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Tribunal dismisses appeal against non-selection for NZ Motocross team

The Sports Tribunal has dismissed an appeal by Scott Columb against a decision of Motorcycling New Zealand (MNZ) not to select him for the New Zealand Motocross of Nations (MXoN) team to be held in Italy on 24 and 25 September 2016.

Mr Columb appealed on the grounds that MNZ's Selection Criteria was not properly followed or implemented and there was no material on which the selection decision could reasonably be based. MNZ's selection criteria referred to specific criteria for the MXoN event and general criteria which listed a number of discretionary factors that the MNZ selectors could consider.

Based on results at certain selection events and his greater experience, Mr Columb believed he should have been selected ahead of another selected rider. The MNZ selectors acknowledged that it was a very difficult decision between four riders whom to select for two remaining spots on the team. The selectors undertook a considered selection process including interviewing all of the potential candidates, a detailed analysis of each rider's performances at selection events and other international events since the end of the New Zealand season, and obtaining feedback from MNZ team managers for recent MXoN campaigns.

The Tribunal concluded that *"although Mr Columb had a strong case for selection it could not be concluded that the selection of Mr Harwood ahead of him was not an available option when the selection process was properly carried out. The selectors clearly considered what had happened up to the end of the New Zealand season including the history of the potential participants and not unreasonably also looked at the most recent six months during which Mr Harwood has been competing regularly on an Australian circuit with success and which the selectors considered indicated he would be race ready for the Event."*

The appeal was accordingly dismissed.

The decision in this case is available from the website of the Sports Tribunal (www.sporttribunal.org.nz). See *Scott Columb v Motorcycling New Zealand* (ST 15/16). Copies can also be obtained directly from The Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sporttribunal.org.nz).