

BETWEEN

PIERA HUDSON

Appellant

AND

SNOW SPORTS NEW ZEALAND

Respondent

AND

NEW ZEALAND OLYMPIC COMMITTEE

Interested Party

**DECISION OF SPORTS TRIBUNAL
28 JANUARY 2022**

Hearing

28 January 2022 by teleconference

Tribunal

Sir Bruce Robertson (Chairman)
Warwick Smith
Pippa Hayward

Present

Piera Hudson, Appellant
Tim Castle, counsel for Appellant
John and Fiona Hudson, Appellant's parents
Simon Wi Rutene, Appellant's witness
Nic Cavanagh, CEO of the Respondent
Aaron Lloyd and Reid Hastie, counsel for Respondent
Tara Pryor, New Zealand Olympic Committee

Registrar

Neela Clinton

1. On 26 January 2022 Piera Hudson filed an appeal against Snow Sports New Zealand's (SSNZ) decision not to nominate her to participate at the Beijing 2022 Olympic Winter Games.
2. On 27 January 2022 the Tribunal Chairman convened a teleconference and due to time constraints arranged for the appeal to be heard as a matter of urgency the following day. The appellant based in Europe required the matter to be determined to allow her sufficient time to travel, including compliance with Covid-19 health and safety protocols in order to make the event on time. Although the event is scheduled to start on 7 February, for selected athletes the course for training purposes could be accessed from 31 January.
3. On 28 January the Tribunal held a teleconference hearing to determine the appeal. The parties filed statements and supporting material before the hearing. In addition, the Tribunal heard from counsel for the Appellant, the Appellant and her witness in support Mr Wi Rutene, as well as Mr Lloyd for the Respondent, and Tara Pryor, for NZOC.
4. The issues for determination were whether SSNZ had correctly applied the nomination criteria, had reasonably considered her extenuating circumstances or had been affected by bias when evaluating her performance and results during the relevant qualification period.
5. Given the parties request for urgency, the Tribunal indicated it would advise the outcome of the appeal as soon as possible.

DECISION

6. Having assessed the evidence and the oral submissions of all parties, the Tribunal are not satisfied the decision taken by the selectors was unreasonable or not available to them based on the information presented. Accordingly, the Tribunal concludes that the appeal cannot succeed and is therefore dismissed.
7. Written reasons for the decision will be provided as soon as practicable.

Dated: 28 January 2022



Sir Bruce Robertson
Chairman