

BETWEEN **TONI TALIJANCICH**

 Appellant

AND **NEW ZEALAND PONY CLUB ASSOCIATION**

 Respondent

**DECISION OF SPORTS TRIBUNAL
29 MAY 2026**

Hearing 19 May 2026 – by Microsoft Teams

Present Toni Talijancich (Appellant)
 Will Moffett (NZPCA Board Chair) for Respondent
 Todd Wilkin (NZPCA Board Member) for Respondent

Tribunal John Macdonald (Chair)
 Andrea Twaddle
 Sam Fellows

Registrar Luke Macris

Introduction

1. Toni Talijancich (the Appellant) is a Board Member of the New Zealand Pony Club Association (NZPCA and the Respondent). She is also a member of the Waikouaiti Pony Club, and her child participates and competes at this club, which is a branch of the Taieri District Pony Club (TDPC).
2. Ms Talijancich appeals to the Sports Tribunal (the Tribunal) against a decision of the NZPCA National Judicial Committee (NJC) following a complaint that was laid against her by the TDPC that she had breached the NZPCA's Code of Conduct (the Code) by making inappropriate Facebook posts on 22-23 September 2025. The NJC found that Ms Talijancich had breached the Code and by way of penalty¹ she was suspended from and ineligible for any area, regional or national level office within NZPCA until 1 April 2027.
3. The issues for the Tribunal are whether there was a denial of natural justice to Ms Talijancich arising out of the complaints process and whether the penalty imposed was excessive or inappropriate.

Background

4. Ms Talijancich's Facebook post which gave rise to the complaint said this:

It's bloody disgusting and sad when your own district doesn't even support your daughter who's a member. To top it off we were called outsiders 🙄 What a fucking joke 😂

And while I'm at it, might as well throw in that they won't let her sit her C certificate either, making her wait another year without any valid reason other than the fact I'm her mother and they dislike me - there I said it publicly 🙄

5. In response the TDPC initiated an official complaint process and emailed Ms Talijancich on 23 September 2025 alleging that her Facebook post "put TDPC in disrepute and demonstrates inappropriate behaviour towards another person or persons, in particular TDPC and one of its branches" and that she was being given "the opportunity to provide an acceptable explanation and/or apology."

¹ The phrases 'penalty' and 'sanction' should be read as interchangeable in this decision. That is because the Code refers to 'penalty' in the grounds of appeal section relevant to Ms Talijancich's right of appeal but refers to 'sanction' when setting out the procedure and decision-making considerations for imposing a sanction/penalty.

6. Ms Talijancich acknowledged receipt within the hour and requested further particulars about the complaint which were provided later that evening.

7. Two days later on 25 September 2025, the TDPC sent Ms Talijancich the following email:

The TDPC Exec are yet to receive your response to our concerns raised by the TDPC Exec committee via email on 23rd September. The Exec had hoped to deal with the concerns at the lowest level and aimed to resolve things as soon as possible within the club. If we have no response by 10am tomorrow we will need to raise the complaint with the Area judiciary, as per the NZPCA code of conduct.

8. Ms Talijancich once again replied that same day stating:

As I work, I will only be able to respond tomorrow evening after work when I return back home. I am away remotely at present and my work will take priority.

Your original email only stated request for an acknowledgement and did not a [sic] provide a timeframe or deadline in which you wanted me to respond. I noted that the guide does not give a recommended timeframe for a response and you also did not provide one. I think it's only fair you wait till after my work commitments for a response. Otherwise you could be seen as not allowing a fair and reasonable response time for me to review your concerns.

I take these things very seriously and would expect TDPC to follow correct protocol and ensure procedural fairness is followed. As per the complaints process only acknowledgement of receipt is required within 48 hours.

9. The next day at 1:09pm, the TDPC sent a final email to Ms Talijancich:

Thank you for your email. TDPC had hoped to resolve this informally at club level but on our second read of the NZPCA Code of Conduct document and as you are referring to the guide relating to the next level of raising a formal complaint, we must now pass this to Area as the TDPC exec is the complainant. Thank you for your time.

10. Following this communication, the matter was referred, not to the Area President, which the Code appeared to stipulate was the next step, but instead directly to the NZPCA Board, which in turn convened a three-person NJC panel to investigate the complaint. When referring the matter to the NZPCA, the TDPC had expressed the view that Ms Talijancich should be immediately removed from the NZPCA Board.

NZPCA Policies

11. The relevant portions of the Code at pages 8-9 state:

What is a breach of the Code of Conduct?

In broad terms, a member, supporter, official or other member of the NZPCA community whose conduct does not comply with an element of the Code of Conduct can be found to have breached the Code.

The following behaviours are considered examples of breaches

Criminal

- Sexual harassment or intimidation of another person
- Theft
- Embezzlement
- Violent or abusive behaviour toward another person

Criminal offences must be reported to the police immediately and the General Manager notified. A decision on suspending the accused person or persons membership for the period of the investigation will be made by the General Manager in consultation with the Police.

Serious

- Failure to maintain a safe environment
- Slandorous behaviour of any kind towards another person
- Discrimination against another person based on their age, gender, sexual orientation, race, culture or religion
- Discrimination against another person based on their physical or mental ability
- Victimisation of another person for exercising their rights through the Code of Conduct
- Breaches Related to Welfare of the Horse

Minor (these can escalate be serious depending on the particular incident)

- Inappropriate behaviour towards another person
- Failure to comply to Rules and Regulations

Process for dealing with Minor Breaches or Misconduct

To be dealt with at the time by the appropriate Branch personnel, Organising Committee, or Officials of the Event/Activity.

Having spoken to the complainant and the accused and concluding a breach has occurred you have two options to consider when dealing with minor breaches or misconduct. Firstly, you must decide if it would be best to deal with this in an informal manner or formal manner.

The **informal process** would require holding a discussion with all those involved and giving them clear guidelines on what is appropriate and what is not. You may well provide them with copies of the Code of Conduct or direct them to appropriate material relating to rules and regulations. In some cases, an apology may be all that is required.

The **formal** process would be required when the findings of the allegations warrant a form of disciplinary action, or the attitude of the person or persons that you have tried dealing with under a less formal manner, is such that you feel the best option would be to issue a NZPCA Yellow Card.

Should a yellow card be issued a copy must be sent to NZPCA.

Process for dealing with Serious Breaches or Misconduct

Branch level notifies the Club District Commissioner.

When a Branch finds they are in a situation that is of such a nature that they warrant help to resolve an issue they must contact the Club District Commissioner and together work to resolve the situation.

For Clubs without Branches you would need, in the same situation as above, to go directly to Area President.

Should any of the above methods still prove not to resolve the issue the situation must be reported to the Area Judicial Committee. Likewise, if the initial breach is of such a serious nature that the best option may well be that it goes directly to Area to deal with.

ALL CLUBS AND AREAS SHOULD HAVE A READILY AVAILABLE JUDICIAL COMMITTEE TO MANAGE ANY COMPLAINTS IN A TIMELY MANNER.

Sanctions

Range of sanctions is determined by the level of the breach or misconduct and could include

- A reprimand
- Issuing of a Yellow Card
- Disqualification from the event/activity
- Exclusion from certain pony club events/activities for a specified duration
- Suspension of Membership
- Termination of Membership

Although the range of sanctions, including termination of membership form an integral part of any misconduct process, imposing sanctions is not primarily about 'punishing' someone who has failed to meet the required standards of conduct. Sanctions are intended to be proportionate to the nature of the breach and in some cases will identify that a Branch, Club, Area or NZPCA no longer has confidence that the person is able to demonstrate and uphold the appropriate values and behaviours on a reliable basis to participate in some, or all, pony club activities. Sanctions also operate as a deterrent to others and confirm that misconduct is not tolerated in Branches, Clubs, Areas or NZPCA.

Mediation

Mediation may occur after the start of investigation of a complaint. Mediation allows those involved to be heard, and to come up with mutually agreed solutions. If a complainant wishes to resolve the complaint with the help of a mediator, the relevant person DC/ President will, in consultation with the complainant, arrange for a neutral person to mediate where possible. Lawyers are not able to negotiate on behalf of the complainant and/or the respondent.

12. As for the NZPCA Social Media Guidelines, they are set out in the NZPCA Safety Guidance for Officials and Volunteers at Pony Club at pages 2-3:

SOCIAL MEDIA

Many Pony Clubs and members have their own social media pages. It is important that social media is not used as an open forum to voice complaints or comments of a negative nature regarding any Member, Committee or group within the NZPCA.

The Code of Conduct and fair play charter apply to social media and all Officials and Members should refrain from entering into any debate on social media which are covered by the code of conduct and for which the NZPCA has a complaints procedure.

GUIDELINES FOR BREACHES OF SOCIAL MEDIA ETIQUETTE

Should a Member post a comment on the social media site of another member or Pony Club which could be considered to breach the Code of Conduct;

- The comment should be removed

- The person who posted the comment (or their Parent/Guardian if under 18) should be informed that the post has been removed and the reason for its removal. The member should be given information regarding the correct complaints procedure.
- If the comment is of a serious nature or the Member continues, after due warning to post inappropriate items, the Club Committee should refer to the code of conduct guide to dealing with breaches.
- At no time should any Club Official enter into an online debate or comment on a post which could be against the code of conduct.

NJC Decision – Part One

13. In a document titled Report of the Special Committee dated 20 January 2026 (attached as Appendix One), the NJC outlined its investigation of the complaint and, at para. 8.3, recommended by way of sanction that Ms Talijancich “should not continue to hold any leadership positions in NZPCA”, but left it to the NZPCA Board to decide when in the future it might be appropriate to allow her to resume a position of leadership.
14. As to the seriousness of the breach of the Code, the Tribunal notes that the view of the NJC is captured in para. 7.8 where it refers to the posts as an “inappropriate response to any concerns that Toni may have legitimately had.” Furthermore, the criticisms in para. 8.4 as to how the TDPC dealt with the Facebook posts suggest that the matter should have been dealt with in an informal way.

NJC Decision – Part Two

15. Part two of the NJC decision was issued on 24 March 2026 (attached as Appendix Two) and arose after the Tribunal Chair had referred the matter back to the NJC to issue a formal decision on penalty, including its length, and also to provide Ms Talijancich with an opportunity to make submissions on the issue.
16. In summary, part two of the NJC decision referred to page 13 of the Code, which permits the imposition of sanctions including suspension, disqualification, or exclusion from activities and, as previously mentioned, the penalty imposed on Ms Talijancich was that she would be suspended from and be ineligible for any area, regional or national level office within NZPCA until 1 April 2027. Effectively, it was a one-year suspension.

Tribunal procedure

17. On 20 April 2026 the Tribunal held a pre-hearing conference with the parties to discuss procedural or preliminary matters and set a timetable toward a hearing. At that conference, Ms Talijancich raised a concern about the instigation of a process by Mr Moffett, as the NZPCA Board Chair, to remove her from the NZPCA Board under cl. 6.28(b) of the NZPCA National Constitution (2026), at a time when her appeal before the

Tribunal was still ongoing. The NZPCA maintained that the process was entirely separate from the Tribunal appeal, but that position soon became untenable as an email from Mr Moffett to Ms Talijancich of 13 April 2026 revealed that the removal process would consider Ms Talijancich “commenting on social media in a manner that reflects poorly” and her “conduct in the Taieri District Pony Club matter” – both of which were matters plainly before the Tribunal.

18. Despite that Mr Moffett tabled the motion to remove Ms Talijancich at the NZPCA Board Meeting on 27 April 2026 but ultimately, following deliberation, the motion was withdrawn.
19. The hearing of Ms Talijancich’s appeal took place by Microsoft Teams on 19 May 2026.

Appellant Submissions – Ms Talijancich

20. Ms Talijancich advanced her appeal on two grounds: denial of natural justice in the complaint process and the penalty being excessive or inappropriate.
21. On the denial of natural justice ground, Ms Talijancich argued that the NJC process was procedurally unfair because she was not given a proper opportunity to be heard – her request for an oral hearing was not facilitated, she was limited to written submissions, and she could not respond to adverse findings or provide further evidence. She claimed the NJC relied on limited material, made findings based on assumptions (such as lack of remorse), and failed to consider relevant context, including the private nature of the social media post. She contended that procedural fairness was undermined by parallel actions of the NZPCA Board, including the initiation of the removal process while the Tribunal appeal process was still proceeding.
22. As to the penalty being excessive, Ms Talijancich submitted that the conduct occurred in a private and restricted Facebook context with a limited audience, she did not specifically refer to the complainant, and she had no intent to cause harm. In her view, the NJC had mischaracterised the post as public, leading to an error of fact and misapplication of the Code, and it failed to take into account her prior service and standing. She submitted that the NJC had failed to consider lesser or restorative options (such as mediation or apology). She claimed her actions were out of character, not in line with how she would ordinarily act, and had occurred at a difficult and challenging time in her personal life. She said the posts reflected her frustration as a parent disappointed by the lack of support she perceived was being shown to her child. She was forthright in her view that she was a mother first and a Board member second.

23. Ms Talijancich submitted that the NJC decision should be set aside and her name suppressed, given the broader procedural defects: breaches of confidentiality (including alleged media disclosure causing personal and reputational harm), failure to properly investigate or assess the factual context properly, and the cumulative effect of these issues on the fairness and integrity of the process.

Respondent submissions – NZPCA

24. NZPCA supported the NJC's decision and submitted that the appeal should be dismissed.

25. In relation to the alleged breaches of natural justice, NZPCA pointed out that Ms Talijancich had multiple opportunities to present her case through written submissions and was offered an oral hearing, which she voluntarily declined. The NJC was entitled to determine the matter "on the papers" as both parties had provided comprehensive written material, and any limitation on Ms Talijancich's ability to be heard arose from her own choices, rather than any procedural unfairness on the part of the NJC.

26. NZPCA contended that Ms Talijancich's disagreement with the NJC's findings did not mean that the findings were incorrect. NZPCA further submitted that the NJC was correct to treat the Facebook posts as "public" relying on New Zealand defamation case law – *Wishart v Murray* [2015] NZHC 3363, *Karam v Fairfax New Zealand Ltd* [2012] NZHC 1331, and *Bains v Singh* [2023] NZHC 1566. It also relied on *Turner v Te Whatau Ora* [2023] NZEmpC 158, where even posts on a private page with a relatively small number of friends were held to be public.

27. Finally, the NZPCA argued that the NJC had properly considered all relevant factors, including her leadership role as a Board member – correctly treating it as an aggravating factor, along with her lack of remorse. It was submitted that the one-year suspension from senior leadership roles only in NZPCA was proportionate and that alternative sanctions were considered and rejected by the NJC.

Discussion

Denial of natural justice

28. As will shortly become apparent the Tribunal has serious concerns about whether the NJC followed the Code in reaching its decision to suspend Ms Talijancich. However, having listened to her complaints under the heading of a denial of natural justice, we took this to be more about not receiving a fair hearing. This was concerned, for example, with being denied the opportunity to make an oral submission and the failure of the NJC to

engage in further correspondence before issuing its decision. In both instances, however, she was still able to make a written submission and there is no suggestion that being unable to make an oral submission resulted in any prejudice to her.

29. As to other matters, while understandably upset about the motion from the NZPCA Chair to remove her as a member of the Board, ultimately the motion was withdrawn and so it has no bearing on the denial of natural justice issue.
30. The Tribunal has considered whether there was an irregularity in the complaint process, given the fact that the complaint went straight from the TDPC to the NZPCA, bypassing the Area level. However, there is no guarantee that the process or outcome would have been different before an Area Judiciary Committee.
31. Although not raised by either party, the Tribunal considers that rather than inviting a response from Ms Talijancich on the penalty it intended to impose, it would have been preferable if the NJC had simply invited submissions from her on penalty. That would have avoided the risk of a perception that the NJC had already predetermined the issue.
32. Having considered the submissions from the parties we are not satisfied that there has been any denial of natural justice and that ground of appeal fails.

Penalty

33. In its analysis of the penalty imposed, the Tribunal reminds itself that its role is to consider whether the penalty imposed was “within the range of penalties available to a Board acting fairly and reasonably in the circumstances”.²
34. The Tribunal must also consider whether departures from the procedure or decision-making set out, in this case in the Code, were significant or in a cumulative way raise real concerns that the sanction imposed was excessive or inappropriate in the circumstances.
35. On the issue of penalty, the approach the Tribunal adopts is to examine the reasoning of the NJC in arriving at the one-year suspension, against the provisions of the Code, which provide guidance as to how to deal with breaches. The focus is on Ms Talijancich’s conduct, being the Facebook post set out at para. 4 of this decision. The Tribunal takes the view that having regard to the Code the correct process to be adopted can be reduced to the following questions:

² *Motorcycling New Zealand v Tim Curr*, ST01/08, 21 Nov. 2008, at para. 89.

- 35.1. Question #1: Did the Facebook post breach the Code?
- 35.2. Question #2: If it did, then in accordance with the Code, what was the level of the breach: 'criminal', 'serious', or 'minor'?³
- 35.3. Question #3: Once the level of the breach is categorised in that way, were there any personal aggravating or mitigating factors that would put the breach into a different category?
- 35.4. Question #4: Having regard to the categorisation of the breach and the process recommended in the Code, what sanction, if any, should be imposed?

Question #1: Did the Facebook post breach the Code of Conduct?

36. At the outset, the Tribunal rejects Ms Talijancich's argument that her Facebook posts were "private" due to the status of her Facebook settings. The NZPCA submitted, quite correctly, the relevant legal cases and precedents and this is a settled area of law⁴, which are equally applicable to a disciplinary matter such as this. Indeed, the NJC correctly identified that Ms Talijancich herself acknowledged the public nature of her initial Facebook post when she stated, "there I said it publicly".
37. The post clearly breached the NZPCA Social Media Guidelines as it contained comments of a negative nature against the TDPC, which in turn could amount to a breach of the Code.
38. At para. 7.8 of part one of the decision, the NJC described Ms Talijancich's posts as "an *inappropriate response* to any concerns that Toni may have legitimately had" [*emphasis added*]. This was very much in line with the position of the TDPC, that Ms Talijancich's post "puts TDPC in disrepute and demonstrates *inappropriate behaviour* towards another person or persons, in particular TDPC and one of its branches" [*emphasis added*].
39. Viewed in that way, the NJC was dealing with a breach involving inappropriate behaviour and it was clearly open to the NJC to consider that Ms Talijancich had breached the Code.

Question #2: Level of breach – 'criminal', 'serious', or 'minor'?

³ Refer page 8 of the Code.

⁴ Refer to the citations provided at para. 26 of this decision.

40. Having determined that there was a breach, the NJC was required to assess the level of breach as either being 'criminal', 'serious' or 'minor' in accordance with the Code.⁵
41. Regrettably, the Tribunal cannot see any attempt by the NJC to categorise the breach at all, with phrases such as "serious breach" or "minor breach" receiving no mention in either part of its decision.
42. The Tribunal suspects that the NJC may have fallen into error because it simply assumed that the breach was serious, by virtue of it having been elevated to the NZPCA Board level. However, as just mentioned, it was still required to assess the matter in accordance with the Code, which in this instance started with a determination as to whether the breach was criminal, serious or minor. Of course, the failure to undertake that assessment immediately raises the prospect that the NJC also failed to follow the guidance the Code provided as to the process for dealing with either criminal, serious, or minor breaches.
43. At the Tribunal hearing, it is acknowledged that Mr Wilkin appeared to contend that the post amounted to "slandorous behaviour", being an example of a serious breach of the Code, but that possibility received no mention in the NJC's decision, let alone any proper consideration. Accordingly, the Tribunal puts that matter to one side.

Question #3: Aggravating and/or mitigating factors?

44. The NJC identified two personal aggravating factors, being Ms Talijancich's position as a Board member and her lack of contrition or remorse. The Tribunal accepts that the first factor can properly be regarded as an aggravating factor but considers that the NJC was wrong to treat Ms Talijancich's lack of contrition or remorse as an aggravating factor. Instead, that should have been viewed as representing the absence of a mitigating factor. After all, Ms Talijancich had the right to deny she had breached the Code and should not be penalised for doing so.
45. A further difficulty is that while the NJC mentions Ms Talijancich's past contribution to the sport ("many hours of unpaid time and effort into the running of a Pony Club"), which should have been viewed as a mitigating factor, it is not treated in that way. Indeed, at para. 7.9 of part one of the decision the NJC stated that it found no mitigating circumstances.
46. The Tribunal considers that it would also have been appropriate for the NJC to have made some allowance for how the TDPC itself dealt with the posts, which the NJC firmly

⁵ Refer page 8 of the Code.

criticised at para. 8.4 of part one of the decision. As the NJC notes, it is plain, by reference to the Social Media Guidelines, that the TDPC should have asked Ms Talijancich to remove the post. Ms Talijancich did that on her own, though by her own admission sometime later. This request could have reduced the perception of an ongoing or serious breach by maintaining the live publication and could have been helpful to indicate contrition or remorse (or otherwise).

47. Having made no allowance for any mitigating factors, it appears that the NJC also failed to articulate or undertake any evaluation as to the possible impact of the two aggravating factors it had identified. We simply do not know what impact they had in its decision to suspend Ms Taliancich.

Question #4: What penalty, if any, should be imposed?

48. In considering whether the penalty imposed was excessive or inappropriate the difficulty confronting the Tribunal is that there is no explanation from the NJC as to why a period of suspension is preferred over other available sanctions, or even whether other sanctions were considered. Yet the Code provides helpful guidance to judiciary committees on that very issue. Considering the least restrictive penalty first and then moving upwards, if necessary, would seem to be the correct approach, but the NJC appears to have gone straight to suspension.

49. The Tribunal further notes the guidance at page 11 of the Code under the section titled "Guide for Judicial Committees" which says this:

Before any determination is made by the Judiciary Committee about whether or not a person has breached the Code of Conduct, the person must be informed of the details of the suspected breach and the possible range of sanctions that may be imposed.

50. There was no evidence that the NJC had complied with that provision regarding the "possible range of sanctions".
51. At para. 15 of part two of the decision, the NJC observes that at no stage had Ms Talijancich sought any restorative approaches, which to the Tribunal appeared to overlook the fact that it was the NJC's responsibility to consider the range of available penalties, rather than it being for Ms Talijancich to suggest what was appropriate.

Tribunal assessment of penalty

52. Given the concerns just discussed, which reflect a failure by the NJC to categorise the seriousness of the breach, and a failure to follow the process recommended in the Code for dealing with a breach, it leaves it open to the Tribunal to make its own assessment.⁶
53. On a proper assessment, the Tribunal considers the Facebook post⁷ should be categorised as being a minor breach of the Code. In reaching that conclusion, it is influenced by the NJC describing it in part one of its decision as an “inappropriate response” and by the TDPC referring to it in its complaint to the NZPCA as “inappropriate behaviour”. The TDPC had also initially considered that it should be dealt with in an informal way. Approaching the breach then as one of inappropriate behaviour, the Tribunal further notes that in the Code “inappropriate behaviour” is listed as one of two examples of a minor breach.
54. As to the impact of the personal aggravating factor of Ms Talijancich being a Board member, the Tribunal doubts that it elevates the breach into the serious category. In any event, it would be largely offset by the mitigating factor of her prior contribution to the sport. Regard could also be had to the context in which the post was made. While she should not have made the post, particularly as she was a Board member, fundamentally these were the actions of a parent frustrated at how she perceived her child was being treated. As the NJC observed at para 8.2 of part one of its decision, “people can from time to time lose perspective”. The NJC’s criticism of how the TDPC handled the posts, in responding to them on Facebook in breach of the Social Media Guidelines, could also have been placed into the mix in Ms Talijancich’s favour.
55. Finally, the Tribunal notes that for a minor breach of the Code there is no indication, in either a formal or informal process, that a one-year suspension from leadership roles would be an appropriate penalty.
56. Accordingly, the Tribunal reaches the conclusion that the penalty imposed by the NJC on Ms Talijancich was excessive.

Outcome

57. Having assessed the evidence and the submissions of the parties, the Tribunal allows the appeal on the ground that the penalty was excessive and the penalty imposed on Ms Talijancich is now set aside.

⁶ As permitted under Tribunal Rule 58.

⁷ Set out at para 4 of this decision.

58. As Ms Talijancich breached the Code, the Tribunal has considered whether some lesser penalty should be substituted.
59. In that regard, the Tribunal is of the view that in the first instance the breach, which was minor, should have been dealt with in an informal way, with the expectation being that Ms Talijancich would have been reminded of her obligation to abide by the Code, especially being a Board member, and with her being required to apologise to the TDPC and the other members of the NZPCA Board.
60. Bearing in mind also that Ms Talijancich has been successful in her appeal, exposing deficiencies in the appeal process and how the NJC arrived at a penalty of suspension, the Tribunal has decided against substituting some other penalty. We are also influenced by the fact that it seems that Ms Talijancich has already effectively been suspended from the Board since the complaint was made almost six months ago.
61. The Tribunal is mindful too that publication of this decision on the Tribunal's website could in itself be viewed as a sufficient penalty.

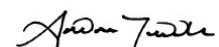
Name suppression

62. Ms Talijancich seeks name suppression. The Tribunal is sympathetic to her position, but it would complicate matters as other details would have to be suppressed or redacted, such as the sport involved in the appeal and the fact that Ms Taliancich was a Board member of the NZPCA. It could also possibly render the decision somewhat meaningless or even unintelligible. Beyond that, the more compelling reason to refuse her application for suppression of name, is that if granted, it would inevitably place the other NZPCA Board members under suspicion.
63. The application for name suppression is therefore refused.

Dated: 29 May 2026



John Macdonald
Chair



Andrea Twaddle
Deputy Chair



Sam Fellows
Tribunal Member

APPENDIX ONE

Report of the Special Committee

Appointed by the Board of

New Zealand Pony Clubs Association (NZPCA)

1. Appointed Committee Members:

Dr Paige Carlyle;
Stephanie Cowdell; and
Dr Hamish Ross.

2. Task:

The Board of NZPCA has appointed this Judicial Committee to investigate a complaint received regarding its Board member Toni Talijancich ("Toni") from the Taieri District Pony Club ("TDPC") regarding an alleged breach of the NZPCA's Code of Conduct and to report to the NZPCA's Board with its findings and recommendations.

This is the Committee's Report and recommendation to the NZPCA Board.

3. Procedure:

The Committee adopted the following procedure:

- 3.1. The TDPC was asked to provide a written submission of their complaint and provide evidence to support the complaint.
- 3.2. The complaint received was made available to Toni who was invited to and did provide a written response.
- 3.3. This Response was submitted to TDPC, which was invited to provide a Reply.
- 3.4. The parties were asked if any wished to give an oral submission. One party initially indicated they wished to do so, but they later withdrew their request.

4. The Submissions Received:

- 4.1 The TDPC submitted a written submission dated 22 November 2025 with seven appendices of evidence.
- 4.2 Toni, in response, submitted a written response dated 2 December 2025 with attachments in evidence.
- 4.3 The TDPC submitted a reply dated 10 December 2025.

The Committee members read and reviewed all the submissions and attachments provided.

5. The Substance of the Complaint

- 5.1 TDPC claims Toni made Facebook posts on 22–23 September 2025 that breached the NZPCA Code of Conduct, (“the posts”). TDPC’s main concern “is that her post puts TDPC in disrepute and demonstrates inappropriate behaviour towards another person or persons, in particular TDPC and one of its branches.”
- 5.2 It noted Toni is a NZPCA board member and at the time was a member of the Waikouaiti Pony Club, a Branch of TDPC.
- 5.3 The initial and key post in question read:
- “It’s bloody disgusting and sad when your own district doesn’t even support your daughter who’s a member. To top it off we were called outsiders (emoji of two hands added)
- And while I’m at it, might as well throw in that they won’t let her sit her C certificate either, making her wait another year without any valid reason other than the fact I’m her mother and they dislike me – there I said it publicly (emoji of an OK hand sign added).”
- 5.4 Toni made further posts that were added in response to other comments which continued in a similar tone.
- 5.5 Additional information was provided as to TDPC’s view of the background giving rise to the posts.

6. Toni Talijancich’s Response

- 6.1 Toni did not accept that she had breached the NZPCA Code of Conduct or Social Media guidelines.
- 6.2 She claims the posts were private and not public and were an expression of her opinion.
- 6.3 She acknowledged that some of the language she used in the posts was strong and “expressed frustration”.
- 6.4 Toni feels she, (and her daughter), are owed an apology by TDPC.
- 6.5 Toni disputed much of the background material presented in TDPC’s complaint and added further background material as to her view of what had given rise to the posts.

7. The Committee's Meetings

In addition to many communications between the Committee members prior, we met on 16 January 2026 and subsequently to consider the material submitted, to make our decision and to finalise this document.

8. The Committee's Findings

- 7.1 This Committee finds that Toni's posts, in particular the post quoted above, to be a breach of the NZPCA Code of Conduct (as updated October 2017) and published on its website. Further, the Committee finds that the posts did not comply with the NZPCA's Social Media Guidelines.
- 7.2 Toni has not denied making the posts.
- 7.3 It is obvious to the audience reading the posts, to whom the posts were being directed as can be seen from the comments.
- 7.4 While freedom of expression is a human right, a person agreeing to become a participant in the sport agrees upon joining to exercise that right within certain boundaries set out by the sport. In the case of Pony Clubs as set out in the NZPCA Code of Conduct. That includes *inter alia*, "I treat others as I would like to be treated"; "I treat everyone with dignity, courtesy and respect"; "I do not make any disparaging or belittling remarks about others"; "I contribute towards an enjoyable and safe environment for all"; and "lead by example".
- 7.5 The Committee finds Toni, as a Board member, was or ought to have been familiar with the NZPCA Code of Conduct and the NZPCA Social Media Guidelines. We note that Toni had a further obligation under the Code as an administrator, to "embrace and act in accordance with the Code of Conduct" and "lead by example".
- 7.6 The Committee finds Toni was aware of the public nature of the posts, something she directly acknowledges in her first post.
- 7.7 Large amounts of the submissions from the parties included background material. These included issues regarding a C Certificate exam, use of a Pony Club's grounds, a Pony Club AGM and other matters, ("previous issues"). The Committee has reviewed and considered the previous issues, however the Committee has found that none of these issues are relevant to our decision regarding the posts. We did not make any findings as to the substance or otherwise of the previous issues and we confirm that the previous issues did not influence our decision.

- 7.8 The posts were an inappropriate response to any concerns that Toni may have legitimately had. Those concerns ought to have been addressed through the proper channels that exist within the sport.
- 7.9 The Committee finds no mitigating circumstances regarding the posts. We find Toni's position of senior leadership in the sport to be an aggravating factor. The absence of contrition, other than acknowledging strong language was used, is a further aggravating factor.

8. The Committee's Recommendations

- 8.1 The Committee wishes to acknowledge the work and involvement Toni has given to the sport. It is clear from the material that we have before us that Toni has put in many hours of unpaid time and effort into the running of a Pony Club.
- 8.2 The Committee accepts people can from time to time lose perspective. There is however, no evidence of remorse or apology on the part of Toni.
- 8.3 The Committee recommends Toni should not continue to hold any leadership positions in NZPCA. No participant of any sport is above its rules, codes and the standards, no matter their position in its governing hierarchy. We leave it to the Board to decide when in the future it might be appropriate to allow Toni to resume a position of leadership.
- 8.4 The Committee finds that TDPC should have handled the appearance of the posts on Facebook in the following way: TDPC should have privately communicated to Toni to immediately remove the posts, referring to the Code of Conduct. Members of TDPC should not have added further posts to Facebook. TDPC should have considered the issues that Toni had and made a plan to deal with Toni's grievances. This should have been done in a private committee meeting, not on a public forum like Facebook.

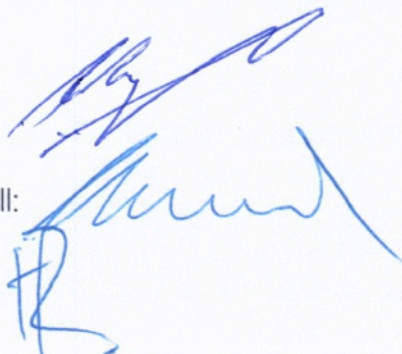
DATED this 20th day of January 2026

Signed:

Dr Paige Carlyle:

Stephanie Cowdell:

Dr Hamish Ross:



APPENDIX TWO

New Zealand Pony Clubs Association Inc.

National Judiciary Committee

RE: NJC-2025-01 - Toni Talijancich ("TT")

Background

1. On 20 January 2026 this Committee issued recommendations requested by the Board of the New Zealand Pony Club Association Inc. (NZPCA) in relation to the above matter.
2. TT appealed the recommendations to the Sports Tribunal.
3. The Sports Tribunal requested this Committee issue a decision as to sanction/penalty, as if the recommendation were a decision of the Committee.
4. The NZPCA reappointed this Committee to determine a possible sanction/penalty.
5. This Committee gave TT an indication of a possible sanction and invited submissions from TT.
6. A copy of that invitation is attached to this decision.
7. TT's submissions were received on 16 March 2026 and are attached to this decision.

Submissions

8. TT's submissions were:
 - (a) That this Committee relied solely on recommendations of the TDPA:
 - (b) TT's comments on Facebook were private:
 - (c) The proposed sanction was excessive, heavy and disproportionate in the circumstances:
 - (d) No exploration of restorative approaches was considered

Right to Sanction

9. The NZPCA Code of Conduct ("Updated October 2017") at page 13 permits the imposition of sanctions including suspension for a breach of the Code of Conduct including disqualification or exclusion from activities.

Decision

10. The Committee did not rely solely on the submissions of TDPC. The Committee explored all submissions and came to its own conclusions.
11. Posting on Facebook is not private, but a public forum.
12. The proposed sanction is not excessive, heavy or disproportionate but merely removes TT from representative leadership positions in the sport for a short period of time and does not prevent her from continuing to play a role in the sport at a local level.

13. The Committee is mindful of TT's senior national leadership role in the sport and with it leadership and role model responsibilities that come with that role, particularly in a sport which is dominated by younger impressable participants.
14. The Code of Conduct is an important document for the sport with adverse consequences for the sport and its participants, should it not be respected and observed, especially by those at a senior level.
15. At no stage has TT sought any restorative approaches she now submits as being appropriate, nor has she offered any sort of apology nor given any indication of any remorse or contrition on her part but has instead continued to attempt to justify her actions. The Committee determined there was little value in pursuing a restorative process.
16. The Committee having reviewed TT's submissions, believes a short suspension period from any representative area, regional or national role in the sport is fair, appropriate and proportional.
17. The Committee rules, under the NZPCA Code of Conduct of October 2017, that TT breached the Code of Conduct, being a policy of the NZPCA and that she be suspended from and be ineligible for any area, regional or national level office within NZPCA until 1 April 2027.
18. This suspension does not extend to prevent TT from continuing to contribute, participate or hold office in the sport at a local pony club level, as she has done.

Confidentiality

19. TT has raised the question of confidentiality.
20. The posts made by TT were public in nature and the consequences ought also to be similarly public.
21. The Committee makes no order as to confidentiality.
22. The Committee leaves it to the Board to determine to what extent this decision should be made known within the sport. While the decisions of the Committee must be provided to the Complainant, the affected areas, regions and NZPCA Board members, the Committee believes there is an instructive value to the sport in a Board member being seen to be held to be accountable to the Code of Conduct, rather than being covered up, or released in a redacted manner which may unfairly raise a question mark over other innocent Board members of NZPCA.

Dated this 24th day of March 2026

Dr Paige Carlyle

Stephanie Cowdell

Dr Hamish Ross