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Tribunal dismisses appeal against Olympic Weightlifting New Zealand decision not to allow athletes to compete at Pacific Cup International weightlifting competition

The Sports Tribunal has dismissed an appeal by Laurel Hubbard which challenged the decision of Olympic Weightlifting New Zealand (OWNZ) not to allow New Zealand athletes to compete at the Pacific Cup International (PCI) weightlifting competition.

In late 2016, OWNZ created nomination criteria that it would follow in respect of selecting athletes for event such as the Commonwealth Games. The nomination criteria specified certain events that athletes could participate in throughout the year to obtain points on the national and international ranking systems. These points and rankings would be used by OWNZ to help select athletes to represent New Zealand at certain events. The nomination criteria was developed to ensure a level playing field was created between all New Zealand weightlifters.

The PCI was originally scheduled to be held in December of 2017 which was outside the contemplation of the nomination criteria and therefore not included as an approved event for New Zealand athletes to attend.

On 9 July 2017, Ms Hubbard learnt that the PCI was moved forward to 4 August 2017. Ms Hubbard wrote to OWNZ to seek approval that she be could attend and compete at the PCI. The OWNZ Executive Group (EG) decided in a 5-1 vote that in order to keep the authenticity of the nomination process that New Zealand athletes not be approved to compete at the PCI. The EG considered that the late notice of the approval may adversely affect those athletes that did not have sufficient time to prepare mentally, financially and/or physically for an event that was unplanned for an unanticipated.

Ms Hubbard challenged whether any NSO could lawfully ban its athletes from competing at an international event to which they had been invited. She contended this was unique in the history of OWNZ and not known to have occurred otherwise in Oceania. She said such restraint had occurred without proper consultation and without any affected athletes and coaches even knowing that PCI had been rescheduled.

While the Tribunal appreciated that the decision by OWNZ may be seen as overly restrictive by some, it accepted that OWNZ must have the ability to create and implement strategies and processes that it believes are best suited in identifying and selecting New Zealand's best weightlifters. The Tribunal concluded that there was no basis to interfere with a rational and properly available decision by OWNZ.

The appeal was accordingly dismissed.