

BEFORE THE JUDICIAL COMMITTEE

IN THE MATTER of the Equestrian Sports New Zealand (ESNZ) General
and Veterinary Regulations and Polices

BETWEEN **NICK PAGE (ON BEHALF OF THE ESNZ
ENDURANCE BOARD)**

COMPLAINANT

AND **RACHEL STOCKS**

RESPONDENT

DECISION OF THE JUDICIAL COMMITTEE

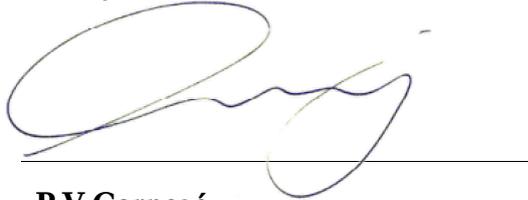
DATED 7 MAY 2024

- 1 A Judicial Committee was formed to consider a complaint by Nick Page (on behalf of the ENSZ Endurance Board) against Ms Stocks.
- 2 In short, it was alleged that Ms Stocks, while Treasurer of the Waitaki Endurance and CTR Club, paid funds to a the newly created Mt Linton Endurance Rider's Club Inc (formed in 2019).
- 3 The funds in question (being \$1,618) previously belonged to the Mt Linton Endurance Club, which went into recession in 2016. That club agreed to distribute its funds to the Waitaki Club and RDA.
- 4 After the 2019 Mt Linton Club was formed, a request was made to recover any funds paid out. The 2019 Mt Linton Club sent an invoice to the Waitaki Club. Ms Stocks shared that invoice in the Waitaki Club Committee Facebook Group, and asked if someone could second approval to pay. Another member of the Committee approved the payment.
- 5 Ms Stocks raised several preliminary challenges to the Judicial Committee's jurisdiction. These included:
 - (a) Because the complaint was made on behalf of the Endurance Board, which is not a "member" of ESNZ, it was invalidly made. The Committee finds that the complainant was Mr Page – an ESNZ member – albeit on behalf of the Endurance Board. It would be odd if a constituent Board could not in appropriate circumstances make a complaint under the Regulations, albeit through an individual ESNZ member. The Committee therefore had jurisdiction;
 - (b) A suggestion insufficient notice had been given of the hearing. Without detailing the background to this matter, all parties have been aware of it for some time. It was important that it be heard. While ordinarily at least 5 working days' notice is required, that can be abridged. The Committee is satisfied that it was proper to hear the matter, and there was no prejudice to any party; and
 - (c) There were various allegations of pre-determination and complaints of delays. These are somewhat complex and, given the Committee's views on the substance, do not need to be dealt with.
- 6 Ultimately, the Committee concludes that the complaint should be dismissed. There is no evidence that Ms Stocks acted dishonestly or

otherwise improperly. While the 2019 Mt Linton Club might have been a separate legal entity from the earlier club, it was effectively a successor organisation. There were active attempts by members of the Endurance Board to support it, including by trying to recover funds the 2016 Club had paid out. Ms Stocks gave notice of the payment to other members of the Waitaki Club Committee and received approval.

- 7 There is otherwise no evidence that Ms Stocks personally benefitted from the payment. On the face of it she thought, understandably, that she was doing the right thing.
- 8 Accordingly, the Committee makes the following orders:
 - (a) The Complaint is dismissed; and
 - (b) This decision can be published on the ESNZ website.

7 May 2024

A handwritten signature in blue ink, appearing to read 'P V Cornegé', is written over a horizontal line.

P V Cornegé
Judicial Committee Chair