

**BETWEEN**                         **SAMARA (SAMMIE) MAXWELL**

**Appellant**

**AND**                                **CYCLING NEW ZEALAND**

**Respondent**

**AND**                                **NEW ZEALAND OLYMPIC COMMITTEE**

**Interested Party**

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**DECISION OF SPORTS TRIBUNAL**

**4 JULY 2024**

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**Hearing**                         3 and 4 July 2024

**Present**                         Ian Hunt, counsel for Appellant  
Sammie Maxwell, Appellant (remote attendance)  
Paul David KC and Maria Clarke, counsel for Respondent  
Ryan Hollows, CNZ  
Tara Pryor, NZOC

**Tribunal**                         John Macdonald. Chair  
Dr Helen Tobin  
Pippa Hayward

**Registrar**                         Helen Gould

1. Ms Maxwell (the Appellant) filed an urgent appeal against the decision of Cycling New Zealand (the respondent) not to nominate her for selection to the New Zealand Olympic Team.
2. The issues for determination were whether:
  - (i) CNZ had properly followed and/or implemented the criteria from its 2024 Paris Olympic Games Nomination Criteria;
  - (ii) The appellant was not afforded a reasonable opportunity to satisfy the nomination criteria;
  - (iii) The nomination decision was affected by bias; and
  - (iv) There was no material on which the nomination decision could reasonably be based.
3. A hearing was held on 3 and 4 July 2024 under urgency.
4. The Tribunal hearing panel undertook to provide the parties with a result decision by Thursday 4 July 2024.

## **Decision**

5. Having assessed the evidence and the oral submissions of all parties, the Tribunal is satisfied there were shortcomings in the nomination process such as to justify the allowing of the appeal.
6. Under Rule 49 (b) (i) the Tribunal allows the appeal and conclusively determines that Ms Maxwell is nominated for selection to the New Zealand Olympic Team because it would be impracticable to refer the question of nomination back to CNZ in the time available in which entries into the 2024 Paris Olympic Games are to be submitted.

7. A written decision setting out the reasons for allowing the appeal and its decision to determine the matter by nominating Ms Maxwell will be provided as soon as practicable.

Dated: 4 July 2024



**John Macdonald**  
Chair



**Dr Helen Tobin**



**Pippa Hayward**