

BETWEEN

MITSUKO NAM

Appellant

AND

**NEW ZEALAND FEDERATION OF ROLLER SPORTS INC
(SKATE NZ)**

Respondent

**ORDER OF TRIBUNAL
18 JUNE 2018**

Present

Andrew Skelton, counsel for Appellant
Mitsuko Nam, Appellant
Raewyn Hailes, Appellant's coach
Roger Boulcott, President of Skate NZ
Robert Stack, Vice President of Skate NZ

Chairman

Sir Bruce Robertson

Registrar

Neela Clinton

1. On 12 June 2018 Mitsuko Nam filed an appeal against the decision by Skate NZ not to select her for the 2018 World Artistic Skating Championships. The appellant contended she satisfied the selection criteria and qualified for a Junior Solo Dance position.
2. On 18 June the Tribunal Chairman convened a preliminary teleconference with the parties to clarify the issues in contention. Mr Boulcott confirmed a 2-skater quota and that there was one position available. He accepted that Ms Nam had the necessary qualifications but had not been chosen pursuant to the World Team Selection Policy 05.
3. The Tribunal Chairman raised as a preliminary issue compliance with the rules. Specifically, the Chairman referred to "Policy No: 4.01 Selectors and Selection Procedures" and noted that clause 1 of the policy had not been followed.
4. Following further discussions between Mr Boulcott and Mr Stack, Skate NZ accepted that there had not been compliance as the policy requirements had not been followed. It was accepted that what occurred was non-effective and that the question of Ms Nam's selection needed to be reconsidered.
5. The Chairman cautioned that any reconsideration of Ms Nam's selection would require an opportunity by Ms Nam to present her case. Further, that the Board's reconsideration must be anew with care to ensure the selection decision was not affected by bias or conflict.
6. The appeal was therefore allowed, and Ms Nam's non-selection set aside. In the circumstances Ms Nam is entitled to a refund of the filing fee of \$500.

Dated 18 June 2018



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Sir Bruce Robertson
Chairman