunal.org.nz).