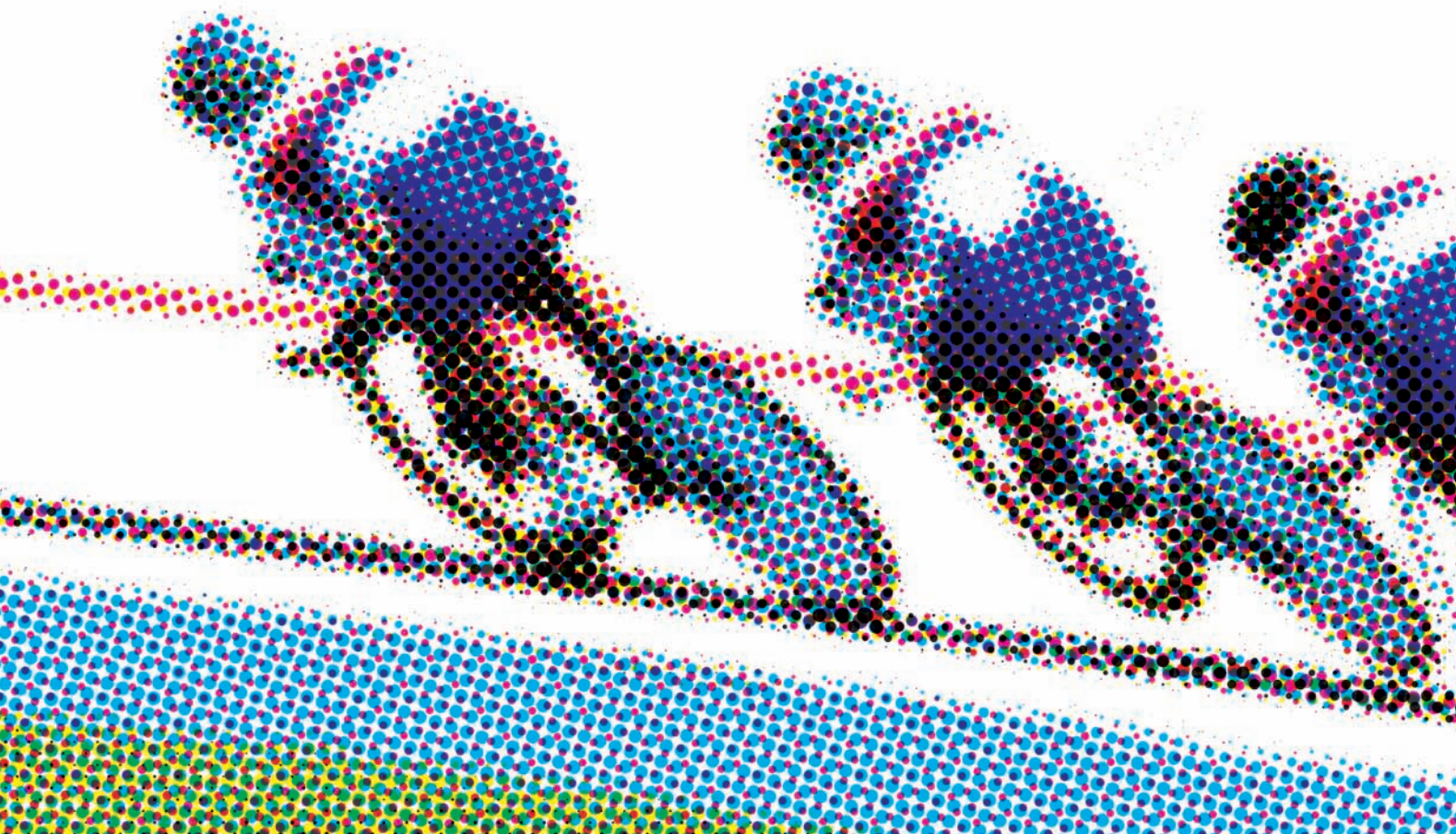


SPORT RESOLUTIONS^(UK)

SPECIALIST INDEPENDENT DISPUTE SERVICE

ANNUAL REPORT

2008 - 09



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"We are making giant strides in seeking to put Sport Resolutions on a statutory footing"

CHAIRMAN'S FOREWORD

It is hugely satisfying to be able to report another year of real progress for Sport Resolutions and a tangible corresponding increase in our profile in the sporting and legal worlds. Our brand is now widely recognised and universally respected as the leader in sports mediation and arbitration – as a glance at Ed Procter's Annual Report amply demonstrates.

A steadily increasing case load with more referrals than ever, running the contract to operate the National Anti-Doping Panel (NADP) and making direct contact with more governing bodies and athletes has meant that our staff have had a very busy year, and I pay tribute to the enthusiasm, professionalism and dedication of Ed Procter and his team. However, they, and we, the Board, do not rest on our laurels.

We are making giant strides in seeking to put Sport Resolutions on a statutory footing such that I believe it is no longer a question of "if" we shall get government backing, but rather "when". I am pleased to say that after discussions with the DCMS and the Shadow Minister for Sport, Hugh Robertson MP, the issue appears not to be a party political one and there is a desire on all sides to seek to achieve this objective in good time for London 2012. Statutory backing would give us the certainty to enable us to expand our operations across amateur and professional sport whilst providing for sport a truly credible and independent low profile dispute resolution service. I believe that whoever forms the next government, creating this service through Sport Resolutions will be a very high priority for the Minister for Sport.

UK Sport have been and remain crucial partners and supporters of Sport Resolutions and we are most grateful for their continuing vote of confidence. The creation of UK Anti-Doping as effectively the investigative and "prosecuting"

authority for anti-doping cases gives a greater impetus to the NADP and is a very welcome initiative. It raises issues for Sport Resolutions in its management of the contract for the NADP which perhaps highlight the pressing need for the certainty to which I have just referred, but they are in any event issues which we can work through for the benefit of sport.

As many who read this will know, we have been very active in the field of child protection in sport and have been leading a cross sport group seeking to find ways of unifying the protections available generally rather than accept the necessarily rather piecemeal regulations which individual sports currently provide for themselves. In coordinating this, we have been helped particularly by the NSPCC and this is another area which will surely benefit when Sport Resolutions gets government backing.

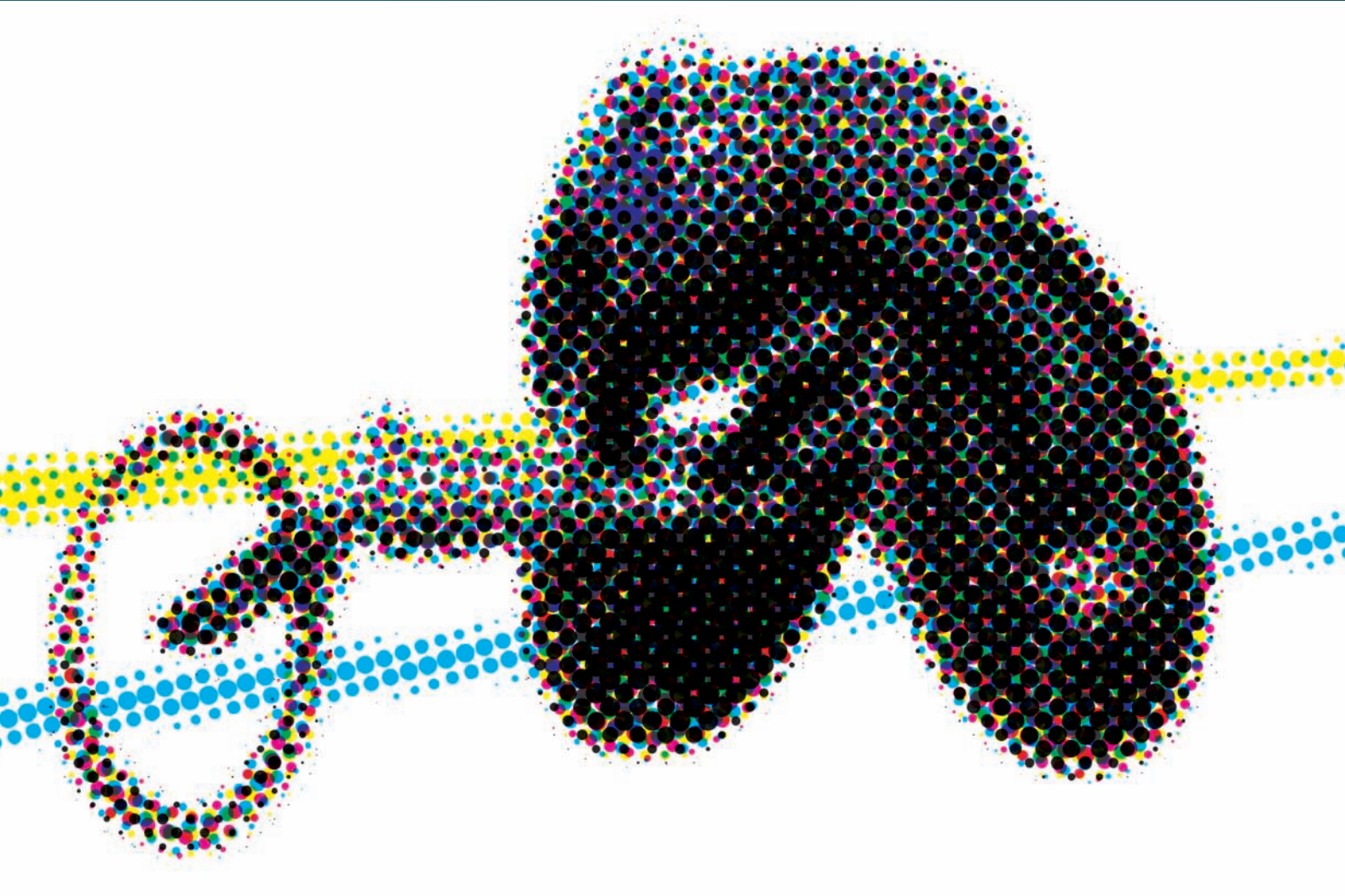
London 2012 approaches apace. The success of our aim to reduce the number of sports disputes, and keep those that must surface as low profile as possible, will be most valuable in ensuring that the focus is not taken away from the sporting endeavours of the Olympic athletes. The Management Board of Sport Resolutions – to whom I am extremely grateful for their energy and commitment – remain determined to achieve our goal, but not just for 2012. The benefits of a sport dispute service which deals with matters in an unsensational, independent, timely and cost effective way are now being recognised across all sectors of sport and politics. Canada and New Zealand achieved this some years ago. We simply need the final push to make it happen in the UK.

Gerard Elias

Gerard Elias QC
Chairman

ANNUAL REVIEW







"This year has been devoted to expanding and developing our services"

EXECUTIVE DIRECTOR'S REPORT

I am delighted to report on the progress made by Sport Resolutions in the first full year of operating under our new name and brand. Last year was about laying the foundations of our new look organisation and this year has been devoted to expanding and developing our services.

We dealt with 162 enquiries in the past year of which 65 became referrals, an increase of 25% over the previous year. In all cases we worked in partnership with sports to ensure that disputes were resolved fairly, quickly and at the lowest possible cost.

We also increased our jurisdiction, with Sport Resolutions being named as an appeal, arbitration or mediation body in new and amended rules in football, cricket, women's golf and ice skating amongst others and in numerous confidential commercial agreements.

The National Anti-Doping Panel (NADP) became operational in April 2008 and cases have started to come in thick and fast since being recognised by the majority of sports following anti-doping rule changes made at the turn of the year. As I write twelve NADP decisions have been published on the Sport Resolutions website.

Our Panels of Arbitrators and Mediators continue to do excellent work and I would like to put on record my thanks to all our members for their contribution to sport over the past year. We decided to close the panel to new members in January after strengthening our coverage in Scotland and in family, child and education law. We only plan to extend the panel further where specific gaps in coverage emerge and

intend to do this by invitation.

Sport Resolutions has continued to make appointments to high profile disciplinary hearings, appeals and arbitrations in professional football. It being Olympic year we also worked closely with the British Olympic Association and British Paralympic Association to put in place processes to deal expeditiously with disputes arising from governing bodies' selection of athletes for Beijing and have already started the process for the Winter Olympics to be held in Vancouver in 2010.

Our mediation work continues to grow. It is not always easy to secure the consent of all parties to give mediation a try but when they do it is almost always a positive experience. Parties value the neutral support provided by the Sport Resolutions Secretariat and can rely on getting an honest assessment as to whether mediation is a viable option. I personally believe that mediation is underused and undervalued in sport and look forward to addressing this in the year to come.

With London 2012 less than three years away, the Commonwealth Games in Glasgow in 2014 and rugby and hopefully football world cups to follow in 2015 and 2018 the next decade promises to be the most exciting and challenging ever in British sport. Sport Resolutions looks forward to playing its part with you in keeping disputes out of court and off the newspaper back pages.

Edward Procter
Executive Director

VISION

Sport Resolutions' vision is to be the dispute resolution service of choice for all sports in the United Kingdom.

AIM

Sport Resolutions' aim is to make available to all sports throughout the United Kingdom:

- independent, expert, timely and cost effective resolution of all disputes;
- information, education & training to prevent disputes arising and to handle effectively and lower the profile of those that do.

MISSION

Sport Resolutions' mission is to be:

- the centre of excellence for all sports dispute management & training;
- the nominated referral body when disputes in sport arise;
- a non-profit making body, reinvesting in sport.

APRIL

The National Anti-Doping Panel starts to accept requests for arbitration under its first set of procedural rules. Ian Mill QC chairs Sport Resolutions' first international arbitration in a contract dispute between the Trinidad and Tobago Football Association and players representing it at the 2006 World Cup.

MAY & JUNE

Sport Resolutions' Deputy Chairman Peter Crystal urges governing bodies to address the threats posed by challenges to the integrity of sport in a speech to leaders in sport and recreation at the annual CCPR Conference. Sport Resolutions hosts an induction seminar for Members of the newly formed National Anti-Doping Panel.

JULY & AUGUST

Sport Resolutions releases the first decision of the National Anti-Doping Panel in the case of British Cycling Federation v James Wilson which is chaired by Charles Flint QC. Sport Resolutions appoints panels to arbitrate selection disputes prior to the Olympic and Paralympic Games in Beijing. Gold medals are won by two British athletes who had disputes resolved by Sport Resolutions prior to the Games.

SEPTEMBER & OCTOBER

The FA extend their service level agreement with Sport Resolutions to provide Chairpersons to independent Appeal Commissions, Regulatory Commissions and Rule K arbitrations. Sport Resolutions adopts new Articles of Association at its Annual General Meeting.

NOVEMBER & DECEMBER

Sport Resolutions' Chairman Gerard Elias and Executive Director Ed Procter meet DCMS officials to discuss enhanced government support for dispute resolution services for sport. Sport Resolutions meets representatives of the Northern Ireland Sports Council and governing bodies in Belfast thus concluding a programme of visits to all home countries. Sport Resolutions hosts a second training seminar for National Anti-Doping Panel Members and commits to a review of disciplinary procedures in child protection cases with the NSPCC.

JANUARY & FEBRUARY

New UK anti-doping rules are released which reflect changes to the World Anti-Doping Code. The National Anti-Doping Panel is afforded jurisdiction to determine anti-doping cases for sports which adopt the new UK anti-doping rules. Sport Resolutions' new case management system goes live. Sport Resolutions reaches agreement with a national insurance company to mediate its claim disputes arising from the policies of sports organisations.

MARCH

Shadow Minister for Sport Hugh Robertson MP launches a Conservative Policy Paper on Sport which includes provision for an independent dispute service, based on Sport Resolutions, to tackle anti-doping and child protection cases in sport. Sport Resolutions improves regional coverage and expertise of its Panels of Arbitrators and Mediators by appointing additional Scottish members and members with expertise in family, child and education law. UK Sport confirms core funding of Sport Resolutions' 2009-2013 business plan.

162**The number of dispute enquiries received by Sport Resolutions in the past 12 months.**

A total of 65 cases went on to become referrals. Not all enquiries can be resolved by Sport Resolutions often due to lack of consent and jurisdiction or because informal remedies are more appropriate.

2**The number of athletes winning Olympic gold medals in Beijing who had a dispute resolved by Sport Resolutions prior to the Games.**

...which puts Sport Resolutions between Turkey and Mexico in the final medals table!

14**The number of disputes resolved by Sport Resolutions that were connected with the Olympics or Paralympics in Beijing.**

Sport Resolutions was involved in managing appeals against BOA life time bans, selection appeals and mediations involving elite athletes.

108**The total number of arbitrators and mediators on the Sport Resolutions Panel.**

Following a major review last year the Panel is closed to new members other than in exceptional cases. The Board may invite new members to join the Panel where they meet the selection criteria and where they fill an existing service gap. During the year the Board invited 15 new members onto the Panel to improve coverage in Scotland and to provide additional experience of family, child and education law.

22 & 51**The number of new references to Sport Resolutions in the rules, regulations and contracts of sporting bodies and in the anti-doping rules of sporting bodies.**

During the past year Sport Resolutions significantly increased its jurisdiction as the dispute resolution body of choice for more sports and through its operation of the National Anti-Doping Panel.

21**The number of different sports whose disputes were resolved by Sport Resolutions during the past year.**

Referrals were made from sports as diverse as football, swimming, fencing, boxing, motor cycling, bobsleigh and rowing.

9**The number of member organisations who founded Sport Resolutions (UK).**

Sport Resolutions was established for sport by the following representative bodies: British Olympic and Paralympic Associations, British Athletes Commission, CCPR, European Sponsorship Association, Northern Ireland Sports Forum, Professional Players Federation, Scottish Sports Association, Welsh Sports Association. Each nominates a representative to the Board of Directors of Sport Resolutions, two of whom sit on the Management Board alongside an independent Chairman and four independent non-executive directors.

4 days**The average number of working days taken to appoint a Tribunal or Mediator after a referral has been received.**

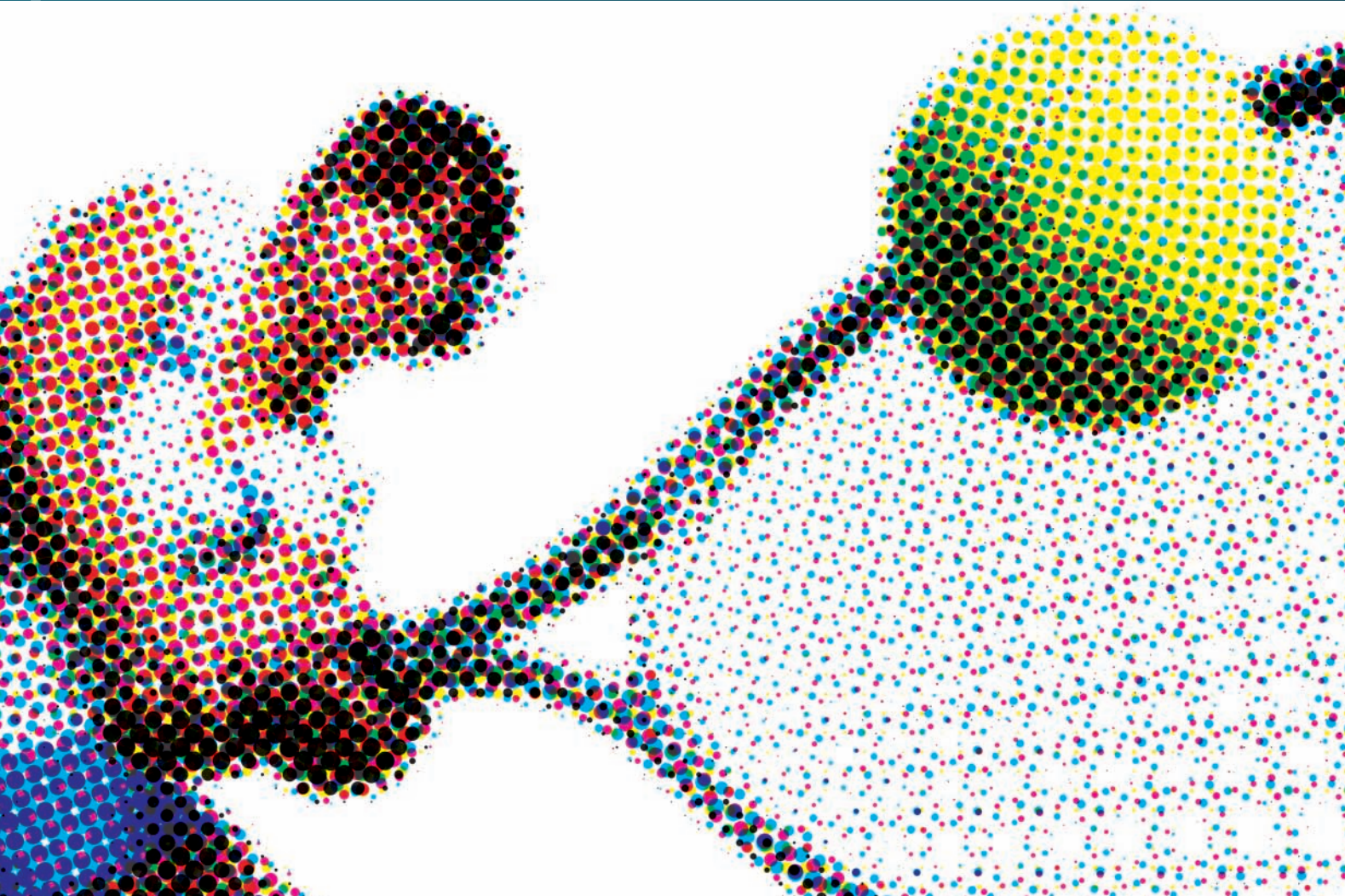
Wherever possible appointments are made on the same or next day after a referral has been made. To complete the appointment process the Secretariat reviews the needs of a case, provides a short list where required by the relevant rules, checks availability and conflicts, negotiates the panel fee and deals with any objections raised by the parties.

CASE MANAGEMENT





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CASE MANAGEMENT OVERVIEW



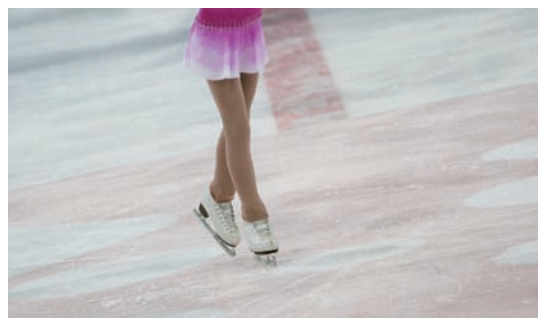
Dispute Resolution Manager Susan Humble reviews another year of case management activity

The Beijing Olympics kept the Secretariat of Sport Resolutions busy, and it was good to see individuals who had been directly and indirectly involved in our cases doing well. Sport Resolutions helped in a very small way to make one or two medals possible as part of the overall team effort.

With Beijing over, there are other sporting events to look forward to; the Vancouver Winter Olympics in February 2010 and the Commonwealth Games in Delhi in October 2010. In fact the Secretariat is already well-advanced with its plans for London 2012.

In financial year 2008-2009 Sport Resolutions provided dispute resolution assistance in 65 referred cases. For example, as part of its work in preventing disputes from arising by careful risk management, Sport Resolutions was invited by a leading governing body to assist in the recruitment and eventual appointment of a Sport Resolutions Panel Member to act as independent chair of a committee responsible for licensing coaches. The governing body concerned is at the cutting edge of child safeguarding practice, so we are delighted that we were

asked to become involved. Sport Resolutions assisted another governing body with the development of an appeals process for its Managed Migration and Clubmark Appeals. It may be that few appeals will be notified, but the governing body has taken the forward thinking step of ensuring that it has cost effective independent processes in place, just in case.



With the support and encouragement of the BOA, Sport Resolutions has been written into the selection appeals procedures of a number of governing bodies in preparation for the Winter Olympics, including, for the first time, those of the National Ice Skating Association. There were a number of selection appeals in the run up to Beijing,

"Sport Resolutions has been involved in several interesting appeal arbitrations, involving complex issues and hearings over several days."

with mixed fortunes for the athletes and governing bodies involved. However this type of appeal does seem to arise less frequently; a testament to improved communication within governing bodies coupled with effective appeal procedures.

Sport Resolutions has been involved in several interesting appeal arbitrations, involving complex issues and hearings over several days. We continue to be responsible for appointing the Appeals Panel and administering cases under the Recognised Independent Appeals Procedure established by UK Sport to deal with, for example, appeals against funding refusals and recognition of activities as sports. We have now concluded a number of cases under this procedure, including a high profile funding appeal which received media and Parliamentary attention.

Instructions to appoint Tribunals to determine disciplinary cases and appeals continue to rise, particularly in child protection. These cases are, of course, confidential and involve difficult issues for all involved. Many Sport Resolutions Panel Members are experts in this area, and always go the extra mile to ensure that cases are handled effectively with compassion and sensitivity.

Sport Resolutions' valuable work in football continues, with our Panel Members making

up the majority of the Football Association's Judicial Panel, including all Appeal Board Chairmen. We continue to work with the Premier League in relation to its UEFA Club Competition Appeals Process.

Our mediation practice is growing. In this financial year, with the assistance of Perkins Slade, Sport Specialist Insurance Brokers, we have instigated an exciting mediation initiative with a leading insurance company, which we are looking forward to developing over the next 12 months. Sport Resolutions' mediation education and training sessions for sports councils and governing bodies are also in demand. We expect to be involved in more work in this area in the run up to the London Olympics.



The Case Studies and examples overleaf give a brief flavour of our work during the last 12 months.

The free advice service has received a record number of enquiries this year. Well over 100 calls and emails have been managed, and over 172 hours of free advice provided. Enquiries involved:

- Anti-doping
- Child protection
- The use of Sport Resolutions in selection processes for major competitions, including the Beijing Olympics and Vancouver Winter Olympics
- The use of arbitration and mediation to resolve commercial disputes
- Disciplinary and regulatory disputes within a wide variety of sports
- The provision of training, education and risk management services



CASE STUDIES *

Sport Resolutions appointed a barrister with a background in F1 racing to hear an appeal in another motor sport under Sport Resolutions' appeal arbitration rules

Sport Resolutions provides the final Court of Appeal in the rules of a national governing body for a motor sport. The appellant participant instructed a well-known firm of solicitors and Counsel to lodge an appeal. The governing body represented itself throughout. Sport Resolutions appointed barrister Graham Stoker to sit as sole Arbitrator to determine the appeal. Graham is the Titular Member for the UK on the FIA World Motor Sport Council, the body that governs F1 and International Motor

Sport, and President of the FIA Anti-Doping Committee. He also has practical knowledge of motor sport issues as a F1 steward holding a FIA super licence. The appeal was heard 52 days after initial notification. The appellant was successful. The governing body responded positively to the outcome, recognising internal changes that it could make to reduce the incidence of such appeals in future. Total costs incurred were 80% less than if the parties had used other dispute resolution mechanisms.

A commercial mediation was arranged at short notice under Sport Resolutions' mediation procedure

On a late Monday afternoon in mid-summer 2008, Sport Resolutions received a call from solicitors requesting a shortlist of mediators and assistance with administering a mediation, which had to take place by no later than the following Monday. The mediation budget was tight, although the case was worth close to £300,000. By early Tuesday Sport Resolutions had provided a short list of leading mediators with availability

willing to mediate at preferential rates. The parties agreed a mediator by Wednesday morning, and Sport Resolutions issued a letter of appointment one hour later. The mediator began his preparations with the parties, and a full day of mediation took place the following Friday. The case settled successfully on the day. The total fees for mediation, divided equally between the parties, were £2000 plus vat.

EXAMPLE REFERRALS

CASE OUTLINE	TYPE OF REFERRAL	REGION	PANEL TYPE	OUTCOME
An appeal against ineligibility for Team GB under doping regulations.	Administered under NGB Rules	UK	Sole Arbitrator	Appeal allowed.
A request for SR to appoint a chair of an internal appeals panel to decide an appeal, and in particular whether it should be stayed for 6 months pending the hearing of an employment tribunal appeal.	Appointment	England	Sole Arbitrator	Appointment completed.
An appeal against non-selection for Beijing Olympics under selection appeals procedure.	Administered under NGB Rules	UK	Sole Arbitrator	Appeal withdrawn.
A request from an NGB for SR to appoint an independent panel member to observe the application of its selection procedure for the Paralympics.	Appointment	UK	Sole Arbitrator	Selection procedure completed successfully.
Instructions to SR to nominate the chair of a three member tribunal to hear appeals against non-registration.	Appointment	England	Sole Arbitrator	Appeals allowed.
A dispute concerning the governance of a governing body and disciplinary proceedings.	Mediation	Wales	Mediator	Mediation took place.
Appointment of a mediator to mediate a dispute between a National Performance Director and two disabled athletes.	Appointment	England	Mediator and assistant mediator	Mediation took place.
A mediation of a commercial dispute worth £280,000.	Mediation	England	Mediator	Mediation took place.
Appointment and administration under the NADP Rules.	National Anti-Doping Panel	UK	Sole Arbitrator	Athlete suspended for 4 months.
A request under the NGB's Rules for a legally qualified chair to be appointed to chair a selection appeals panel to hear an appeal urgently.	Appointment	UK	Sole Arbitrator	Appeal allowed.
An appeal by the putative governing body for a non-recognised sport against the decision to refuse recognition.	Administered under NGB Rules	England	Panel of Three	Appeal dismissed.
A request under the NGB's Rules for a legally qualified chair to be appointed to chair a selection appeals panel to hear an appeal urgently.	Appointment	UK	Sole Arbitrator	Appeal withdrawn.
An urgent request for the appointment of two lay members to join the Chairman on a disciplinary committee to hear serious allegations of misconduct arising out of child protection issues.	Appointment	UK	Sole Arbitrator	Outcome confidential.
A request from an NGB for Sport Resolutions to nominate legally qualified chairmen for appointment to a serious child protection case. Shortlist provided and individual selected for appointment.	Appointment	UK	Sole Arbitrator	Appeal dismissed.
Mediation of a commercial dispute worth £275,000 at short notice.	Mediation	England	Mediator	Mediation took place.
Appeal case from a first instance decision. Appointment & administration under the NADP Rules by consent of the parties.	National Anti-Doping Panel	Wales	Panel of Three	Athlete suspended for two years.
A request for two lay members to join a disciplinary tribunal for a hearing.	Appointment	UK	Sole Arbitrator	Hearing took place. Outcome confidential.
First Instance Doping Case.	National Anti-Doping Panel	England	Panel of Three	Athlete suspended for 6 months.
An appeal against sanction under the sporting code of an NGB, which names Sport Resolutions as the final point of appeal.	Arbitration under SR Rules	UK	Sole Arbitrator	Appeal allowed.
Refusal to take an out of competition drugs test. Second offence	National Anti-Doping Panel	UK	Sole Arbitrator	Athlete suspended for 10 years
An appeal by an umbrella governing body against the decision of a Sports Council to refuse an application for funding.	Administered under NGB Rules	England	Panel of Three	Decision on written submissions. Appeal dismissed.



MEDIATION

Olympia 776 BC to London 2012

"Sport needs its disputes mediated: swift, economic, expedient, confidential and the only environment in which sport accommodates the absence of winners and losers for the sake of a satisfactory outcome."

SUSAN HUMBLE REVIEWS THE ROLE AND BENEFITS OF MEDIATION IN SPORT.

The first Ancient Olympic Games were held at Olympia, Greece in 776 BC. During the Games an Olympic Truce was observed. Wars were suspended and legal disputes forbidden. Athletes and visitors travelled in safety from their city-states for the experience. Once the Games were over, wars and legal disputes resumed. Life was ever thus.

The Ancient Greeks developed sophisticated dispute resolution processes, including the use of mediators. In fact mediators have been integral to conflict resolution globally for centuries. In many cultures they were highly regarded as worthy of particular respect for their wisdom. At Sport Resolutions that regard holds true.

"Using mediation is good management, rather than an admission of inadequacy."

The Olympic Truce is now extinct. However mediation in sport is flourishing, with Sport Resolutions leading the way in the UK. Sport Resolutions' Panel Member Quentin Smith (Independent Mediator), believes that *"Sport needs its disputes mediated: swift, economic, expedient, confidential and the only environment in which sport accommodates the absence of winners and losers for the sake of a satisfactory outcome. I have yet to see a sports dispute not settle in this way."* Support for that view is evidenced by the large number of enquiries and instructions from National Governing Bodies, Sports Councils, insurers, individuals and legal representatives about the use of our mediation services.

Mediation is a consensual, confidential process, without prejudice to ongoing legal proceedings. Parties air their views in a safe place in separate and joint discussions facilitated by the mediator. They remain in control of their destinies, and, with the assistance of the mediator, explore creative solutions which might not be achievable by court proceedings. In our experience the opportunity to consider flexible new ways to solve rigid old problems contributes significantly to another important benefit of mediation: preservation and nurture - rather than destruction and abandonment - of valued and valuable relationships. Paul Johnson, Panel Member continues: *"All too often, disputes snowball to their detriment. Mediation provides the parties with time and space to reflect and shape a solution which enables them to move forward on a constructive basis."*

A barrier to mediation that comes up regularly is that it may be perceived as evidence of weakness or failure. Neil Goodrum, Partner and Mediator of McCormicks Solicitors and Sport Resolutions' Panel Member, says in response: *"Serious breakdowns occur in the best run organisations. Mediation*

improves dialogue. Early involvement of a third party neutral in potentially difficult issues often prevents disputes escalating and causing irreparable damage. Using mediation is good management, rather than an admission of inadequacy."

Sport Resolutions offers a flexible menu of mediation services provided by specially selected mediators to assist in the resolution of commercial and non-commercial sports disputes. Mediations via Sport Resolutions are arranged quickly within an agreed budget. With the help of our mediators we create the best environment to increase the prospects of a successful result on the day. Details can be found on our website at: www.sportresolutions.co.uk



In Ancient Greece victors were awarded laurel wreaths, palm branches, and food for life. Pete Gardner, Chief Executive of the British Athletes Commission, brings us up to date: *"In elite sport the end goals of both parties in a dispute are usually the same (gold medals). Mediation has a crucial role to play in getting parties to resolve their differences and agree a way to work together which maximizes their ability to win the ultimate prize."* We couldn't agree more.

NATIONAL ANTI-DO



PING PANEL





"Almost all governing bodies are now referring their anti-doping cases to the NADP for arbitration"

PRESIDENT'S MESSAGE

My first year as President of the National Anti-Doping Panel (NADP) has been marked by some very significant changes in the anti-doping landscape. A new version of the World Anti-Doping Code came into force in January 2009, as did associated UK National Anti-Doping Rules.

I am delighted that the UK Rules provide jurisdiction for the NADP to act as the hearing body in all anti-doping cases. This has had a considerable impact on the amount of work coming our way as almost all governing bodies are now referring their anti-doping cases to us for arbitration.

The NADP has published twelve decisions to date and all cases have concluded within six weeks. Tribunals have sat in Bristol, Cardiff, Leeds, London, Loughborough, Manchester and Sheffield. This demonstrates our commitment to hold tribunals at locations that are convenient to all parties. Governing bodies have been responsible for presenting cases against athletes before NADP Tribunals during our first year or so of operation, although this is set to change with the establishment of UK Anti-Doping in December 2009.

UK Anti-Doping will shortly assume responsibility for investigating anti-doping violations, for deciding whether there is a case to answer and for presenting cases before NADP Tribunals. The NADP's role is to ensure that the athlete gets a fair, timely and impartial hearing and to determine whether an anti-doping violation was committed and, if so, the appropriate consequences for the athlete concerned.

As I write, I have appointed all fifteen members of the Panel to at least one NADP Tribunal. I have enjoyed working with the Panel and the NADP Secretariat

to ensure that decisions are well reasoned, consistent and released on time. During the past year we have held two training sessions which have proved useful in developing the procedural rules of the NADP and in preparing for transition to the new World Anti-Doping Code.

There was a note of sadness this year which was the sudden death of Richard Davies QC, a legal member of the Panel. Tributes have already been paid to Richard elsewhere, but for my part I would like to say publicly how much I will miss him and his cheery and lively personality.

My job, and those of the Tribunals I appoint, is made immeasurably easier by the excellent administrative support provided by Stephen Watkins and Susan Humble of the Sport Resolutions Secretariat. I am also grateful to members of the National Anti-Doping Panel for making themselves available at short notice and for travelling throughout the country to attend hearings at the convenience of the parties.

The coming year promises to be a busy one for all concerned with the National Anti-Doping Panel. There is little doubt in my mind that the professional case investigation and presentation functions to be introduced by UK Anti-Doping will increase both the number and seriousness of cases coming before the NADP. Where athlete careers and reputations are concerned it is only right and proper to test each case before an independent and impartial Tribunal.

Peter Leaver QC

President
National Anti-Doping Panel

Sport Resolutions (UK) operates the National Anti-Doping Panel and supporting tribunal administration service. It is recognised as the anti-doping tribunal by 95 percent of National Governing Bodies.

THE NATIONAL ANTI-DOPING PANEL (NADP) HAS THREE MAIN PURPOSES:

- To improve the quality and consistency of tribunal decision making in anti-doping cases.
- To protect National Governing Bodies from the conflicts inherent in both prosecuting anti-doping cases and in establishing and administering tribunals to decide these cases.
- To remove the financial and administrative burden from National Governing Bodies of managing anti-doping panel and tribunals.

The NADP is an independent body. It is governed by a Board (the NADP Board) which operates as a sub-committee of the Management Board of Sport Resolutions. The NADP Board appointed Peter Leaver QC as the first President of the NADP. Peter is supported by the Sport Resolutions Secretariat which is responsible for administering cases and organising hearings.

THE MEMBERS OF THE NADP ARE:

PRESIDENT

Peter Leaver QC - Barrister

LEGAL MEMBERS

Richard Davies QC – Barrister (to November 2008*)

Robert Englehart QC - Barrister

Charles Flint QC - Barrister

Patrick Harrington QC – Barrister (Vice President)

Matthew Lohn - Solicitor

Rod McKenzie - Solicitor

Graeme Mew - Barrister

David Phillips QC - Barrister

Christopher Quinlan - Barrister

*Richard Davies QC died in November 2008.

SPECIALIST MEMBERS

Carole Billington-Wood – former athlete/sports administrator

Dr Terry Crystal – team doctor

Abi Ekoku – former athlete/team manager

Lorraine Johnson – Lay Magistrate/former doping control officer

Professor Peter Sever – Consultant Clinical Pharmacologist

Dr Neil Townshend – General Practitioner/former athlete and team doctor

Judy Vernon- elite coach/former athlete

SECRETARIAT

Susan Humble – Head of Secretariat

Stephen Watkins – Case Officer

The National Anti-Doping Panel started to accept referrals on an ad hoc basis from April 2008 by securing the written agreement of the parties. Since the introduction of UK National Anti-Doping Rules in January 2009 referral to the NADP is now automatic for the majority of sports.



NATIONAL ANTI-DOPING PANEL CASE STUDIES

"The athlete in question had filed an appeal against a decision of a WRU anti-doping tribunal to suspend him for two years"

The NADP Secretariat was contacted by the Welsh Rugby Union ("WRU") in connection with a complex appeal. The athlete in question had filed an appeal against a decision of a WRU anti-doping tribunal to suspend him for two years. Both the WRU and the athlete consented to the case being administered by the NADP under its Procedural Rules. Written consent was required because at the time of the referral the WRU anti-doping rules had not been amended to provide for automatic referral to the NADP. The athlete made a request for the case to be heard in Manchester. NADP President Peter Leaver reviewed the case documents

and appointed a three person tribunal to hear the appeal. The Tribunal members were Rod McKenzie (Solicitor and European & Scottish Rugby Union Anti-Doping Chairman), Abi Ekoku (former GB Rugby League player/team manager and former athlete) and Dr Terry Crystal (former England Rugby Union team doctor). Directions were issued, which set a timetable for exchanging evidence and assisted the parties with their preparations in advance of the Hearing. The Hearing was conducted over two days and the Tribunal decided that the WRU panel had reached the right decision and the appeal was subsequently dismissed.

"The Tribunal had to decide if an anti-doping violation committed by an athlete serving a current anti-doping suspension should count as an aggravating feature"

The athlete was charged with refusing or failing to provide a urine sample by the British Bob and Skeleton Association. This followed an attempt to complete an out of competition test on the athlete who was already serving an anti-doping ban. The case was complicated by the fact that the rules had changed to come into line with the 2009 World Anti-Doping Code since the alleged anti-doping violation had taken place. The Tribunal, chaired by Christopher Quinlan, applied the less severe of the two versions of the rules under the principle of Lex Mitior. This meant that the Tribunal was not required

to impose a mandatory life ban. The Tribunal also had to decide if an anti-doping violation committed by an athlete serving a current anti-doping suspension should count as an aggravating feature. The Tribunal concluded that in this case the commission of a second offence whilst suspended for a first offence was not in itself an aggravating feature. This gave the Tribunal more discretion in determining the sanction. The athlete was suspended for ten years. This case highlighted the importance of a Tribunal correctly applying the provisions of both the old and the new rules.

95%

Percentage of governing bodies who have adopted the NADP as their anti-doping tribunal.

A total of 51 organisations have elected to refer cases to the NADP for arbitration with only football and rugby union choosing to continue with their own internal tribunals.

29 days

The average time taken to conclude a case once it has been referred to the NADP for arbitration.

The NADP procedural rules require hearings to be convened within 40 days and for written decisions to be released within a further 15 working days

49 days

The average time taken to conclude a case prior to the introduction of the NADP

15

The total number of NADP Panel members.

This includes eight legal members who must be Solicitors or Barristers of seven years standing and seven specialist members who have experience of sports medicine and science, elite performance, coaching and management.

3 or 1

The number of Panel Members appointed by the President to each Tribunal.

The President appoints a Tribunal made up of three NADP arbitrators, unless it appears to the President that the matter is suitable for determination by a sole arbitrator. The President must appoint a Tribunal of three for appeal cases.

12

The number of decisions published by the National Anti-Doping Panel so far.

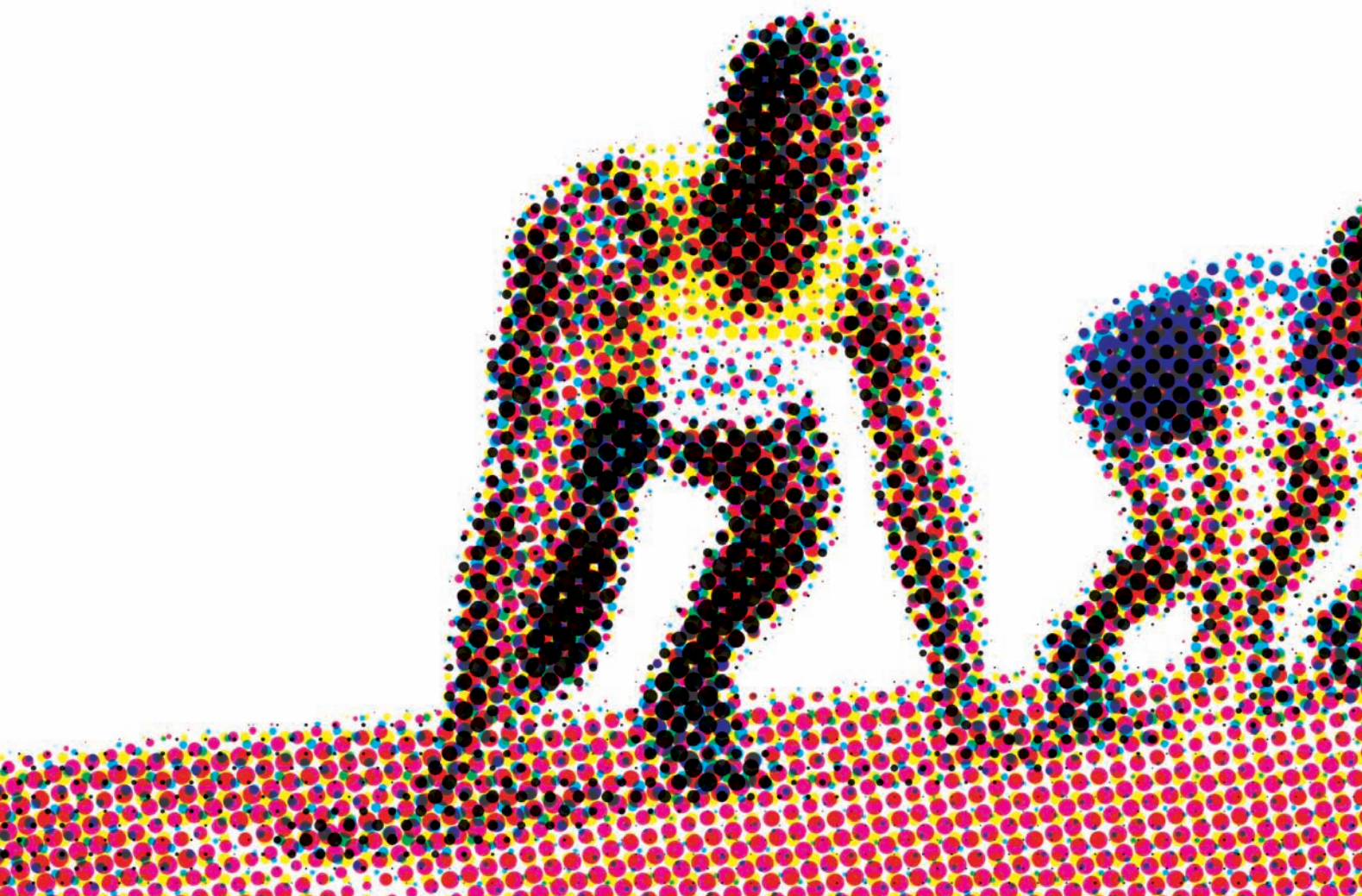
All decisions must be in writing with reasons given and released within 15 working days of the end of the hearing. Decisions are published on www.sportresolutions.co.uk once the appeal period has expired.

73%

The percentage of hearings held outside London and the South East.

Tribunals sit throughout the UK at the convenience of the parties.

SPORT RESOLUTION



NS' TEAM



SPORT RESOLUTIONS' BOARD



CHAIRMAN: GERARD ELIAS QC

Gerard was appointed Chairman of Sport Resolutions in April 2007. He is a Barrister, ECB Chairman of Discipline and a former Chairman of Glamorgan Cricket. Gerard is also Chairman of the NADP Board.



DEPUTY CHAIRMAN: PETER CRYSTAL

Peter is one of four Independent Non-Executive Directors appointed to the Sport Resolutions Board in 2007. He is a solicitor and expert in corporate finance and sports law. He is also Deputy Chairman of Sport Resolutions and a member of the NADP Board.



DI ELLIS CBE

Di represents the Central Council of Physical Recreation (CCPR) on the Sport Resolutions Board. She is Chairman of the Amateur Rowing Association.



SARA FRIEND

Sara is the Legal Director for the British Olympic Association (BOA) and is its representative on the Sport Resolutions Board. Sara is also Chair of the Panel Appointments and Review Board.

MEMBER ASSOCIATION DIRECTORS

- Stephen Askins** - British Paralympic Association
- Simon Barker** - Professional Players Federation
- Matthew Barnes** - British Athletes Commission
- Di Ellis** - Central Council of Physical Recreation
- Sara Friend** - British Olympic Association
- John Kerr** - Scottish Sports Association
- Richard Hendicott** - Welsh Sports Association
- Ken Nixon** - Northern Ireland Sports Forum
- Warren Phelops** - European Sponsorship Association

RD MEMBERS



EDWARD PROCTER

Ed is the Executive Director of Sport Resolutions. Appointed in September 2006, he is a former Regional Director of the Legal Services Commission and Head of Monitoring and Evaluation of Sport England.



ROSALIND RESTON

Ros is a solicitor, accredited mediator and Non-Executive Director of the Financial Services Compensation Scheme. Ros is an Independent Non-Executive Director of Sport Resolutions. She is also a member of the NADP Board and the Panel Appointments and Review Board.



ANDREW TAPLEY

Andy is an accountant, hockey coach and sports administrator who brings over 30 years worth of commercial experience to the Board. He is Chair of England Hockey's Regional Consultative Committee and a non-voting member of the England Hockey Board. Andy is an Independent Non-Executive Director of Sport Resolutions and is also a member of the NADP Board.



TREVOR WATKINS

Trevor is a leading sports lawyer and former Chairman of Bournemouth Football Club. He is also a founder Director of Supporters Direct. Trevor is an Independent Non-Executive Director of Sport Resolutions and a member of the NADP Board.

SECRETARIAT

Edward Procter - Executive Director

Susan Humble - Dispute Resolution Manager (Solicitor) & Company Secretary

Stephen Watkins - NADP Case Officer

Lorraine Burlinson - Office Manager

OUR CONTACT DETAILS

Sport Resolutions (UK)
107-111 Fleet Street
London
EC4A 2AB

Tel: 0207 936 9084
Fax: 0207 936 9240
resolve@sportresolutions.co.uk
www.sportresolutions.co.uk

REINVESTING IN SPORT

Sport Resolutions (UK)
107-111 Fleet Street
London
EC4A 2AB

Tel: 0207 936 9084
Fax: 0207 936 9240
resolve@sportresolutions.co.uk
www.sportresolutions.co.uk

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