

SPORT DISPUTE RESOLUTION CENTRE OF CANADA (SDRCC)
CENTRE DE RÈGLEMENT DES DIFFÉRENDS SPORTIFS DU CANADA (CRDSC)

Citation: Riley v. Rowing Canada Aviron, 2026 CASDRC 33

File No: SDRCC 26-0818

(Ordinary Tribunal)

Date: 2026-07-30

KARISSA RILEY

(CLAIMANT)

AND

ROWING CANADA AVIRON
("RCA")

(RESPONDENT)

Submissions:

John Alexander, Counsel

On behalf of the Claimant

Adam Klevinas, Counsel

On behalf of the Respondent

Cristy Cooper, Counsel

Before:

Carol Roberts, Arbitrator

REASONED DECISION

1. On June 11, 2026, I was selected by the parties as a Mediator/Arbitrator under Subsection 5.3 (b) of the 2025 Canadian Sport Dispute Resolution Code (the “Code”) to hear Karissa Riley’s appeal.
2. Although Rowing Canada Aviron (“RCA”) initially disputed SDRCC’s jurisdiction to decide this dispute, it agreed to participate in the mediation process and to have the matter determined on the merits on the sole issue of whether RCA was obliged to register the Athlete into the Lightweight Women’s Single Sculls event at the 2026 World Rowing Championships.
3. Following an unsuccessful attempt to resolve the dispute in mediation, the parties filed written submissions, on July 3, 13 and 15, 2026. Included with the submissions were affidavits of the Athlete and of Tom Morris, the National Women’s Lead Coach at Rowing Canada. On July 17, 2026, following a review of those submissions, I issued my decision to deny Ms. Riley’s appeal, with reasons to follow. These are my reasons.

OVERVIEW

4. Rowing Canada Aviron (“RCA”) is the national governing body for rowing in Canada. It is recognized by the Fédération Internationale de sociétés d’aviron (FISA) the international federation for rowing (also referred to as World Rowing).
5. RCA is responsible for, among other things, selecting athletes to include in its high-performance program as well as choosing those who will compete in international events as members of RCA’s National Team.
6. Ms. Riley (“the Athlete”) is an elite international single sculler who has represented Canada in the Lightweight Women’s Single Sculls category. She won a World Championship Bronze medal at the 2023 World Rowing U23 Championships and was 5th at the 2025 World Rowing Championships.

BACKGROUND

7. In 2022, the International Olympic Committee (“IOC”) decided to eliminate the lightweight rowing events from the Olympic program after the Paris 2024 Olympic Games. Although World Rowing also decided to eliminate many lightweight events from its World Cup and World Championships in 2025, it maintained the Lightweight Double Sculls and Lightweight Single Scull boat classes for both men and women.
8. Following the decisions of the IOC and World Rowing, RCA says that it decided that it would no longer support entries into international lightweight events because it is of the view that entry into these events “does not align with the prevailing objective of its high-performance program, which is to win medals at Olympic and Paralympic Games.” RCA eliminated senior lightweight rowing programs and no longer invites lightweights to its national training centres.

9. After the 2024 World Rowing Championships, the Athlete trained in an entirely independent, self-funded and self-sustained competitive program. The Athlete has her own volunteer coaches and an independent integrated medical/support team. The Athlete says that she does not access any of RCA's financial, administrative, coaching or staff resources. The Athlete trains at a facility which is not supported by RCA, in a boat that has been provided to her by a private sponsor.
10. In 2025, RCA notified all lightweight athletes that it would no longer consider multiple crews for entry at international events because "as there is no longer a pathway for lightweight rowing to the Olympic Games, it is no longer feasible to follow a detailed selection process... nor consider multiple crew options in the events." However, RCA offered lightweight single scullers the opportunity to try out for an entry into the 2025 World Championships on the condition that they would be responsible for self-funding their entry and travel to the event and would be subject to meeting certain minimum eligibility requirements.
11. The Athlete was the only lightweight women's single scull entry from Canada in the 2025 World Rowing Championships after meeting the eligibility requirements specified in the 2025 Criteria. The entry was contingent on the Athlete assuming responsibility for funding her entry and travel to the event.
12. Following the 2025 World Rowing Championships, RCA's high-performance staff decided to change the 2026 Selection Criteria to remove lightweight entries entirely. RCA's October 2025 *Senior Women's Program – 2026 Season Overview* contains no reference to lightweight crews nor lightweight performance targets and standards.
13. In January 2026, RCA published the RCA Senior National Team 2026 Women's Selection Information (the "2026 Criteria") as well as the National Training Centre Athlete Pathway & Standards ("Standards"). The latter document states that the purpose of RCA's high-performance program is to "consistently achieve podium performances at international events and ultimately, medals at Olympic and Paralympic Games." It further states that the objective of the Standards is to "provide clearer expectations and transparency for athletes entering, exiting, and maintaining position within the [National Training Centre]."
14. Neither document refers to the lightweight events that remain in the World Championships.
15. Although Ms. Riley contends that the 2026 season "selection plan/documents were not shared with her", I accept that the Criteria and Standards were communicated to all athletes by way of publication on RCA's website. I also find that RCA's Criteria and Standards were communicated to her both directly and indirectly through her personal coach, Alex Marchuk.
16. Mr. Morris's responsibilities include communicating with high-performance athletes and/or their coaches about RCA's high-performance program and opportunities for international competition as well as preparing and implementing RCA policies relevant to its high-performance program and selection for international competitions.
17. On January 26, 2026, Mr. Morris emailed Ms. Marchuk "inviting a discussion about the fact that there was no provision for lightweight nominations in the 2026 Criteria." Mr. Morris's evidence was that he spoke with Ms. Marchuk on January 27, 2026, and "referred her to the

2026 Criteria and confirmed that it no longer contemplated lightweight representation.” Following that conversation, he emailed Ms. Marchuk a copy of the 2026 Criteria and invited her to direct any questions about it to either him or RCA’s High-Performance Director, Adam Parfitt.

18. According to Mr. Morris, he also had a conversation with the Athlete in February 2026 regarding her options about entry to the National Training Centre. Mr. Morris’s evidence was that he confirmed there were “no special exceptions or ‘loopholes’ for entry into the open weight squad, and any athlete looking to be admitted was subject to the same process for entry.”
19. On April 8, 2026, Ms. Marchuk emailed Mr. Morris regarding the possibility of the Athlete trying out for the lightweight program. Mr. Morris’s evidence was that he viewed the email to be a misrepresentation of his January conversation with her and disregarded the selection plan that had been sent to her in January. Mr. Morris’ response referred to incorrect assumptions about the process and requested a conversation with Ms. Marchuk to address those.
20. Mr. Morris’s evidence was that he had a conversation with Ms. Marchuk on April 27, 2026, in which he “confirmed in no uncertain terms that RCA would not include any lightweight entries in its 2026 senior programming” and that the decision was not specific to the Athlete but was a “program position that had been contemplated since the conclusion of the Paris 2024 Olympic Games.”
21. Mr. Morris further explained to Ms. Marchuk that RCA’s decision to support the Athlete’s entry at the 2025 World Championship was based on her top three performance at the 2024 National Rowing Championships and her satisfaction of the 2025 Criteria standards. He also clarified that RCA’s decision was contingent on the Athlete self-funding both her entry fees and travel expenses. RCA also considered that selecting the Athlete had the added benefit of providing Ms. Marchuk with international coaching experience.
22. On May 4, 2026, the Athlete emailed Mr. Parfitt, inquiring about her “eligibility for the 2026 selection trial,” challenging RCA’s decision to exclude her from selection trials. She sought either written reasons for that exclusion or an invitation to participate.
23. On May 8, 2026, Mr. Parfitt responded to the Athlete, explaining that RCA’s decision was not personal; rather, they were about program priorities. Mr. Parfitt confirmed that the issue was not the Athlete’s efforts or results, it was simply that the lightweight category was no longer an Olympic event: “RCA’s programming is structured around Olympic disciplines, and the lightweight category no longer sits within that framework.” Mr. Parfitt identified other options the Athlete might want to consider, including Women’s Henley, Holland Beker, English Henley and Canadian Henley, and reiterated that entry to the 2026 World Rowing Championships “simply isn’t in the cards this year.”
24. On May 15, 2026, the Athlete communicated her intention to appeal “the decision to decline a Canadian entry for the Lightweight Women’s Singly (LW1x) for the 2026 World Rowing Championships.” The Athlete advanced a number of arguments, including the fact that she was willing to self-fund her participation, that her performances were of an international calibre, and that because she had competed as a decentralized, self-funded athlete in 2025, she had a reasonable expectation that she would be afforded the same opportunity in 2026.

She also asserted that, given that she was a medal-potential athlete and that she was “removing all resource-based barriers to entry,” Mr. Parfitt’s decision was an unreasonable and arbitrary exercise of discretion.

25. On May 20, 2026, Mr. Parfitt emailed the Athlete stating that RCA would not reconsider its decision not to enter any lightweight women’s singles in the 2026 World Championships. He stated that the decision was “an operational matter and not a decision relating to selection for a specific RCA High Performance Program or National Team.” Mr. Parfitt noted that the exclusion of lightweight rowers had been identified in January 2026 and confirmed in April.

The Decision

26. Ms. Riley characterized the decision at issue to be RCA’s refusal to exercise its discretion to register her entry into the 2026 World Championships. She submits that the only decision that had been made was that of RCA not to support the lightweight program, either at the National Training Centre or support “those Claimants” at the 2026 World Championships. She identified Mr. Parfitt’s May 20, 2026, email confirming that RCA would not reconsider its decision not to enter any lightweight women’s single at the 2026 World Championships as the decision in dispute. She contends that this decision is neither legal nor reasonable, insofar as it affected her.
27. The Athlete contends that the decision not to operate a lightweight program in 2026 or to enter any lightweight women’s single into the 2026 World Championships fails to consider her qualifications, her racing ability, competitive record or readiness to compete.
28. The Athlete further argues that RCA’s elimination of an entire discipline from access by any Canadian lightweight athlete while that discipline continues to exist as an official World Rowing Championship event is unreasonable, and that Mr. Parfitt’s May 20, 2026, decision did not address “the question that was actually before the decision-maker.”
29. RCA submits that the decision at issue is that of RCA’s decision not to enter lightweight crews in international events, as communicated in January 2026. It contends that the decision is not, as the Athlete suggests, Mr. Parfitt’s email communication of May 20, 2026.
30. I find that the Decision at issue is RCA’s decision, which was communicated in January 2026 through the publication of the 2026 Criteria, not to support any lightweight athletes in any international events (the “Decision”). While the document does not expressly state that there would be no athletes selected for lightweight events at the 2026 World Championships, that can be inferred by the absence of any criteria or process for lightweight nominations in the document. In my view, RCA’s failure to expressly set that out in the document has, in part, contributed to this dispute.
31. Although the 2026 Criteria may not have been specifically sent to the Athlete, it was announced to all athletes through publication on RCA’s website. I also accept the uncontradicted evidence of Mr. Morris that not only was the 2026 Criteria sent to Ms. Marchuk but that on April 27, 2026, Mr. Morris expressly informed Ms. Marchuk that “RCA would not include any lightweight entries in its 2026 senior programming.” Although I do not have any evidence regarding Ms. Marchuk’s communications with the Athlete, I infer that Ms. Marchuk informed the Athlete about this conversation.

32. Consequently, I find that the decision before me is one made no later than January 30, 2026, and communicated to all athletes on that date. I also find that the decision was specifically communicated to the Athlete, through her coach, on several occasions, and certainly by April 27, 2026.
33. I find that Mr. Parfitt's May 20, 2026, email was not the Decision, but simply a confirmation that the January decision "would not be reconsidered."
34. Although RCA originally disputed the jurisdiction of the SDRCC to adjudicate this appeal based on its *Appeal Policy* (effective April 1, 2026), it agreed to have the matter decided on its merits. RCA does not challenge the Tribunal's jurisdiction to consider this matter on the issue of timeliness.
35. The *Appeal Policy* provides that an individual affected by a decision taken by RCA has the right to appeal that decision "provided that it is a decision that is subject to appeal pursuant to this policy." The *Appeal Policy* identifies decisions subject to appeal as including those relating to eligibility, selection, High Performance Program/National Team decisions and AAP nominations (Section 4). It specifically excludes "governance and operational matters" (Section 5(b).) According to the *Appeal Policy*, individuals have 14 days to appeal a decision (Section 6).
36. I do not have the *Appeal Policy* which was in effect in January 2026 before me. However, I infer that the terms and time periods in which to file an appeal were substantially similar to those in the current policy.
37. Although RCA characterized the Decision to be an "operational matter" and thus not subject to appeal, under the *Appeal Policy*, given RCA's position, I need not decide whether I have jurisdiction to decide this issue. However, even if I were to conclude that the decision was not an "operational matter," I find that an appeal of the Decision ought to have been brought well before May 28, 2026, the date the Athlete filed her appeal. Even if I were to find that the decision to not include any lightweight entries in its 2026 senior programming was expressly communicated only on April 27, 2026, the appeal would fail on the question of timeliness.

ANALYSIS AND DECISION

38. Section 6.12 of the *Code* provides that the Panel has the power to review the facts and the law and has the discretion to substitute its decision for the decision that gave rise to the dispute.
39. It is well established SDRCC jurisprudence (see *Palmer v. Athletics Canada* (SDRCC 08-0080) that the standard of review of decisions of national sport organizations is one of reasonableness, not correctness, and that arbitrators should only interfere with a sport organization's decision only when the decision has been demonstrated to be so "manifestly wrong" that it would be unjust to let it stand.
40. A reasonableness review is a robust but deferential standard of review of the decision (*Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65.) A review is

based not on whether the reviewing court believes the decision is correct, but whether that decision was reasonable in the circumstances.

41. *Vavilov* determined that a decision will be unreasonable where there are sufficiently serious shortcomings in the decision such that it cannot be said to exhibit the requisite degree of justification, intelligibility and transparency, and is it justified in the context of the applicable factual and legal constraints (at para. 99).
42. Further, a decision may be unreasonable if there is an absence of rational and logical reasoning or if it is not “justified in relation to the constellation of law and facts that are relevant to the decision” (at para. 105).
43. I am not persuaded that RCA’s decision was either unreasonable or manifestly wrong.

Did RCA have Jurisdiction to Make the Decision?

44. There is no dispute that RCA has the jurisdiction to make the Decision. A National Sport Organization has the jurisdiction to determine its own programming and resource allocation.
45. The Decision to remove lightweight crews, performance targets and standards from the 2026 Criteria was not contrary to any published selection criteria or performance standards. While the Athlete may disagree with RCA’s decision to, as she put it, eliminate “an entire discipline from access by any Canadian lightweight [Athlete] while that discipline continues to exist as an official World Rowing Championship event,” she did not argue that it had no jurisdiction to do so.

Was the Decision Arbitrary or Discriminatory?

46. The Athlete contends that it is unfair to “selectively remove elite-level options without a clear, documented and merit-based policy rationale.” She argues that “selectively abolishing the lightweight category exclusively at the elite/national representative level creates an arbitrary barrier that disproportionately impacts a specific class of Claimant” and that “without a compelling evidence-based performance or safety justification, this selective elimination at the highest tier constitutes arbitrary and discriminatory treatment.”
47. I find that the Decision was neither arbitrary nor discriminatory.
48. I find that RCA’s Decision to remove lightweight rowing category at an international level was rationally connected to the IOC’s decision to eliminate lightweight rowing events after the Paris 2024 Olympics and World Rowing’s decision to eliminate many men’s and women’s lightweight events from its program following the IOC’s decision.
49. RCA’s decision does not eliminate events based on gender, age or any other discrete personal characteristics. Rather, it is a decision that affects all lightweight events across the men’s and women’s categories, at both senior and under 23 levels without any reference to merit. I find that the Decision was not discriminatory or unfairly based on any prescribed personal characteristics.

Has the Athlete made out the Doctrine of Legitimate Expectations?

50. The Athlete contends that because RCA maintains a framework for lightweight rowing and because RCA supported her entry into the 2025 World Rowing Championships, there was a reasonable and legitimate expectation of “a continued competitive pathway.”
51. The doctrine of legitimate expectations affords only procedural rather than substantial rights. (see *Mount Sinai Hospital Center v. Quebec (Minister of Health and Social Services)* 2001 SCC 41 (CanLII), [2001] 2 SCR 281). The doctrine of legitimate expectations looks to the conduct of a public authority in the exercise of power in relation to the interest of, in this case, the Athlete, whether the power is exercised by way of representations, established practices or conduct. If RCA is a public authority, an issue which I need not decide, based on the evidence before me, I cannot find that the Athlete had a basis to expect that her request to be entered into the women’s lightweight event at the 2026 World Rowing Championships would be treated as it was in 2025.
52. The 2025 Criteria contained references to standards pertaining to the lightweight category. The 2026 Criteria did not. There is no evidence RCA represented to the Athlete that she would be granted any exceptions to the 2026 Criteria. Indeed, the evidence supports an opposite conclusion. The Athlete and her coach were repeatedly informed that there were no selection criteria or pathways for high-performance lightweight events at an international level.

Did RCA have the Discretion to Enter the Athlete into the 2026 World Rowing Championships?

53. There is nothing in the 2026 Criteria, or any other RCA document granting any RCA staff or committee the discretion to make exceptions to the 2026 Criteria. Had Mr. Parfitt agreed to enter the Athlete into the 2026 World Rowing Championships, he would have made a decision he had no authority to make.
54. In the absence of any prescribed criteria for 2026, I do not find it unfair for RCA not to consider the Athlete’s qualifications, racing ability, competitive record or any other factors typically identified in selection criteria.
55. The Athlete contends that it is unfair for RCA to refuse to enter her into the 2026 World Rowing Championships because she is self-funded. As RCA notes, the implications of supporting lightweight entries into international competition go beyond financial considerations and obligations that arise in connection with athlete welfare, such as medical oversight, responsibility for safeguarding and antidoping compliance and reconciliation of accreditation at international events. Even if RCA had discretion to directly enter the Athlete into the 2026 World Rowing Championships, these are factors that would also be relevant to that exercise of discretion.

Conclusion

56. I am unable to find that the Decision was manifestly wrong, or that it would be unjust to let it stand. However, I find that the dispute could have been avoided had RCA clearly and transparently communicated the Decision. The absence of published criteria for lightweight events in the 2026 Criteria is a “decision by omission” rather than a clear statement that RCA was no longer supporting lightweight athletes in its high-performance program. Mr. Morris acknowledged that his communications with the Athlete and her coach about the absence of any criteria were misunderstood, and it was not until April 27, 2026, that he

“confirmed in no uncertain terms” that RCA would not include any lightweight entries in its 2026 senior programming.

57. RCA has acknowledged that the Athlete is a talented and committed athlete. It continues to support lightweight athletes at national and some international events distinct from the high-performance program, and includes, as was suggested to the Athlete, the Henley Women’s Regatta in the UK, Holland Beker in the Netherlands and the Royal Canadian Henley Regatta.

58. I thank counsel for their helpful advocacy in this appeal and wish the Athlete well in her athletic endeavours.

CONCLUSION

59. The appeal is dismissed.

60. RCA did not seek an Order for costs. Given that the Athlete’s counsel appeared on a *pro bono* basis, I make no Order as to costs.

DATED: July 30, 2026, Vancouver, British Columbia

Carol Roberts, Arbitrator