

MEDIA RELEASE

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Sports Tribunal suspends body builder for 2 years

The Sports Tribunal has suspended body builder Niko Toluono for 2 years for committing an anti-doping violation.

Mr Toluono refused to supply a sample for drug testing at the Auckland Body Building Championships on 30 June 2007.

Principles applied

Unless a defendant can establish the defences of “no fault or negligence” or “no significant fault or negligence”, the mandatory penalty for a first anti-doping violation involving a refusal to provide a sample is a 2 year suspension.

Tribunal’s Conclusions

Despite being given the opportunity to participate in the hearing, Mr Toluono failed to do so and provided no information to the Tribunal. The Tribunal concluded that Mr Toluono committed an anti-doping violation by failing, without reasonable cause, to comply with a request to provide a sample. The Tribunal therefore suspended him for the mandatory 2 year period from participating in sport.

The full decision in this case will be made available for download from the website of the Sports Tribunal (www.sporttribunal.org.nz). See *New Zealand Federation of Body Builders Inc v Niko Toluono* (ST 10/07). Copies of the decision 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).