

MEDIA RELEASE 1 October 2018

**Tribunal dismisses appeal against non-selection for
2018 Commonwealth Senior Fencing Championships**

The Sports Tribunal has dismissed an appeal by Andi Liu against a decision of Fencing New Zealand (FeNZ) not to select him to compete in the 2018 Commonwealth Senior Fencing Championships to be held in Canberra in November. Mr Liu sought to replace a member selected for the New Zealand Men's Epee team.

Mr Liu appealed on the basis that FeNZ had failed to properly apply the selection criteria. On 13 August FeNZ requested nominations from athletes based on its 2017 Selection Criteria. The selectors concluded that only two fencers fulfilled the criteria. Mr Liu stated, based on his results and his attendance at various competitions, he had met the compulsory criteria and should have been selected.

Mr Liu also challenged the second phase of selection that took place, when FeNZ sought to open the field to the best fencers available. As only two fencers fulfilled the published criteria, FeNZ determined, because the event was in Canberra where it was easier and less expensive than other overseas countries, the original policy should be relaxed to increase the eligible candidates to field a team of five fencers in respect of the Epee event. On 3 September FeNZ reopened nominations to look at overall results from all qualifying fencers, but Mr Liu was not selected as one of the additional three.

The Tribunal found no error in the selectors' initial decision based on the original published criteria. As to the second phase of selection, the Tribunal noted Mr Liu's points were substantially less than the fencers who were selected. It found no error in the selectors' application of ranking points in their assessment of Mr Liu's performance across all relevant competitions.

The decision in this case is available from the website of the Sports Tribunal (www.sportstribunal.org.nz). See *Andi Liu v Fencing New Zealand* (ST 16/18). Copies can also be obtained directly from The Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sportstribunal.org.nz).