

1. Mikayla Werahiko (Ms Werahiko) is a New Zealand softball player and is registered with Softball New Zealand (SNZ). She is also registered with New Zealand Rugby League (NZRL). SNZ and NZRL have adopted the 2024 Sports Anti-Doping Rules (SADR) promulgated by the Sport Integrity Commission (SIC) as their anti-doping policy.
2. A sample was collected from Ms Werahiko at the Softball New Zealand (SNZ) Women's Open Club National Championship held in Christchurch on 10 March 2024, which, on analysis, confirmed the presence of Carboxy-THC metabolite: 11-nor-delta-9-tetrahydrocannabinol carboxylic acid which is a specified substance prohibited in competition under class S8 - Cannabinoids on the 2024 Prohibited List.
3. On 12 July 2024, Counsel for Ms Werahiko, Mr Hunt, confirmed that she voluntarily accepted the Provisional Suspension. The Provisional Suspension Order (PSO) was issued on 24 July 2024 with the start date of the PSO being 15 July 2024.
4. The SIC brought proceedings for Anti-doping Rules Violations (ADRVs) before the Tribunal on 30 July 2024 alleging breaches of Rules 2.1 (Presence of a Prohibited Substance) and 2.2 (Use or Attempted Use of a Prohibited Substance).
5. Ms Werhiko accepted responsibility for the ADRVs and sought to be heard on the matter of sanction.
6. Ms Werahiko's evidence was that she used cannabis on two separate occasions on the night of 2/3 March 2024 and on 5 March 2024 and that her use and possession of cannabis was out of competition and not related to sport performance.
7. The SIC accepted Ms Werahiko's evidence and submitted it would be appropriate for the Tribunal to conclude that her use of cannabis was unrelated to sport and was out of competition.
8. SIC and counsel for Ms Werahiko agreed in a joint memorandum dated 8 August 2024, that, pursuant to Rule 10.2.4.1, the appropriate sanction should be a period of ineligibility of three months, which could be reduced to one month if she satisfactorily completed a substance of abuse treatment programme.
9. Ms Werahiko enrolled in and completed the Takahi Te Taniwha Drugs and Alcohol treatment programme which the SIC was satisfied was appropriate for the purposes of rule 10.2.4.1. Ms Werhiko provided the Tribunal with a copy of her certificate of completion on 29 August 2024.

10. In a directions memorandum dated 8 August 2024, the Tribunal Chair agreed that the appropriate level of sanction, pursuant to rule 10.2.4.1 of a three-month period of ineligibility reduced to one month if the requirements of rule 10.2.4.1 are satisfied, had been consented to and therefore considered there was no need for the Tribunal to form a panel.
11. The Chair made directions by consent for Ms Werhiko to receive a sanction of three month's ineligibility which could be reduced to one month on the satisfactory completion of a treatment programme.
12. The Chair is satisfied that Ms Werahiko has completed the treatment programme and that therefore the sanction shall be a period of ineligibility of one month.

Orders

13. The Tribunal **orders** as follows:
 - (i) In line with [12(v)] of the Directions Memorandum, a period of ineligibility from participation in any capacity in a competition or activity organised, sanctioned, or authorised by any sporting organisation that is a signatory to the SADR, of one month is imposed on Ms Werahiko under Rule 10.2.4.1, backdated to commence on 15 July 2024.
 - (ii) This means Ms Werahiko was ineligible to participate in competitive sports until 15 August 2024. That date has now passed meaning Ms Werahiko has served her ineligibility period.
 - (iii) These proceedings are now closed, and Ms Werahiko may return to competitive sports.

Dated: 29 August 2024



John Macdonald
Chair