

MEDIA RELEASE

10 February 2011

Sports Tribunal imposes lifetime ban on power lifter

The Sports Tribunal has suspended power lifter, Rodney Newman, from participating in sport for life due to him committing multiple anti-doping violations.

Background

Mr Newman had previously been suspended by the Sports Tribunal for two years in 2008 for an anti-doping violation.

In August 2010 Drug Free Sport New Zealand (DFS) filed proceedings with the Sports Tribunal alleging Mr Newman had committed further anti-doping violations. A hearing was scheduled for October 2010 but was adjourned when the Ministry of Health instituted separate proceedings against Mr Newman, under the Medicines Act 1981, in the District Court. Some of the District Court charges related to alleged acts relevant to allegations in the anti-doping application before the Tribunal. The Tribunal, at Mr Newman's request, agreed to delay hearing the anti-doping allegations until the District Court matter was concluded.

On 6 December 2011, the District Court gave its decision finding Mr Newman had imported prescription medicines and had in his possession prescription medicines, contrary to the Medicines Act. The drugs that the District Court found Mr Newman imported and possessed included prohibited substances banned in sport under the World Anti-Doping (WADA) Code and formed the basis for some allegations against him that the Sports Tribunal was to hear.

Sports Tribunal findings

The Sports Tribunal held the anti-doping hearing on 16 January 2012. DFS alleged that Mr Newman had committed five anti-doping violations. While Mr Newman admitted or accepted that most of the anti-doping allegations against him were established, he denied allegations of use or attempted use of prohibited substances. However, the Tribunal found that the alleged anti-doping violations against Mr Newman had been proven to the required standard. These five violations were:

1. Participating in sporting activity (by coaching at the Auckland Powerlifting Championships on 8 May 2010) in breach of the two year suspension imposed by the Tribunal in November 2008.
2. Failing to submit to sample collection without compelling justification on 18 May 2010.
 - Mr Newman refused to provide a urine sample when requested by drug testing officials.
 - Mr Newman did not deny that he refused to provide a sample but suggested he may not have been required to do so because he had retired from power lifting.
 - At the hearing he accepted that he remained subject to anti-doping rules until he gave written notice to the New Zealand Power Lifting Federation that he had retired and that he had not given any such notice.

3. On 1 October 2009, being in possession of various prohibited substances including mesterolone, stanozolol, testosterone, oxymetholone, methandienone, oxandrolone, and prasterone.
4. At various times between 27 October 2006 and 1 October 2009, being in possession of various prohibited substances.
5. Using or attempting to use prohibited substances at various times between 27 October 2006 and 1 October 2009.
 - While admitting importing and possessing prohibited substances, Mr Newman denied using or attempting to use them.
 - He claimed he had imported the substances either for the use of his GP under an arrangement or to be stored and used by him for one last attempt to achieve a personal best power lift assisted by steroids at some future date after he retired from power lifting and was not subject to anti-doping rules.
 - However, the Tribunal concluded that other evidence showed he had used or attempted to use prohibited substances during this time. This included:
 - e-mail correspondence (seized pursuant to a search warrant) between Mr Newman and overseas suppliers of prohibited substances stating he had used prohibited substances for a number of years and had previously made multiple purchases and importations of steroids
 - purchasing products from a company that went to considerable lengths to disguise the products
 - the large quantity of drugs seized at his property and
 - that some bottles containing prohibited substances indicated that some of their contents had been used.

DFS submitted that there were aggravating circumstances including possession and use of a large quantity of performance enhancing drugs, over a long period of time while competing at a national level in a sport, giving him a direct advantage which he deliberately sought. DFS further submitted that his conduct showed a flagrant disregard for the illegalities involved in what he did and was undertaken in a manner designed to deliberately conceal his conduct.

The Tribunal agreed that there were aggravating circumstances of this nature and that these were of sufficient gravity to impose a lifetime ban on Mr Newman.

The decision in this case will be made available for download from the website of the Sports Tribunal (www.sportstribunal.org.nz). See *Drug Free Sport New Zealand v Rodney Newman* (ST 17/10). Copies can also be obtained directly from Brent Ellis, Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sportstribunal.org.nz).