BEFORE THE SPORTS TRIBUNAL
OF NEW ZEALAND **ST 22/26**

BETWEEN	**MICHAEL DAVIDSON**
	Appellant
AND	**DODGEBALL NEW ZEALAND**
	Respondent

RESULT DECISION OF SPORTS TRIBUNAL
5 NOVEMBER 2026

Hearing	4 November 2026 – virtual by Microsoft Teams
Present	David Fraundorfer & Ella Tattersall, counsel for Appellant Michael Davidson, Appellant Nick Fargher, Chairperson of Dodgeball NZ Amy Bartlett, Board member of Dodgeball NZ Brenna Gould, Board member of Dodgeball NZ Joel Anderson, Selector of Dodgeball NZ
Tribunal	John Macdonald (Tribunal Chair) Dame Ruth Aitken Phil Tataurangi
Registrar	Luke Macris

1. The parties, Michael Davidson (the Appellant) and Dodgeball New Zealand (DNZ and the Respondent), jointly filed an urgent referral by agreement (Form 9) for the Sports Tribunal (the Tribunal) to determine a selection dispute.

2. Mr Davidson sought to appeal his non-selection to the Men's and Mixed Foam teams to represent New Zealand at the for the 2026 World Dodgeball Federation (WDBF) World Championship.

3. There was no right of appeal to the Tribunal within the Constitution of DNZ to initiate a proceeding under s38(c) of the Sports Tribunal Act 2006. Accordingly, for the Tribunal to have jurisdiction to hear the appeal, DNZ needed to agree to refer the matter under s38(b)(i). DNZ agreed for the Tribunal to hear the non-selection of Mr Davidson in relation to the Men's Foam team but not for the Mixed Foam team. This raised a jurisdictional issue in relation to the Mixed Foam team. In any event, the selection of both squads substantially followed the same or similar selection processes and criteria.

4. While the proceeding was referred by agreement, the Tribunal in its discretion elected to procedurally treat the non-selection appeals as if they were appeals against a decision of a national sporting organisation under Part D of the Tribunal Rules.

5. The issues for determination in relation to non-selection were whether:

   a. the applicable selection criteria had not been properly followed and/or implemented;

   b. Mr Davidson was not afforded a reasonable opportunity by DNZ to satisfy the applicable selection criteria;

   c. natural justice was denied in relation to an internal non-selection appeal decision made by DNZ in relation to Mr Davidson;

   d. there was an evidential basis for the decision, relying on alternative grounds as to whether erroneous or irrelevant information was before the selection panel or there was no material on which the selection decision could reasonably be based; and

   e. the selection decision was affected by actual bias.

6. A hearing was held under urgency by Microsoft teams on 4 November 2026 in relation to Mr Davidson's non-selection to the Men's Foam team and whether the Tribunal had jurisdiction to hear the Mixed Foam team non-selection appeal.

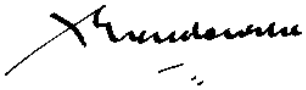
7. The Tribunal undertook to provide the parties with this Result Decision before 7 November 2026 to meet the WDBF event registration deadline.

Decision

8. The appeal is dismissed. The Tribunal is not satisfied there were sufficient shortcomings in the selection process to justify allowing the appeal.

9. A written Reasons Decision setting out the full reasons for dismissing the appeal will be provided as soon as practicable.

Dated: 5 November 2026



John Macdonald
Tribunal Chair



Dame Ruth Aitken



Phil Tataurangi