

# Appendix (9)

## SUMMARY OF EVENTS FOR THE PATTER LTD

### **Background**

I am the sole Director of the Patter Ltd, a company that specializes in managing and organizing sporting events. I have worked in this industry for 10 years and have been involved in the running of Ironman New Zealand for 8 years.

The Patter Ltd is a sports marketing and event management company, who, among other events, manages and directs Triathlon and Duathlon events one of which is Ironman New Zealand. It should be noted that Ironman New Zealand is the only Ironman race in this country. While I have been a director the Company has organised 20 such events. All major events have a contingency plan, which is approved by the client and/or owner of the Event as matter of course and, where required, by any governing body. In relation to Taupo 2006, this meant that contingency plans were prepared by me (in conjunction with others) and approved by IMG Ltd (owners of the Event) as well as the global governing body for the sport (being the World Triathlon Corporation).

Ironman consists of a 3.8km swim, 180km bike and a 42.2km run. It is one of the more demanding individual sports. It is as much a psychological challenge as it is a physical one.

Ironman New Zealand is one of 18 events – all of them are qualifying events for the World Championships staged annually in Hawaii. All Ironman events are governed by international rules set down by the World Triathlon Corporation.

Taupo has hosted Ironman NZ annually since 1999.

### **Objection**

Before moving into the detail of this claim, I need to point out that I do not believe that the Patter has anything to do with the issues that Mr Williams is contesting. As I understand it, Mr Williams is concerned about decisions that were made in relation to the Taupo 2006 Ironman. The decisions he is concerned with involve how the event was ultimately run. Any decisions about those matters did not involve me or the Patter. Rather, the decisions were made by the Contingency Committee. In 2006, I was not part of that committee. Based on this, I simply don't believe that either should be involved in those proceedings, either as a director of the Patter or personally.

Also, it is quite clear that the event is run by Ironman NZ Ltd, not The Patter. The Patter is contracted by Ironman NZ Ltd to assist with organising the more operational aspects of the event. However, the actual event is not something run by the Patter. Any contract that might exist would not involve the Patter – rather it would be between the competitor and the event organizer.

## **Contingencies**

Competitors fill in a detailed entry form which includes their personal details as well as Event Terms and Conditions. A copy of the text of that form is attached. Term 15 is important. Firstly, it makes it clear that IMNZ could cancel the event. It shows that there is discretion with the organizers for this to occur. Secondly, it also shows that when this occurs, refunds will not be provided. To enter every competitor must sign against these terms and conditions. Mr Williams must then have done so. If there is any contract here, then this document must include most of its terms.

Before any Ironman it is mandatory under international WTC ruling that a contingency committee is established. For Ironman 2006, this committee consisted of Wayne Reardon (IMNZ Race Director), Bruce Chambers (Tri NZ Race Referee) Greg Welch (World Triathlon Corporation representative). It was this committee who were vested with making any (and all) decisions about how the event was run. I did have some involvement in decisions, in terms of discussing them. However, I was not part of that Committee. In other words, any decisions that were made about how the event was going to be run were not made by me or by the Patter Ltd any way. I am therefore surprised that these proceedings have been brought against me and the Patter Ltd. The reason I am not involved is the operational management of the event itself is undertaken by the Race Director (which is not my role in any way). The Race Director determines how the event will be started, how the transitions will be run, traffic management, movement of gear such as bike racks and the removal of swim buoys as so on. As such, the Race Director was on the Committee to make the decision because the outcome as to whether the swim would be run or the event shortened would impact on his role on that day and that of his staff and less so on me.

The relevant decisions the Patter Ltd is involved with are less to do with operational management and more to do with strategic management. My role encompasses budgeting, sponsorship sales and management, marketing, public relations liaison with the World Triathlon Corporation, Pro athletes management, contracts etc. It does not encompass the role of Race Director, which is something that has nothing to do with me personally or with the Patter Ltd.

One of the main risks that competitors face is presented by the weather. To some degree all other risks can be minimized. The weather can not. One of the responsibilities that the Contingency Committee has is to ensure that the

event is run safely and that if there are adverse/ unsafe conditions caused by, say, the weather, that contingencies are put in place.

The committee used the Contingency Plan prepared by Race Organizers for the World Triathlon Corporation. This is a mandatory process for any qualifying event.

This plan states that the decision as to whether or not the swim, or in fact the event would be cancelled should be made on the morning of the event, in daylight. In other words, that plan means that those decisions cannot be made before that.

### **Taupo 2006**

Taupo Ironman involves around 1300 competitors, 22 event directors, 1700 volunteer crew and over 12 months of planning. In other words, it is a significant event, even on an international scale.

Completion times of race range from 8:20 hours for elite professionals to 17 hours for age groups. Cut off times are set and participants must complete the event within these times. If they haven't completed by that time, then they are removed from the course. The times are as follows:

Swim:	2hr:20min
Bike:	10hr 30 min after the race start
Run – total	17 hours

The day before each Ironman there is a briefing for competitors. This is run by the race directors. This occurred on Friday 3 March. This basically takes each competitor through every detail of how the race will be operated. When this occurred in Taupo 2006, there was little indication that the weather was about to become so adverse to the event. Because of the weather being so fickle (not just in Taupo, but everywhere) the international Ironman rules are that the decision on how the event should be run is not made until the morning of the event – when there is sufficient light to do so.

On the morning of Saturday 4th March – Taupo was hit by the worst storm it had experienced in 44 years. High winds gusting over 30 knots and 1 meter waves meant that the safety of participants was, at least, questionable.

As such a decision was made shortly after 6.30am to shorten the event. Although I did not make that decision, it was clear that the lake (where the swim would be held) was extremely rough for swimming. There was one metre surf. There were also concerns about the safety of those who would be on the water in boats, marshalling the event. Significantly, the advice we were getting about the weather from the Met Office in Wellington was that it would deteriorate further.

Based on the conditions and the weather forecast, a decision was made to cancel the swim leg. That was made solely because of one issue – safety.

Because there was no 'rain day', this meant that there were essentially two options – we cancel the race completely or we look at holding a shorter event. Conditions were so bad that there was considerable discussion about canceling. However, it was decided by the committee that a shortened event could be held safely and that it was better for competitors to do something, rather than go home completely empty handed. When I say this, I should clarify that one of the issues that was discussed was whether the event should be cancelled altogether because of the conditions.

The contingency plan in the event of a cancelled swim was to start the event at 8am to 8.30am. However, between the cancellation of the swim and that time, the Contingency Committee determined that the winds were too strong and the conditions dangerous to start the full bike-run event at that time. That was based on assessments being made and the regular weather updates that were being received directly from the NZ Met Service in Wellington for the region. Those forecasts were that the winds would gradually ease starting later in the morning. Based on this an 11am start was opted for, as by then it was believed that conditions were considered safe.

With an 11am start time there was insufficient time to allow for a two-lap bike, two-lap run event. Also, under the race rules we are unable to hold a (say) one bike leg, two lap run type event – the legs must be consistent. In the interests of competitor safety, we opted for the one lap bike- one lap run event.

Athletes were briefed twice about what was occurring. The first time was at 6.45am in the large marquee (see notes attached read by the Race Director at the meeting). At that time, we conveyed to competitors that the swim leg was being cancelled.

A second briefing was called for 8.15am. However, this was delayed because of information being received by the Met Service regarding the continued deterioration of the weather. This briefing eventually took place soon after 9am. (see notes attached read by the Race Director at the meeting)

During this meeting competitors were advised about the format in which the event was to be run. They were also told that it would commence at 11am. The reason that it could not start earlier than this was because of the predicted deterioration in the weather. However, it was also because of some critical operational aspects not known by, nor familiar to, the everyday athlete. Among others, firstly, the timing system for the event had to be re-configured and secondly the entire traffic management plan which involved the use of State Highway 1, had to be prepared and signed off. Those responsible for this estimated this would take 80 minutes. Also, athletes had to get ready to start with the cycle leg of the race, rather than in the swim

leg. This meant that, as well as getting changed, everyone involved also had to move to Transition one and pick up all their biking gear and prepare their bikes as well as themselves (getting out of wetsuits etc) for the event which would now start with a bike. This involved over 1300 people and was to be a time consuming exercise in itself. There was also the issue of organizing the large number of volunteers about what was occurring and where.

Another relevant factor, which contributed to (but did not cause) delay was that the top competitors from Ironman events qualify for the World Championships, held in Kona, Hawaii. Because we were going to run a shortened event, we needed to check that the event would still receive sanctioning and determine about the impact on places for Kona. As I say, this was something else that had to be done, but this did not cause delays to the start. Ultimately, we were told that the event would still be sanctioned and that Kona places were still 'up for grabs'.

Eventually the event commenced from 11am. While the event was not ideal, the event was run safely and professionally, taking into account the conditions. From my perspective, this was most important.

### **The Marquee**

Among many things Ironman New Zealand hires a marquee 80m x 50m from Andy's Party Hire. This marquee has a number of uses during race week and on race day, as follows:

- Race week
  - Social functions – formal dinner for athletes seating 1400 (Thursday and Sunday)
  - Athlete Briefing – Friday morning
- Race day

Recovery Area – medical staff assess all athletes after they finish.

Massage – 50 qualified masseurs.

Food – all catering.

The 6.45am Athlete Briefing I've mentioned above was staged in this marquee. However, soon after 7am, the Race Director, Wayne Reardon, was contacted by Graeme Burnett (Managing Director of Andy's Party Hire) and informed him that the 30 knot winds exceeded the regulations of the erected marquee. He said due to health and safety the marquee would need to be immediately taken down. He asked that all the athletes be removed from this marquee immediately.

This was announced and the more than 1400 people standing it were forced to move outside.

The marquee was taken down soon after 8am.

This placed extraordinary pressure on the infrastructure of the event. That is – where would we now house those things referred to above – that were designed to fit and use the entire capacity of an 80mx 50m marquee.

The only option – given this event is run on a reserve and uses 4 different marquees – was to use a 15 x 9 marquee. This meant a far smaller area for athletes to get post race food. However, because the event was catered that food was still there. It had largely been made and paid for and didn't simply vanish. It was allocated new, less prominent sites, in other tents but was still available. Admittedly, there was a line of people waiting for food. However, in these highly unusual circumstances, this was unavoidable.

In relation to the massage therapists, they also needed to be relocated because the marquee had to be taken down. This was discussed with the Medical Personnel. The advice that was received from those personnel was simply that the facilities must be used for critical facilities and that medical treatment would have to take priority over massage. The advice was also that massage could wait until the following day, if required. In other words, the medical treatment was given priority as this could save lives, whereas massage couldn't. Ultimately, because there was so little space, the Army Medical Personnel allocated only two beds for massage.

They were extraordinary circumstances – unavoidable and the event management team could only work with the infrastructure available to us and within health and safety standards as well as bearing in mind the safety of the 1400 athletes and the volunteers.

### **Potential consequences**

Before 2006, Ironman New Zealand had not been altered because of the weather. However, other sporting events had been. For example, the Coast to Coast challenge, held in the South Island, had been impacted by extreme weather before. That event consists of mountain running, cycling and kayaking. Like Ironman, competitors travel from round the world to compete. They also spend huge amounts of time and money readying themselves for the discipline associated with each leg. In spite of this, on two occasions the event has been adjusted. On the first, the kayaking leg and the mountain run were cancelled due to extreme weather conditions. And in 2004, the race was cancelled mid way through for two thirds of the field

There was never any chance that Taupo Ironman could be held over until the next day. It was not in the contingency plan prepared and approved by the World Triathlon Corporation in advance of the 2006 event. The background as to why a 'rain day' was not (and is still not) in the event contingency plan is based on a variety of factors, including the traffic management agreement.

Because of the impact on the Taupo township and several major roads (including SH1), this could not be negotiated for Sunday. There were also the logistics involving contracting the 1700 volunteers, including Army staff and medical advisers. These factors precluded Sunday as an alternative.

Just as importantly, if we had planned to use a "rain day" for the 2006 event we would have needed to have communicated this to athletes in advance of the 2006 event. They would have needed to have an opportunity to plan for this as well in terms of their own event – eg: booking an additional night's accommodation, for the more than 700 international athletes, having an open air ticket and so on. That had not occurred in any way.

The planning that goes into an event such as this is huge. I believe that this event was very well planned. If it had not been then the contingency plans would not have been approved. It should be reinforced that this is a World Championship qualifying event and all the World Triathlon Corporation's standard and procedures must be met. The delivery of high standards is not suggested, it is demanded. What happened was (hopefully) a freak occurrence with the weather. I have spent days going over this with others who were involved in managing the event. However, we are all convinced that we could not have done anything differently in the circumstances.

We've also looked at what we could do to minimize the impact if this weather pattern unfortunately repeats itself. The only changes to the way we run events since then are that we are now planning on publishing our contingency plans to competitors – as I've outlined, there has always been a contingency plan for these events. We do not believe that there is any obligation to publish this, but recognize that providing some more information to competitors about this will help with understanding. We have also planned an alternative route for the cycle leg, which is less exposed to the wind. That would be used in the event of extreme weathers. Outside of this, we have made no further changes to the event planning or contingency plans. We have considered whether there could be a 'rain day' to allow for postponement. However, at every turn those considering it have agreed that doing so is simply not viable.

### **Relevant documents**

There are some documents that I think may be relevant. These are:

- i) The 2006 Ironman NZ conditions of entry. This clarifies what I've said above, which is that the Patter is not a party to that entry process.
- ii) the Ironman NZ – Contingency Plan.
- iii) The letter that was sent to all Ironman competitors after the event. This was sent to them by me primarily to reinforce the background to some of the decisions that were made.

- iv) Copies of the scripts/ notes from the various meetings that we had with participants on the day of the event.

These documents reinforce the steps that we took to keep participants up to date and the fact that we had contingency plans in place.

- v) Lastly, I've also included an emailed letter, received from Graham Fraser. Graham was an event organizer in the US and organized an event in Utah in which a competitor drowned and others were seriously injured. That occurred because the decision on whether to compete was left to the individuals. Because so much was at stake, many did not recognize their limits and participated in an event, with serious consequences. As this demonstrates, and as Graham mentions, the Race Director must make decisions, rather than the competitors.

## **General**

I do not believe that the Consumer Guarantees Act has any application to elite event management. I also do not believe that the Fair Trading Act has any relevance to the correspondence that I've engaged in since then with Mr Williams. Even if either Act applied, I do not believe that I or the Patter has breached them. Firstly, the Patter didn't actually make the decision to alter the Taupo Ironman – that was a decision made by the Contingency Committee. Secondly, at all times, in any decision it was involved in, the Patter acted reasonably and in the interests of the safety of the event participants. I fully accept that many athletes were not pleased with the event – however, I firmly believe that we all did the best that we could possibly have done in the conditions on that day.

If Mr Williams was successful in his claim, then this would have a significant precedent consequence for the Patter Ltd, for Ironman NZ and for sporting event management in general. It would effectively mean that a well prepared event such as Taupo was, could not be managed as the conditions dictated. That would be a very difficult precedent to live with.

I am very disappointed to be attending this hearing. Mr Williams has made it clear that he does not agree with our decisions about Ironman 2006. He has also agreed with me in emails that event organizers must retain the discretion to alter events if conditions dictate. I simply don't understand why I am here, particularly given that Mr Williams has enrolled in Ironman event since Taupo 2006.

I wish to make it clear that I have involved my lawyers in defending this claim. The reason for this is because Mr Williams has published a variety of confidential emails and documents on the internet. He has also sent me emails that, I believe, make his motives for pursuing this claim highly questionable. I have clarified that I was not involved in decisions made and



yet he has continued to involve me in this claim. Because of the tone and volume of his correspondence, and the importance of the issues to me, my Company and sports events, I believe that it was appropriate to involve my lawyers. I have attached some of the many emails that Mr Williams has sent me that I believe demonstrate this point.

I have incurred costs of over three thousand dollars preparing for this claim. If I am successful in my defence, I would like the Tribunal to direct that Mr Williams pay, at least, some of these costs to me. I am happy to provide further information if that is required.

While the decisions made in Taupo may not have been a popular one with those athletes who have spent considerable money and huge amounts of time preparing for the Ironman this is how these events need to be organized. The organizers must have sole discretion to change the race, or even cancel it if required. That discretion should be exercised reasonably. In this case, I firmly believe that it was.

Dear Ironman New Zealand athletes/competitors,

I trust you have returned home safely or you are enjoying some holiday time in New Zealand. After a very trying 22<sup>nd</sup> annual Bonita Ironman New Zealand, all event teams involved (including sponsors and 1800 volunteers) were equally flat that the weather conditions ruled out holding the full Ironman event on Saturday.

We want to pass on our sincere thanks for your incredible patience and support. We realize that you have trained very hard for many months for the day. We have received several questions from athletes about our plans and so we wanted to share those with you so you can better understand our decisions on the day.

**Q: Did you have a contingency plan?**

A: Yes. We have always had (and will continue to have) a detailed contingency plan for this race. In the case that the swim was not possible, in line with World Triathlon Corporation rules, a bike-run would be held over the Ironman distance of 180km bike and 42km run. Our written plan was presented and approved by WTC on Wednesday of race week.

**Q: Could you have called the swim off any earlier?**

A: It was agreed that the Contingency Management Committee (consisting of the Race Director Wayne Reardon, the Race Referee from Triathlon NZ, Bruce Chambers and a WTC representative Greg Welch) would need to make the decision at daylight. We met at 6.15am and a decision was made shortly after 6.30am to call off the swim. It was officially announced at 6.45am.

**Q: What was the official start time of the bike-run, according to the contingency plan?**

A: We needed 90 minutes for all of our directors to put the necessary changes in place with traffic management, race timing system, volunteers and logistics to start an event. Our contingency plan was for an 8.00am to 8.30am start.

**Q: Why did the event start at 11.00am rather than 8.30am?**

A: The Contingency Management Committee considered the winds were too strong and the conditions too dangerous to start the bike-run event. We had regular weather updates directly from the NZ Met Service in Wellington for the region and they informed us that the winds were remaining very strong through the early morning and would gradually ease later the morning. The NZ Met Service also informed us that winds would peak between 8:00am and 10.00am. Based on this information, we opted for an 11am start when conditions, we hoped, were considered safe.

**Q: Why not a two-lap bike, two-lap run?**

A: With an 11am start time there was insufficient time to allow for this. As well, the weather bureau had forecast for winds to increase again later in the evening bringing snow to Mt Ruapehu, therefore in the interests of competitor safety, we opted for the one lap bike- one lap run event.

**Q: Could we have held the race on Sunday?**

A: There was never an option to reschedule the event until Sunday, due to several operational elements. The traffic management agreement could only be negotiated for Saturday. The logistics involved in contracting the 1,800 volunteers – which are vital for the safe running of the event – precluded Sunday as an alternative.

I hope this helps clarify any queries you may have regarding the management of the weekend. Be assured, we have a very real sense of the level of your disappointment knowing the time and commitment involved in preparing for an Ironman.

If you did compete in the event, thank you for choosing to do so and congratulations on receiving your medal in such arduous conditions.

Regards

Jane Patterson  
Event Director

## **IRONMAN NEW ZEALAND – CONTINGENCY PLAN**

### 1. Contingency Management Committee

Race Director

Race Referee

WTC Representative

2. In the advent of inclement weather, the Contingency Management Committee to convene at 6am (and/or as soon as there is sufficient light) to determine if:

- the conditions will enable the race to take place
- conditions would preclude a swim

3. The decision of the Committee is final

4. The decision of the Committee will be conveyed to the competitors via the PA System and all other possible means by 6.30am or as soon as practicable. It will also be conveyed to the news media. The Race Director to advise all affected Directors by radio.

5. If the Committee determines there can be no swim, the event will become a bike-run. The split transitions and other limitations make it impractical to conduct a run-bike-run.

6. The format of the bike-run will be to start the event at 8am. Professional Men will start in one group, with Professional Women two minutes later. The Age Groupers start three minutes later. They will start by race number order in 5-second intervals.

NOTE: Race start times will NOT be accelerated due to vacant race numbers or athletes that do not show. If an athlete misses their allotted start time, they start at the back of the field.

Final start time and format dependant on weather conditions, with the Contingency Committee to determine when it is considered safe to start the race.

7. The race will be started on Tongariro St by the lights on Heuheu St. They will start on the inside lane which will be coned off. Cyclists to be lined in two lanes – odd numbers on inside, even numbers on outside. Timing New Zealand will control the start procedure, with cyclists mounting bikes approx 10m before going over the timing mat.

### 8. Race timing:

8am

Pro Men

8.02am Pro Women  
8.05am Age Group from No 36 in 5 sec intervals individually  
10.00am Last age grouper No 1418  
6.10pm Bike Cut Off (8hr 10min time from last person)  
12.40am Final cut-off (6hr 30min on run from bike cut off)

## **Athlete Briefing – Age Group:**

- 1. This is a bike – run event with a 90km bike and a 21km run.**
- 2. You will start at the bike exit at T1 at the mount zone**
- 3. You will start individually in numerical order in 5 sec intervals.**
- 4. Stand by your bike and you will be marshaled as required. If all starters compete, it will take approximately 1hr 30min for the field to start. The flow will be from the front of the bike rack forward.**
- 5. Do not take your bikes off the racks until you are instructed – as each rack will need to be cleared at the same time.**
- 6. The bike course is as per the first lap of the original course.**
- 7. The run is the same as the first lap of the original course except you will turn into the finish chute.**
- 8. The Support Stations noted on the first bike lap and on the run course are in the place.**
- 9. Your run and bike special needs bags are in the marquee and available for pick up after the briefing if required.**
- 10. The event has been endorsed by World Triathlon Corporation and will be treated as a full event in terms of the event benefits. All prizemoney and qualifying spots for Hawaii will still stand, as will finishers' medals and finishers' teeshirts.**
- 11. Please be careful in the conditions. We thank you for your support and your patience.**

**Athlete Briefing – Professional:**

- 1. This is a bike – run event with a 90km bike and a 21km run.**
- 2. You will start at the bike exit at T1 at the mount zone**
- 3. Pro Start Arrangements.**
- 4. Stand by your bike and you will be marshaled as required. If all starters compete, it will take approximately 1hr 30min for the field to start. The flow will be from the front of the bike rack forward.**
- 5. Do not take your bikes off the racks until you are instructed – as each rack will need to be cleared at the same time.**
- 6. The bike course is as per the first lap of the original course.**
- 7. The run is the same as the first lap of the original course except you will turn into the finish chute.**
- 8. The Support Stations noted on the first bike lap and on the run course are in the place.**
- 9. Your run and bike special needs bags are in the marquee and available for pick up after the briefing if required.**
- 10. The event has been endorsed by World Triathlon Corporation and will be treated as a full event in terms of the event benefits. All prizemoney and qualifying spots for Hawaii will still stand, as will finishers' medals and finishers' teeshirts.**
- 11. Please be careful in the conditions. We thank you for your support and your patience.**

## **ATHLETE MEETING**

- 1. Weather Conditions prevent a swim today**
- 2. Contingency is for a bike-run event but at this time the conditions will not allow an 8am start that was planned in this event.**
- 3. The weather reports are for a further deterioration over the next 1-2 hours.**
- 4. Assessing the conditions for a bike-run event and will make a further announcement at 8.15am here in the marquee.**
- 5. You can stay in the marquee, or we have opened the main hall of the Great Lake Centre – or if you are staying close by you can leave as long as you return for the 8.15am announcement.**



## **Athlete Meeting No 2**

- 1. We have spent significant time before this event examining all the possible contingencies for the event in case of inclement weather.**
- 2. There is no option for the event to be staged on Sunday mainly because of availability medical and support crews. The private medical practitioners and the NZ Army, who volunteer their services for your safety and wellbeing, are unavailable tomorrow.**
- 3. Our contingency plan, as we outlined at the Athlete Briefing yesterday, was to run a bike-run event over the Ironman distances (180km bike and 42km run)**
- 4. We have been receiving regular information directly from the NZ Met Service in Wellington with specific details of the weather patterns in this region.**
- 5. There is a deep low east of the country which is causing the southerly gusts which are forecast to continue to the next few hours. It is forecasted to gradually ease as the day continues but there will be continued southerly winds and cold temperatures.**
- 6. The conditions and timeframe dictate that it is not possible to stage the full 180km bike and 42km run. Our Contingency Management Committee (which consists of**

**the Race Director, Race Referee from Triathlon NZ and Greg Welch from World Triathlon Corporation) have decided that we will stage a one lap bike, one lap run event.**

- 7. We understand that this is not an ideal scenario for what we all wanted but it will allow you to participate in an event.**
- 8. This bike-run event will start at 11am. There will be a briefing on the details of how we run this at 10.15am. The briefing for the Japanese athletes and professionals is in the main theatre of the Great Lake Centre.**
- 9. You are able to drop off your swim bag and pick up your bike bag in T1 after this meeting. Please enter through the bike out shute.**
- 10. Our reports off the course say that the winds are at their worst along the waterfront, and up to the motor race circuit. From there it is relatively still out to Reporoa.**
- 11. Therefore the first 3km along the waterfront to State HW No 5 has a difficult cross-wind. You need to decide for yourself that you have the skills and the confidence to deal with this part of the course.**

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### In Defence of Race Directors

By Graham Fraser, President IMNA  
3/22/2006

**A couple of weeks ago IMNZ went through every athlete and race director's nightmare. We have all chosen to participate and work in a very risky sport in regards to the time commitment and dedication it takes to succeed and the potential that the effort may go wasted.**

Triathlon is not an indoor sport and is not one without risks. Risks we all must share to move forward with more events. In no way can the individual event director control the circumstances which may cancel or shorten an event, such as weather, terrorism, city circumstances, pollution, etc. The race director is faced with the decisions which effect every athlete's life. No easy task with a group of dedicated, fit and ready-to-go athletes.

Until you have walked in the shoes of the RD you will have no idea the stress and issues RDs have to deal with. I can speak from some authority after race directing over 250 events and dealing with the circumstances in Utah (about which I was heavily criticized and complimented). Let's go through the decision making process.

- Is the weather safe? Is it safe for everyone? You have to make your decision on the weakest 25% of the race, not the strongest. If you let athletes make their own decisions about whether to get in the water, they all will. 'I trained to get here and I am doing it.' In Utah, everyone had the option and got in. You cannot let athletes decide using their own logic; you have to have the logic.
- Can the lifeguards/boats actually maneuver in the water and be of assistance?
- What is the weather forecast predicting? Is lightning in the forecast, is it for more wind or rain?
- Can the volunteers stand out in the elements for hours on end?
- Is the medical team able to function to meet the potential disasters?
- What if the storm gets worse? Can you get everyone back from the course? What if you have to get back 1500-2000 bikes? Is there shelter out there?
- How long can you wait it out without losing the ability to do a full race? Or a full bike and run?

All RDs know that you have committed a great deal of resources to get to an event. You have a physical, mental and emotional attachment to the process. That is what IM is about.

The RD and their team have done the same. They have had meetings all year, built up a team of 2-4000 volunteers, co-ordinated all the municipalities, police and medical services. All the supplies are bought, all the courses set. The year's work is ready to happen. Then in one storm, fire (Penticton 2003) or terrorist attack (if Wlscosin had started one year earlier it would have been on the week of September 11...no way we could have raced), those efforts are put to waste.

So now what is the RD to do? Some athletes will accuse you of trying to save \$money. ridiculous. In reality, no RD owes any refund based on these circumstances. Can you imagine yourself taking all the risk for the sport? When an event like Utah or NZ happens the RD loses their whole livelihood for the year. Why? Events make their money from sponsors (most will pay some, but not much), merchandise (all bought, none sold), race pictures (no revenue...),but almost all expenses are paid out (minus prize money if totally cancelled, but given out if there is any race). So you want a refund or spot to next year. So now the race loses money in the storm year, and has very little revenue for the next year. Another major loss. Most could not survive it. So is it fair to put the RD in the position of accepting all liability? Or should athletes take the 1/2000 of the risk. Verses the RD taking 2000/2000. In reality, the entry fee is a small part of the issue. The hotelier or airline will not refund, the bike or wheels you bought are yours now. All part of the experience. But not an easy part of it.

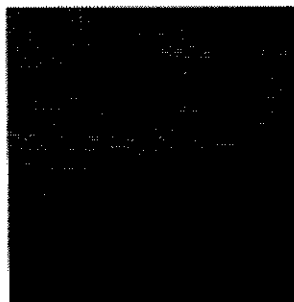
I can not comment on how NZ was handled, because I was not there. I can comment on the person in charge and how much she has put into building a world-class event in NZ. How much she cares and how I know she did everything she could to get an event off and in the end had to take her lumps to do what she and her team believed was the right thing to do. If she let people race and something went wrong, boy would there be finger-pointing! Look at Utah, everyone had answers after, none before. Including the coast guard. Park people, 1500 athletes! Could it have been handled differently?

I do know what it feels like when you commit your entire life to building good events for athletes and the moment something you could not control goes wrong people turn on you. You feel they do not deserve your time and effort. Quitting seems like the right thing to do. But then something else happens. The people who know you as a person and the people who know your love of the sport come to your side. They make you realize that there are so many good people in the sport that you cannot succumb to those who speak without thought beyond their world. And you come back stronger and more experienced, which allows you to grow and again improve your events and sport.

Jane Patterson and all RDs cannot be the enemy and fall people. They are the ones who take the risks and put themselves on the line. If all goes well there are also rewards which include seeing the faces and emotions of the IM athlete crossing a finish line. Yes, there are financial rewards and other perks. But in the end there is more than those to what drives people like Jane. You have to love the sport first and foremost. She does. Please open your arms to her and think deep about what she has been through. There will be more IMNZ events to celebrate and everyone will be better because of it.

Graham Fraser  
President  
IMNA

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**From:** Glen Williams [[glen.williams@mrinz.ac.nz](mailto:glen.williams@mrinz.ac.nz)]  
**Sent:** Friday, 9 February 2007 2:33 p.m.  
**To:** [thepatter@xtra.co.nz](mailto:thepatter@xtra.co.nz)  
**Cc:** Don Mackinnon; Richard Upton  
**Subject:** Disclosure of information

Hello,

I cannot believe the audacity of your seeking of an adjournment for 2 reasons:

1. All the information I sent you is in public domain and already accessible to you (I believe you have already read almost – if not all of it), and
2. I have not received any information from you (and given that neither the Tribunal nor I have received any information from you I doubt that any has been sent).

Given your involvement in events that require sportsmanship I am very surprised by your lack of moral fibre. I wondered if you made a mistake at Ironman which, although displayed a lack of care and skill, was not an intrinsic part of your nature. I need wonder no longer!!

Many people on the sportzhub discussion group have labelled me a mercenary, and many have supported me. So far I total my time on this case to be significantly less than the minimum wage even if I get awarded all that I claim and do no more work. I have decided given your lack of remorse attempt to take unfair advantage (by not supplying me with any information) that I am going to work towards sweatshop wages on this case.

I will take the opportunity to strengthen my case – I have identified three weaknesses that will be corrected before the court date. I will continue to work through various contingency plans based on how you can attack my case – most if which requires argument rather than evidence.

I will be supplying you with all the evidence I collect as and when it becomes available. It would be nice if you had the integrity to do the same.

On the positive side you have made it very clear that you expect all evidence to be available before the hearing and, in discussions yesterday with the Disputes Tribunal about your lack of compliance with supplying me the evidence in the required manner, the promised to enforce this requirement.

It is the efforts of the competitors in the Ironman event that make is the sport it is. It is those efforts that attract the spectators and with them sponsors. I will attempt to make sure that your efforts in the future reflect those of the sport.

Regards,

Glen Williams

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**From:** glen Williams [mailto:[glen.williams@mrinz.ac.nz](mailto:glen.williams@mrinz.ac.nz)]  
**Sent:** 12 December 2006 5:42 p.m.  
**To:** [justine.lai@imgworld.com](mailto:justine.lai@imgworld.com)  
**Cc:** 'Jane Patterson'; [Don.Mackinnon@mackinnonassoc.co.nz](mailto:Don.Mackinnon@mackinnonassoc.co.nz)  
**Subject:** Ironman NZ 2006 - seeking compensation or explanation  
**Importance:** High

Hi,

As you can see from the correspondence below - I am going likely to be starting legal proceeding against The Patter and your company. I believe the the running and management of the Ironman in Taupo this year was in breach of both fairness and New Zealand law. I have obtained the weather reports from the day and are in the process of obtaining the contingency plans submitted to WTC.

If it appears that there was not reasonable care and skill in the planning and execution of the event (or I cannot obtain the information required to assess that claim) then I will be seeking compensation from both you and The Patter (both solely and jointly). If I can't gain compensation (please read the attached correspondence with Jane Patterson) then I am happy to use the New Zealand Disputes Tribunal to mediate a solution.

I have written my claim and will be submitting it later this week - (assuming you don't want to deal with the situation directly with me).

Regards,

Glen Williams

+64 21 348 349

-----Original Message-----

**From:** glen Williams [mailto:[glen.williams@mrinz.ac.nz](mailto:glen.williams@mrinz.ac.nz)]  
**Sent:** Tuesday, 12 December 2006 5:16 p.m.

24

**To:** '[blair@ironman.com](mailto:blair@ironman.com)'; '[jessica@ironman.com](mailto:jessica@ironman.com)'  
**Cc:** '[ben@ironman.com](mailto:ben@ironman.com)'; '[Don.MacKinnon@mackinnonassoc.co.nz](mailto:Don.MacKinnon@mackinnonassoc.co.nz)'; 'Jane Patterson'  
**Subject:** FW: IronmanNZ 2006  
**Importance:** High

Hi,

I'm am about to start legal proceedings against the owners and organisers of Ironman NZ.

As I'm sure you are aware it appeared to the participants (me included) that either their was no contingency plan in place, the contingency plan was faulty, or the contingency plan was incorrectly executed.

Even New Zealand Ironman legend Cameron Brown is quote in NZ Multisport Magazine as saying

"... If a decision had been made much earlier (after all they knew the day before there was a high possibility

of this happening), would they have gone with the 180km bike and 42km marathon?..."

A lack of contingency plans may not be the cause - Jane Patterson (the event director) suggested I contact you for verification of the plans she sent you. Could you please provide me with a copy of what you received from her. I have forwarded you a copy of the email she sent me regarding this (see below).

I have sourced the weather reports obtained that day and the preceding 4 days (from the Kelburn Met service), and understanding how the correspond to contingency planning would be great. I am currently under the opinion that the marathon should have been completed and that provision of massage and food after the event was also sub-standard (two massage tables for 1400 people, and very little food).

Please note that this information may halt legal proceedings if I am convinced that the organisers performed their duties (as specified under the NZ







