

## **MEDIA RELEASE**

**28 November 2006**

### **Rugby league player suspended for 2 years for his second cannabis violation**

The Sports Disputes Tribunal has suspended Canterbury Bulls rugby league player Vince Whare for 2 years for a second anti-doping violation involving cannabis. Cannabis is a prohibited substance under the Prohibited List of the World Anti-Doping Agency (WADA).

Mr. Whare tested positive for cannabis while competing in a Barter Card Cup game on 20 August 2006. This was Mr. Whare's second appearance before the Tribunal for a cannabis anti-doping violation. On the first occasion, he was reprimanded, fined and ordered to pay costs (see SDT 14/04, decision released 7 March 2005).

Mr. Whare testified he used cannabis for relief during a time of difficult personal circumstances and not to enhance his sports performance.

### **Principles applied**

Under the WADA Code, the penalty for a second anti-doping violation involving cannabis is a lifetime ban from sports. However, a mandatory two year suspension will apply instead if the athlete can establish that the cannabis was not used to enhance sports performance. The period of suspension can be further reduced if the athlete can establish no significant fault or negligence.

### **The Tribunal's conclusions**

The Tribunal concluded:

- this was a second offence
- Mr. Whare did not use cannabis for performance-enhancing purposes.

Mr Whare did not attempt to argue the no significant fault or negligence defence. Therefore, the Tribunal was required to suspend him for 2 years (to commence from 5 October 2006 which was when he was provisionally suspended by NZ Rugby League). If he had not established that the drug taking was not to enhance his sports performance, he would have been banned for life.

Mr Whare also competes in other sports. The Tribunal noted that any suspension imposed under the WADA Code also prevents a person participating in all sports who are signatories to the WADA Code.

The full decision in this case is available for download from the website of the Sports Disputes Tribunal ([www.sportstribunal.org.nz](http://www.sportstribunal.org.nz)). See *NZ Rugby League v Vince Whare* (SDT 19/06). Copies of the decision can also be obtained directly from Brent Ellis, Registrar, Sports Disputes Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: [info@sportstribunal.org.nz](mailto:info@sportstribunal.org.nz)).