



SPORTS TRIBUNAL
of New Zealand

ANNUAL REPORT
2019/20

MISSION OF THE SPORTS TRIBUNAL OF NEW ZEALAND

The mission of the Sports Tribunal is to ensure that national sport organisations, athletes and other parties to a sports dispute have access to a fair, objective and just means of resolving sports disputes within the Tribunal's jurisdiction that is also affordable, timely and efficient.

PERIOD COVERED BY THIS ANNUAL REPORT

The 2019/20 Annual Report of the Sports Tribunal reports on activities and cases decided during the time period 1 July 2019 to 30 June 2020. Cases filed during this time but not decided as at 30 June 2020 will be reported on in the Annual Report for the following year.



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CHAIRMAN'S FOREWORD

As throughout the country, and in fact around the world, the latter part of the year has been like no other we have ever known. The postponement of the Tokyo Olympics meant that what would have been a busy time dealing with non selection appeals had only a trickle of adjudications required. There have still been some heavily fought internal disputes in a variety of codes, some of which have been far from easy to get to a sensible and workable outcome. Sadly, personal positions too often overshadowed what is best for the sport and its players.

We have watched with considerable interest the formation and operation of a National Sports Tribunal in Australia. Our experience was drawn on in part in the establishment exercise, but the framework achieved is markedly superior. First, it is a truly independent body with its own staff and resources and not like us operating at the mercy of Sport New Zealand. The New Zealand Sports Tribunal was set up to be an independent statutory body appointed by the Governor General but the ideal is seriously compromised with no funds and shared staff. DFSNZ, the other major player in the environment does not have these handicaps so can be more effective in its role. Secondly, there is an internal appeal layer available in Australia. Appeals only to CAS for New Zealand cases is unsatisfactory because of the time and cost involved and the make up of the personnel available to hear such cases. What is needed is an immediately accessible proper appeal, not a total rerun of the case, available within our framework. A meaningful first right of appeal is a core element in any strong adjudicative system.

There is an urgent need for amendments to meet these issues.

There was a serious attempt to have the Australian Tribunal deal with cases arising in all Codes without parallel bodies in some of the large and powerful Sports. This was not achieved so the position across the Tasman is the same as in New Zealand. It is an extraordinary position for which no principled rationale has been articulated. In the anti-doping space a drug cheat is a drug cheat irrespective of the sport

in which they participate and a more minor infractor is no different. In the general community it would be ludicrous to maintain separate Courts to deal with Rotarians from Remuera or miners from the West Coast. Whoever an alleged offender might be the rules, approach and reaction should be the same. Having separate adjudicative bodies embedded in some codes lacks a sensible justification.

The most pleasing prospect for our Tribunal is the new Code which will come into force in 2021. It will have some room for actual culpability to be assessed and some discretion available which will make it possible to apply proportionality, fairness and common sense. We have agitated for change for years and the new regime is most welcome. Hopefully it will be accompanied by a realistic prosecutorial discretion being exercised.

During the year we lost the services of our three most senior Tribunal members. Alan Galbraith QC, Dr Lynne Coleman and Chantal Brunner had between them given 30 years of outstanding service. These were people with total dedication to sport in its widest sense with lengthy careers in a variety of fields. They are sorely missed for their balanced approach and sound judgment. It was regrettable that we were prevented from having the outgoing and the incoming Tribunal members meet to share that wisdom and experience. Nicholas Young QC, Dr Helen Tobin and Pippa Hayward have joined the Tribunal and are already making valuable contributions. Mike Selwyn has continued acting as the Registrar.

New approaches, new people and an uncertain world future means there are many challenges ahead but we remain available to assist and adjudicate throughout the sporting community in a fair, timely and sensible manner.

Hon Sir Bruce Robertson KNZM, VGSM
Chairman

ABOUT THE SPORTS TRIBUNAL

The Sports Tribunal is an independent statutory body that determines certain types of disputes for the sports sector. It was established in 2003 by Sport and Recreation New Zealand (now known as Sport New Zealand) in response to recommendations of a 2001 Taskforce which identified a need to help National Sporting Organisations (NSOs) avoid lengthy and costly legal battles, and to provide athletes with an affordable forum where they could access high quality and consistent decision-making to resolve disputes.

The Tribunal was continued under the name of the Sports Tribunal of New Zealand by the Sports Anti-Doping Act 2006 (the Act).

The Tribunal can hear and decide the matters set out in section 38 of the Act. These are:

- Anti-doping violations, including determining whether an anti-doping violation has been committed and imposing sanctions
- Appeals against decisions made by a NSO or the New Zealand Olympic Committee (NZOC) if the rules of the NSO or NZOC allow for an appeal to the Tribunal. Such appeals include:
 - appeals against not being selected or nominated for a New Zealand team or squad
 - appeals against disciplinary decisions
- Other “sports-related” disputes that all parties to the dispute agree to refer to the Tribunal and that the Tribunal agrees to hear
- Matters referred by the Board of Sport New Zealand.

The Act sets out the requirements for the appointment of Tribunal members including the Chairperson and Deputy Chairperson(s). These include both legal experience and substantial involvement in sport. Information about the current Tribunal membership is provided at the end of this report.

Further information about the Tribunal’s procedures and decisions can be found on its website: www.sportstribunal.org.nz



CASES DEALT WITH BY THE TRIBUNAL 2019/2020

A total of 14 cases were filed with the Tribunal during the year and the Tribunal issued 16 decisions. These are classified by proceeding type below.

	NUMBER OF PROCEEDINGS FILED	NUMBER OF DECISIONS ISSUED
Anti-Doping (Provisional Suspension)	6	6
Anti-Doping (Substantive)	6	6
Appeals against decisions of NSOs or NZOC	2	4
Sports-related disputes by agreement	0	0
Total	14	16

OVERVIEW

14 proceedings were filed with the Tribunal this year compared to 18 last year.

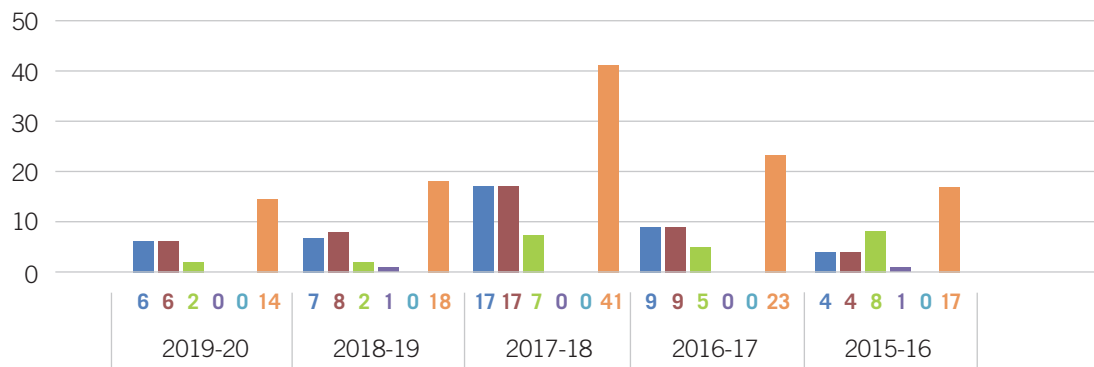
The number of appeals filed against decisions of NSOs and the NZOC was two in 2019/20 which was the same in 2018/19.

The reduction in the proceedings filed can be attributed to the temporary cessation of competitive sport due to the Government's response to the COVID-19 pandemic and the postponement of the Tokyo Olympic Games.

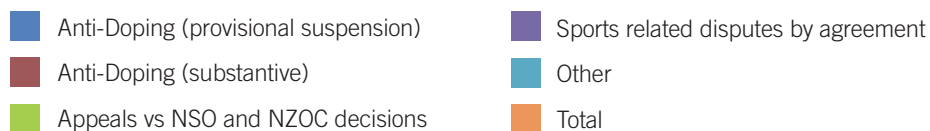
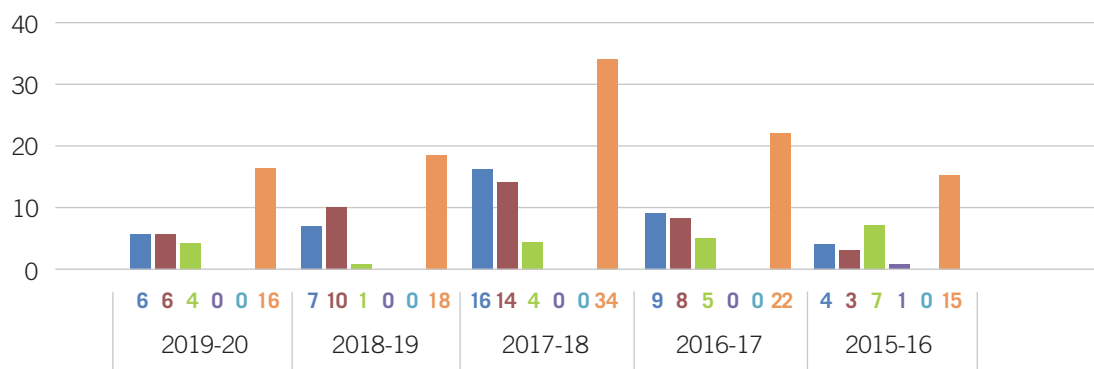
COMPARISON WITH PREVIOUS FIVE YEARS

The following tables show the number of proceedings filed with the Tribunal and decisions issued (classified by proceeding type) in 2019/20 compared to each of the previous five years.

Number and type of proceedings filed - yearly comparison



Number of decisions issued - yearly comparison

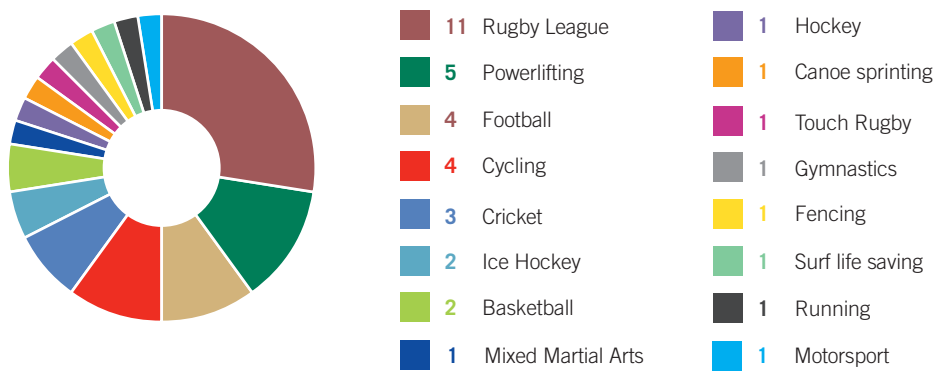


The charts below reflect the types of anti-doping cases and the sports involved for the previous five years.

Anti-Doping Tribunal decisions 2015/16 to 2019/20 by Anti-Doping Rule Violation type



Anti-Doping cases heard by the Tribunal: sports involved 2015/16 to 2019/20



ANTI-DOPING CASES

The Tribunal hears provisional suspension applications and substantive proceedings for anti-doping rule violations filed by Drug Free Sport New Zealand (DFSNZ), New Zealand's National Anti-Doping Organisation (NADO). The Tribunal is empowered to determine whether a violation has occurred and impose the appropriate sanction under the Sports Anti-Doping Rules (SADR) promulgated by DFSNZ. The SADR mirror the World Anti-Doping Authority's (WADA) Code, the latest version of which came into effect on 1 January 2015. Most NSOs have adopted the SADR as their anti-doping policy.

In November 2017 WADA initiated a two-year Code Review process. The revised Code will take effect on 1 January 2021.

2019/2020

This year six substantive anti-doping proceedings were heard and decided by the Tribunal. These decisions are summarised in the table below.

Proceedings can either arise from athletes testing positive to prohibited substances or intelligence led investigations alleging violations of the Code, such as the *NZ Clenbuterol Medsafe* cases (attempted use and possession by online purchase). The Medsafe cases were all resolved in the prior reporting year.

ANTI-DOPING VIOLATION	PENALTY	SPORT
Presence of prohibited substance – Probenecid	2 years' ineligibility	Football
Presence of prohibited substance – Clenbuterol	4 years' ineligibility	Powerlifting
Presence of prohibited substances – Androsterone, Testosterone and 5 β Adiol	2 years' ineligibility	Canoe Sprint
Presence of prohibited substance – Tamoxifen	2 years' ineligibility	Powerlifting
Presence of prohibited substance – Methylphenidate metabolite Ritalinic acid	2 years' ineligibility	Gymnastics
Attempted use/possession of prohibited substances – Tamoxifen and Clomiphene	2 years' ineligibility	Motorsport

The six cases are summarised below.

PRESENCE OF A PROHIBITED SUBSTANCE – PROBENECID

Drug Free Sport New Zealand v Paul Clout

Paul Clout is a football player who was suspended for a period of two years for returning a positive test result for Probenecid. The sanction was backdated by seven and a half months to the date of the test in light of his timely admission.

Mr Clout was provisionally suspended without opposition on 5 February 2019. Subsequently, Mr Clout admitted the violation and stated that while he had been prescribed and taken Probenecid in May 2017 (as a treatment for cellulitis), he had no idea how Probenecid could be detected in his body 18 months later.

On 11 July 2019 the parties filed a joint memorandum proposing an appropriate sanction based on relevant factors including Mr Clout's timely admission of the violation. The parties proposed a period of ineligibility of two years backdated to the date of the test.

The Tribunal accepted the proposal so the backdating of the sanction meant that the two year period of ineligibility commenced from 2 December 2018.

PRESENCE OF A PROHIBITED SUBSTANCE – CLENBUTEROL

Drug Free Sport New Zealand v Hinewai Pouwhare-Anderson

Hinewai Pouwhare-Anderson, a powerlifter, was suspended for a period of four years after testing positive for clenbuterol.

Ms Pouwhare-Anderson admitted the violation but expressed a reluctance to participate in the process in any way. She was advised of the framework, the fact that consequences flow; and that there is an onus on her if these consequences are to be ameliorated in any way. Ms Pouwhare-Anderson was provisionally suspended without opposition on 5 June 2019.

The only issue that remained for the Tribunal in its decision was the sanction to be imposed. At the request of the parties, the decision was made without a hearing.

The Tribunal considered that this case provided a stark reminder of the nature and effect of the framework which DFSNZ had determined was necessary and appropriate for all sports people in New Zealand.

The Tribunal noted that unlike every other adjudicative body in New Zealand, it was prevented from assessing a fair, reasonable and proportionate response which properly reflected what had occurred. It recognised that preventing an athlete from participating in any sporting activity for four years was an extraordinary sanction.

As Ms Pouwhare-Anderson had failed to raise any positive defence, the Tribunal was unable to depart from a period of ineligibility of four years, which it imposed. The period of ineligibility was backdated to 13 April 2019, the date of the test, on account of Ms Pouwhare-Anderson's timely admission.

PRESENCE OF PROHIBITED SUBSTANCES – ANDROSTERONE, TESTOSTERONE; & 5 β ADIOL

Drug Free Sport New Zealand v Lee Marshall

Lee Marshall is a canoe sprinter who was suspended for a period of two years for recording significantly elevated levels of androsterone, testosterone; and 5 β Adiol in an in-competition test at the New Zealand and Oceania Canoe Sprint Championships. All of these substances are non-specified substances that are prohibited at all times.

Mr Marshall admitted the violation and on 18 July 2019 he was provisionally suspended without opposition. In a letter to the Tribunal he explained that he took testosterone as a treatment for PTSD, which he suffered from after serving in the military. Mr Marshall understood the consequences of the violation and stated that he would continue taking testosterone as it had significantly improved his quality of life. He denied taking testosterone for performance enhancing reasons, notwithstanding that DFSNZ submitted that testosterone did enhance performance.

DFSNZ raised the possibility of Mr Marshall seeking a Therapeutic Use Exemption (TUE), however Mr Marshall explained that his doctor would not support such an application.

Somewhat surprisingly, DFSNZ made no submission as to whether the material provided established or did not establish that the violation was not intentional. It has been commonplace for DFSNZ to take a position before the Tribunal, but it did not do so in this case.

The Tribunal determined that Mr Marshall's sporting results suggested that he was not gaining a performance advantage. It determined that while his self-medication had been imprudent in the extreme, it was directed at his general health and quite unrelated to his involvement in a low level of recreational sporting activity.

By the narrowest of margins, the Tribunal considered that Mr Marshall had proved that the violation was not intentional.

The Tribunal imposed a two year period of ineligibility to start on 16 February 2019, the date of the test.

PRESENCE OF A PROHIBITED SUBSTANCE – TAMOXIFEN

Drug Free Sport New Zealand v Jason Anderson

Jason Anderson is a powerlifter who was suspended for a period of two years for returning a positive out-of-competition test result for tamoxifen, which is a specified substance prohibited at all times.

On 17 July 2019, a telephone conference was convened by the Tribunal Chairman and Mr Anderson advised that he did not oppose the application for his provisional suspension. A provisional suspension order was issued that day.

Mr Anderson subsequently admitted the violation, and said that he had been offered tamoxifen by a friend at his gym to help him manage his heavy weight. He stated that he took the substance for approximately two weeks before discontinuing its use because of the severe side effects he experienced while taking it. He further explained that he was later diagnosed with gynaecomastia, which he stated that tamoxifen was used to treat.

On 25 November 2019, the parties filed a joint memorandum proposing a sanction of a period of two years' ineligibility, backdated to the date of the test to account for Mr Anderson's timely admission.

The Tribunal agreed and imposed a two year period of ineligibility backdated to 13 May 2019, the date of the test.



PRESENCE OF A PROHIBITED SUBSTANCE – METHYLPHENIDATE METABOLITE RITALINIC ACID

Drug Free Sport New Zealand v Batuhan Yazici

Batuhan Yazici is a gymnast who was suspended for a period of two years for returning a positive test for methylphenidate metabolite Ritalinic acid, which is a specified substance prohibited in competition.

On 15 November 2019, Mr Yazici was provisionally suspended without opposition. He advised that he wished to have his “B” sample analysed. The prohibited substance was also found in sample “B”, confirming the result of the original test.

Mr Yazici subsequently admitted the violation and stated that he had been offered a Ritalin pill by a friend (not an athlete) to assist him with completing a university essay due the night before the day he was tested. He stated that he did not take the prohibited substance to assist him in his performance in the competition, and that despite quite a high ranking as a male artistic gymnast he had not received any anti-doping education.

On 10 February 2020, the parties filed a joint memorandum proposing a sanction of a period of two years’ ineligibility, backdated to the date of the test on account of Mr Yazici’s timely admission.

The Tribunal agreed and imposed a two year period of ineligibility backdated to 5 October 2019, the date of the test.

ATTEMPTED USE/POSSESSION OF PROHIBITED SUBSTANCES – TAMOXIFEN AND CLOMIPHENE

Drug Free Sport New Zealand v Simeon Woolsey

Simeon Woolsey is a member of MotorSport New Zealand, a signatory to SADR. On 11 February 2020 a parcel addressed to Mr Woolsey was intercepted by the New Zealand Customs Service and found to contain, among other things, 50 tablets labelled to contain tamoxifen 10mg and 30 tablets labelled to contain clomiphene 25mg. Both are prohibited substances both in and out of competition.

Mr Woolsey was provisionally suspended without opposition on 4 May 2020.

He subsequently admitted the violations, and submitted that he had ordered the prohibited substances from an online pharmacy to treat an undisclosed medical condition. He referred to his involvement in motorsport as a part-time hobby and stated that he never appreciated that his involvement would make him subject to an anti-doping regime. He stated that he never received nor did he use the prohibited substances.

On 8 June 2020, the parties filed a joint memorandum that proposed a two year period of ineligibility, backdated by three months from the date of the provisional suspension for Mr Woolsey’s timely admission.

The Tribunal accepted the proposal and a two year period of ineligibility was imposed, backdated to commence from 4 February 2020 which was three months prior to Mr Woolsey’s provisional suspension.

APPEALS AGAINST DECISIONS OF NSOs OR NZOC

Two appeal proceedings were filed with the Tribunal in the reporting year. The Tribunal heard and decided four appeals against the decisions of NSOs (the additional proceedings had been filed prior to 1 July 2019).

The four cases are summarised below.

APPEAL AGAINST DECISION OF NSO

Central Rugby League Club v Bay of Plenty District Rugby League

The committee of the Central Rugby League Club (CRLC) had been suspended by Bay of Plenty District Rugby League (BOPDRL) for amending its Constitution without the prior approval of BOPDRL. BOPDRL suspended CRLC's committee notwithstanding that CRLC took immediate steps to rescind the change in its Constitution.

New Zealand Rugby League (NZRL) dismissed CRLC's appeal.

With the consent of both the suspended committee and BOPDRL, an Administrator was appointed to CRLC. With the cooperation of the suspended committee members, he achieved a rescission of the changes that had been made to the Constitution but he was unable to reach a resolution of the suspension issue and the appeal came back before the Tribunal for determination.

In the meantime, BOPDRL gave notice of an AGM for CRLC, and a new committee was thus elected. The original, suspended, committee amended its notice of appeal to include a challenge to the validity of that AGM and the election of the new committee on the grounds that the original suspension was unlawful. BOPDRL resisted the appeal on both grounds, and the new committee, represented by counsel, appeared at and took an active part in the hearing.

At the hearing of the appeal, CRLC argued that the original suspension was in breach of natural justice, and that BOPDRL had acted outside its powers in suspending the individual committee members (as had the NRL Appeal Committee).

The Tribunal accepted both of CRLC's submissions – it held that the suspension was in breach of natural justice and the suspension of individual committee members was ultra vires and that there was no power in its Constitution or otherwise to take that action. Therefore, the Tribunal determined that BOPDRL did not have the power to hold an AGM and the election of a new committee had no lawful effect.

Notwithstanding this decision, the Tribunal expressed its concern that, in the interests of the club and of the sport of rugby league, it was desirable that other issues which were causing friction between members and prospective members of the club – principally the processes by which membership applications were being determined – should be addressed for the future.

The Tribunal expressed the view that the restored committee should give a reasonable period for new membership applications to be made, and should have the receipt and processing of these applications overseen by a legally-qualified person with experience of the constitutions of such clubs.

The Tribunal considered that an AGM (which was overdue because of the appeal) should follow this, at which the election or re-election of a committee would take place. It reserved the right to supervise the implementation of the decision but expressed the wish that it will not be necessary for it to intervene going forward.

NOMINATION / SELECTION APPEALS

KL (a minor) v Table Tennis New Zealand

On 14 February 2019, Table Tennis New Zealand (TTNZ) confirmed KL's selection for the NZ Cadet (U15) Girls Team to compete at the Oceania Junior Championships. KL was advised that a \$500 deposit was required to be paid by 8 March 2019 to secure her place, in addition to the completion of administrative documents. The deposit was to be used to contribute towards the costs of two team coaches who would be attending the tournament.

In early March, KL's grandmother advised TTNZ that they did not want to contribute towards the costs of one of the coaches as they felt she had unfairly upset KL during an incident in 2017. TTNZ said a misconduct hearing could be held if a formal complaint was made, however it would not be possible to complete this process prior to the deadline for the payment of the deposit, which was extended to 11 March 2019. TTNZ made clear that a refusal to pay the deposit would lead to the replacement of KL in the team.

On 19 March 2019, TTNZ informed KL that she had been removed from the team for failing to pay the deposit and complete the required documentation, and that a replacement player would be selected.

KL appealed this decision on the basis that TTNZ did not act fairly or reasonably in removing her from the NZ Cadet (U15) Girls' Team as this was not a term of the agreement under which KL was selected in the team.

The Tribunal concluded that TTNZ acted unreasonably in removing KL from the team and failed to explore other solutions, including a suggestion by the TTNZ High Performance Convenor in February to meet with all parties to seek a resolution.

Michael Bias v Cycling New Zealand

The Tribunal dismissed an appeal by Michael Bias against a decision of Cycling New Zealand not to select him to compete in the 2019 BMX World Championships to be held in Zolder, Belgium in July 2019.

Mr Bias had raised a number of grounds of appeal, including deviation from the Selection Regulations; a failure to afford a reasonable opportunity to satisfy the Selection Regulations; or actual bias. The Tribunal found that there was no evidence to support any of these grounds, though it observed Mr Bias had met the base requirements for appointment to the team; there was a vacancy available and no other cyclist would be put in jeopardy by his appointment.

The Tribunal observed its task to be to consider whether the decision taken in accordance with the Selection Regulations was properly available to the selectors. It found that the legal position was very clear – that it could and should only intervene if there was no basis or justification for the decision reached by the selectors.

The Tribunal expressed substantial concern about Mr Bias' future and men's BMX in general. It found that while riders should be encouraged to maintain their interest and participation in the sport, Mr Bias' non-selection involved a judgment call and there was nothing that suggested the selectors had misunderstood or misapplied the requirements of the procedure.

The Tribunal observed that there had been a multitude of considerations and reconsiderations of the case by the selectors, and there had been an exhaustive enquiry by the Selection Ombudsman. It found that all three selectors were of the clear and consistent view that Mr Bias should not be selected.

The Tribunal held that it had no option but to dismiss the appeal.

Samuel Hadley v Snow Sports New Zealand

The Tribunal dismissed an appeal by Samuel Hadley against a decision of Snow Sports New Zealand not to nominate him for the Alpine male place for the 2020 Youth Olympic Games to be held in Lausanne, Switzerland in January 2020.

Initially, the basis of the appeal was that the selectors erred in placing undue weight on one-off performances of the other athlete, which disadvantaged Mr Hadley as he had not attended these events in order to concentrate on his end-of-year school exams.

Mr Hadley contended that his combined results over an extended season spanning three months clearly established that he was the number one ranked male athlete available for selection. He further argued that he regularly beat the nominated athlete in “key events”, and that he is the New Zealand National Under 21 Overall Champion and he held all available New Zealand Under 21 titles (Giant Slalom and Slalom).

The Tribunal noted that this case had been considered under extreme urgency, with a mass of material made available to it in its consideration of the appeal. It determined that the combination of events that were considered for the nomination decision made clear that the athlete chosen, and not Mr Hadley, was the athlete with the best results.

The Tribunal dismissed claims of cherry picking by the selectors, bias, an appearance of bias or any unfairness. It determined that the exercise undertaken within the sport and by the New Zealand Olympic Committee were in accordance with the prevailing protocols, and that the discretions exercised were available and rational.

The Tribunal held that it had no option but to dismiss the appeal.



MEDIATION ASSISTANCE AND OTHER SUPPORT

In appropriate cases, the Tribunal offers advisory assistance and forms of mediation to parties to help settle their disputes by agreement without the Tribunal needing to adjudicate. The Tribunal can conduct mediation at the request of the parties or, in appropriate cases, it can order parties to undertake mediation.

The Tribunal provided telephone conference assistance or an in person meeting in four cases in this reporting year.

The first involved governance issues for some local sports clubs in Auckland and a difference as to whether the national sporting organisation had jurisdiction to intervene. This dispute also involved claims that club delegates from certain clubs were making false allegations and that a code of conduct needed to be implemented by the national sporting organisation. After our intervention, the matter was resolved by the parties without the need for a hearing.

The second case involved an athlete who had appealed a decision to deny her the right to qualify for the Tokyo Olympics. The athlete alleged that the decision maker had denied her the use of relevant ranking competitions and had unfairly (and potentially unlawfully) relinquished what should have been her quota spot. Airing the matters enabled the parties to reach an acceptable accommodation.

Another case involved two athletes challenging the decision of the board of the national sporting organisation that had overridden the decision of its selection panel to select them to compete in an international youth championship tournament. Again, it was possible to facilitate dialogue and the matter was resolved.

The final case involved a person who had challenged the disciplinary decision of a local sports club. After our involvement, it was accepted that material had been provided to the national sporting organisation for its decision but had not been provided to her, and consequently the decision was invalid.

The Tribunal also fielded a number of enquiries relating to a wide range of issues from selection, governance and coaching concerns.



OTHER MATTERS INVOLVING THE TRIBUNAL IN 2019/2020

CONFERENCES

The Tribunal Chairman, one of the Deputy Chairmen (Dr Jim Farmer QC) and the Registrar attended the 2019 Australia and New Zealand Sports Law Association Conference in Perth.

LEGAL ASSISTANCE PANEL

The Tribunal offers a list of contact details of skilled and experienced sports lawyers who are willing to assist in cases before the Tribunal. The *Legal Assistance Panel* scheme has to date been successful and assisted many athletes and sports organisations.

The Panel continues to be listed on the Tribunal's website; it includes a short statement of the lawyer's experience in the area, their association with any sporting or related entity, and an indication of whether they will provide services on a concessional or no charge basis.

EXPENDITURE

Under the Memorandum of Understanding between the Minister for Sport and Recreation, Sport NZ and the Tribunal, Sport NZ employs the Registrar of the Tribunal, provides accommodation for the Tribunal office and funds support and information technology costs.

Sport NZ also funds the other operating costs of the Tribunal, which include those associated with hearing and deciding cases (such as the remuneration paid to Tribunal members, travel, hiring of hearing venues and teleconferencing costs) and producing information resources.

In 2019/20 the other operating costs were \$108,869.

SPORTS TRIBUNAL BIOGRAPHIES

CURRENT MEMBERS OF THE SPORTS TRIBUNAL



CHAIRMAN: HON SIR BRUCE ROBERTSON KNZM, VGSM

Sir Bruce became a High Court Judge in 1987, later was President of the Law Commission and retired as a Court of Appeal Judge in 2010. He was Chair of the Rugby World Cup Authority in 2010-11. Sir Bruce sits on some Pacific Courts of Appeal and the Qatar International Court in Doha. He was a member of the Public Administrative Law Reform Committee which became the Legislation Advisory Committee, for 20 years and sits on various public legal and community boards.



DEPUTY CHAIRMAN: DR JAMES FARMER QC

Jim Farmer QC is a barrister and former lecturer in law at Auckland and Cambridge Universities, with a PhD from Cambridge, and Blues awarded by both universities in track and cross country running. He was a one-time holder of the New Zealand Universities three mile record and winner of the Auckland six mile track title. In recent years, he has steered his “Georgia keelboats” to New Zealand Championships and in 2012 was the outright winner of the Geelong Race Week in Australia. He was previously a director of Team Zealand. He took part in the Targa Motor Rally in October 2013 and remains an active runner.



DEPUTY CHAIRMAN: HON NICHOLAS DAVIDSON QC

Nicholas Davidson QC is an arbitrator, mediator and strategic advisor with Chambers in Auckland and Christchurch. He was counsel for the Serious Fraud Office at the Wine Box Royal Commission of Inquiry, and for the families at the Pike River Royal Commission. His legal practice extends across many areas of law. He was appointed Deputy Chair of the (then) New Zealand Sports Disputes Tribunal for the term of 2003 – 2011. He was for many years a National Commissioner for New Zealand Cricket, a member of the disciplinary structures within SANZAR and the International Rugby Board; and the FIFA Investigatory Panel. He was appointed a High Court Judge and retired in December 2018.



ROB HART

Rob played cricket for Northern Districts from 1992-04 and for the Black Caps from 2002-04 and is now a director at Ellice Tanner Hart Lawyers in Hamilton. He has been a board member of both the New Zealand Cricket Players Association and New Zealand Cricket. Rob is currently on the boards of General Finance Limited, The Balloons Over Waikato Charitable Trust, Te Puke Cricket Charitable Trust and the Children's Osteopathic Foundation Charitable Trust.



PAULA TESORIERO MNZM

Paula was a New Zealand Paralympics racing cyclist. Among her many achievements, her world record-breaking time in the women's 500m time trial secured New Zealand's first gold medal at the 2008 Summer Paralympics and she then went on to win bronze in both the individual pursuit and the women's individual road time trial. Paula has held senior management positions in the public service. Paula is a former Board member of the Halberg Disability Sport Foundation, and the New Zealand Artificial Limb Service, and currently serves on the Boards of Sport Wellington and Paralympics New Zealand. Paula took up the role of Disability Rights Commissioner in July 2017.



GEORGINA EARL ONZM (FORMERLY GEORGINA EVERS-SWINDELL)

Georgina is a former New Zealand rower. She competed in the double sculls with her sister Caroline Meyer. Among her many achievements, Georgina is a double Olympic gold medalist, having won at Athens in 2004 and Beijing in 2008. In 2016 she and Caroline were awarded the prestigious FISA Thomas Keller Medal.



RUTH AITKEN ONZM

Ruth represented New Zealand at netball in 1979 and was the Silver Ferns coach from 2002-11, leading the team to two Commonwealth Gold Medals (2006 and 2010) and the 2003 World Netball Championship title. Named Halberg Coach of the Year in 2003 and awarded the ONZM in 2011 for services to netball, she retired as the most capped international netball coach in the world with 112 test matches to her credit. After her Silver Ferns retirement, Ruth spent three years in Singapore helping the national team to Asian Champs and Southeast Asian Games success. At the end of 2016 Ruth returned to her home town of Paeroa and is currently Performance Manager with Netball Waikato Bay of Plenty.



DR HELEN TOBIN

Helen is an orthopaedic surgeon who specialises in hip and knee replacements. Her initial work focused on trauma, and she was an instructor and later a director teaching trauma management for the Royal Australasian College of Surgeons (RACS). Helen was also on the New Zealand Trauma Committee; the RACS Trauma Committee; the national board of RACS; and she has been an examiner for RACS since 2015. She was the clinical Head of Department at Hutt Hospital from 2013 to 2017. Since 2016 she has been part of a multidisciplinary committee for ACC, helping with complex cases. Helen is currently a trustee for both the Wishbone Trust (which fundraises for orthopaedic research) and the Hip Fracture Trust.



PIPPA HAYWARD

Pippa is a solicitor at Meredith Connell after obtaining a Bachelor of Arts and a Bachelor of Laws degree from the University of Auckland. She represented New Zealand in hockey between 2012 and 2018, retiring after the Commonwealth Games on the Gold Coast where her team won gold. She was a member of the women's hockey team at the Olympics in Rio de Janeiro and played over 150 tests. Pippa has been a board member of the Hockey Players' Association for the past six years, and is also on the committee of the New Zealand Law Society's Auckland Branch Young Lawyers.

CONTACT INFORMATION

The Sports Tribunal's office is in Wellington.
Enquiries should be directed to the Registrar of the Sports Tribunal.

CONTACT DETAILS

Registrar of the Sports Tribunal of New Zealand

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