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Recreational cricketer suspended for anti-doping rule violations

Recreational cricketer Vaibhav Sharma has been suspended by the Sports Tribunal for four years for the possession and attempted use of prohibited substances.

Mr Sharma was provisionally suspended without opposition for the anti-doping rule violations (ADRVs) on 28 April 2023 following New Zealand Customs Service intercepting a package addressed to Mr Sharma. The package contained prohibited substances valued at just under \$4000.

Mr Sharma denied the ADRV and elected to attend a hearing held last week.

Drug Free Sport New Zealand (DFSNZ) had the burden to prove to the Tribunal's comfortable satisfaction that Mr Sharma had committed the alleged breaches of the Sport Anti-doping Rules (SADRs). DFSNZ relied on the fact that Mr Sharma's name, address and cell phone number were on the package, which, in the absence of evidence to the contrary, DFSNZ submitted made it highly likely that Mr Sharma had purchased the substances for his own use. The SADRs state that purchase constitutes possession.

While Mr Sharma did not have to prove anything, he offered two alternative possibilities as to why the package had his name, address, and phone number on it. The first was that a malevolent actor had purchased the substances and had them delivered to Mr Sharma so that he would be caught with them. The second was that an importer had purchased the substances with the intention of 'catching' them at Mr Sharma's address before Mr Sharma received them.

The Tribunal considered these possibilities to be implausible and rejected them both. Mr Sharma could not think of anyone who would attempt to derail his cricket career, and it seemed unlikely that anyone would go to such expense. The inclusion of Mr Sharma's phone number on the parcel undermines the proposition that someone was trying to 'catch' the substances before Mr Sharma got to them, rather it would make it more likely that Mr Sharma would be the recipient.

The Tribunal was comfortably satisfied that Mr Sharma was in possession of the prohibited substances and that he intended to use them. The Tribunal imposed a period of ineligibility of four-years which was the only sanction available given that Mr Sharma did not provide any evidence that would assist in reducing the ineligibility period.

The decision in this case can be found at www.sportstribunal.org.nz *Drug Free Sport New Zealand v Vaibhav Sharma (ST 03/23)*.

Additional information about prohibited substances, ADVs, and sanctions can be found in the WADA Prohibited List (www.wada-ama.org/en/prohibited-list) and the Sports Anti-Doping Rules (www.drugfreesport.org.nz).