

**BEFORE THE SPORTS DISPUTES TRIBUNAL  
OF NEW ZEALAND**

**STD 14/06**

**BETWEEN**

**M CLARIDGE**

**Appellant**

**AND**

**NEW ZEALAND WATER POLO ASSOCIATION**

**Respondent**

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**DECISION OF TRIBUNAL**

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1. Mr Claridge appealed to this Tribunal against a decision of the Respondent (NZ Water Polo). The decision upheld a charge of biting against Mr Claridge and suspended him for a period of five matches in the preliminary round of the National Water Polo Championship.
2. The appeal was given urgency and was to be heard in Wellington today.
3. Counsel for the parties have conferred and the parties have reached an agreement upon which they wish to resolve the appeal. This agreement has been reached in the interest of the sport overall.
4. As proceedings have been initiated, orders are required from this Tribunal to implement the agreement. Although the Tribunal has not heard the evidence, it is of the view that the agreement is a sensible one in the circumstances, particularly in view of the costs which would have been involved in the appeal.
5. In the circumstances, the following orders are made:
  - (a) The finding of the Disciplinary Panel of NZWPA in its decision of 5 May 2006, remains in effect, save that the suspension imposed by the Panel is varied as follows:
    - (i) The Appellant is suspended for five Senior Men's Championship matches from 5 May 2006. Three matches of the five match suspension are to be served with immediate effect (being the first three matches referred to in the Panel's decision dated 5 May 2006). The remaining 2 matches of the 5 match suspension are suspended for a period of twelve months.
    - (ii) In the event that the Appellant is found to have committed any offence of brutality under FINA Rules, or is the subject of any finding of violence on any complaint referred to the NZWPA at any time in the period of twelve months from the date of these orders, the two match suspension which is suspended under (a) will come into immediate effect. Where the 2 match suspension comes into effect, it will be in addition to any further period of suspension, or other penalty imposed for the matter which brings the suspended suspension into effect.

6. The Appellant seeks a refund of the filing fee. In the circumstances there will be an order that the fee be refunded

19 May 2006

A handwritten signature in black ink, appearing to read 'Barry Paterson', written in a cursive style.

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**Hon Barry Paterson QC**  
**Chairman**