



Associations Liability

Competitor Suspension

A sport association suspended a competitor after he had been disqualified from a race by three stewards for careless actions, ignoring a steward's instruction to retire from a race and for other breaches of the rules.

The suspension was contested vigorously through the NZ Sports Tribunal process. The substance of the original disqualification was conceded by the aggrieved competitor but mitigating circumstances were cited. The association was equally adamant that it had acted correctly but the tribunal found that the initial suspension was dealt with in a manner which lacked fairness and natural justice.

The insured's claim was dealt with as a Professional Indemnity matter. During the proceedings, over nearly two years involving four appearances at the tribunal, there were significant legal costs incurred by both sides. An expensive exercise in "due process".