

DISCIPLINARY HEARING OF NTOBEKO PATRICK DUMA

(Teleconference)

HELD ON

10 JULY 2012

AT

SOUTH AFRICAN INSTITUTE FOR DRUG FREE SPORTS

Start time: 18h30

PRESENT: Ray Brink (RB) – SAIDS Tribunal Chairperson, Nasir Jaffer (NJ) – SAIDS Medical Representative, Norma Nonkhonyana (NN) - SAIDS Sports Administrator, Nicolas Kock (NK) – SAIDS Legal Representative, Rahiden Cullis (RC) – SAIDS Observer, Lunga – Athlete's Representative, Patrick Duma (PD) – Athlete, Rayanah Rezant – Minute Taker

SAIDS called Lunga the athlete's representative and found that they were not together.

SAIDS proceeded to try to contact the athlete directly and after many attempts reached him.

The athlete, Patrick Duma had difficulty with the English language and Norma Nonkhonyana assisted in translating.

NN - (speaks to PD in Xhosa)

- I am going to hand you over to the Chairman of the Tribunal who is Mr Ray Brink.
- He will be speaking to you now and asking you a few questions.

RB - Good evening Mr Duma. Do you understand English and what we will be doing right now?

PD - Yes

RB - Do you understand that this is a Hearing because at the competition a test was done on you and it was found that you had stuff in your body that was not supposed to be there.

PD - It was Muti

- I used it to wash myself and had to drink it.
- I still have it. Kept it for SAIDS.

RB - Who gave you this medicine?

PD - I got it from a Traditional Healer.

RB - Why fif

PD - I was protecting myself.

NN - Why?

- PD - Explained in Xhosa.
- NN - PD is saying that he had to protect himself from falling which is a cultural belief. He can only fall if there is a real fight, not because of a knock-out.
- PD do you believe in witchcraft?
- PD - Yes
- NN - Why did you take it?
- PD - The traditional healer said I must wash myself in it and drink of it to protect myself.
- RB - What was in the medicine?
- PD - Grass, dry grass but there was no dagga in it.
- NN - The athlete won't know the contents of the dry mixture given by the traditional healer.
- PD did you smoke on the day of the competition?
- PD - No, I had to take the medicine the night before the match.
- NN - Did you tell your coach that you took the medicine?
- PD - Yes
- NN - Did he see the medicine?
- PD - No
- NN - What did your coach say on the day you received the letter?
- Since the day he told you, have you been participating?
- PD - Only got a phone call from the coach and still waiting for the letter.
- I have not been training since I was called by the coach.
- NN - PD we are going to discuss this matter quickly.
- We are going to call you back shortly so please hold on for us.

*End of call – Tribunal deliberates.*

- RB - Does anyone have any recommendations?
- NN - I took a look at the dry mixtures on the internet and it is various herbs used. There are big aloe plants also used which is not commonly known to us. It could be anything other than dagga that made him test positive.
- NJ - It is inevitable to find wild dagga in herbs which will cause him to test positive.
- It is plausible that he did not know but one cannot assume the oral ingestion.

- It is possible that he could have smoked the day or even a week before the competition and traces could be found in the bloodstream.
- The story however, is consistent.
- Sanction can be two months.

RB - We just need to make it clear to him that he must not drink or smoke the muti but he can wash himself with it.

*Tribunal calls back.*

NN - Hello PD, the chairman will talk to you now and he is going to speak in English.

RB - PD, we have listened to what you told us and we all agree that we believe you.

- You failed the test because of the muti.
- It is important that you understand that you must be careful about what you put into your body.
- We strongly want to ask that you don't drink muti before any competition but you can wash yourself in it.
- If you fail another test you can be stopped from boxing for a very long time.
- As this is only the first time, you will get a two month sanction where you are not allowed to train in from 18 May to 18 July.
- If you are found boxing before 18 July, you can also be stopped from boxing for a long time.
- Did you win the completion?

PD - No

RB - You are a promising boxer, we want to be proud of you, so please don't drink or smoke dagga.

NN - Thank you for your time Duma.

*Meeting adjourned at 19h28*