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Tribunal dismisses appeal against non-nomination for 2022 Beijing Winter Olympic Games

The Sports Tribunal has dismissed an appeal by Piera Hudson against a decision of Snow Sports New Zealand (SSNZ) not to nominate her to participate at the 2022 Beijing Winter Olympic Games.

Ms Hudson who competes in alpine skiing events appealed to the Tribunal that SSNZ had not properly or fairly implemented the nomination criteria. She argued that SSNZ had failed to consider information that impacted her performances, including covid related disruptions and injuries, which prevented her attendance at key events. Ms Hudson said she should have been nominated because she had proven she was capable of a competitive performance at the Games.

The Tribunal heard the appeal as a matter of urgency on 28 January, as the parties expressed concern that any delays determining the appeal would compromise the appellant's travel arrangements and event preparation if her appeal was successful. The parties were advised following the hearing that the appeal was not successful, and the Tribunal would issue its reasons for this decision later. The Tribunal issued its reasons for its decision to the parties on 1 February.

The "Beijing 2022 Olympic Winter Games Nomination Criteria for Snow Sports" stipulates that for alpine skiing events an athlete must have a World Top 40 ranking and have achieved two top 16 placings in either FIS World Championships or FIS World Cup events during the qualifying period of 2020- 2022.

While the appellant had a world ranking of 33rd for giant slalom, SSNZ said the appellant did not satisfy the second factor of the criteria because she had not achieved a top 16 placing at a key world event and was therefore not eligible for nomination. The appellant had competed in 16 key events during the qualification period but had either finished outside the top 30 or wasn't able to finish. The additional information provided in support of her nomination was reviewed by SSNZ during the internal appeal process but did not satisfy the selectors of top 16 capability.

The Tribunal while sympathetic to the appellant's position and acknowledging her dedication was satisfied SSNZ had considered her results and other relevant information relating to her performances. The Tribunal found the selectors acted reasonably and fairly implementing the nomination criteria and it had no option but to dismiss the appeal.

The decision in this case is available from the website of the Sports Tribunal (www.sportstribunal.org.nz). See *Piera Hudson v Snow Sports New Zealand (ST 01/22)*.