



ANNUAL REPORT 2020-21



DID YOU KNOW?

Sport Resolutions has...

- ▶ ...resolved more than 1700 disputes across **40 sports** in the past **10 years**
- ▶ ...saved sports more than £15,000,000 in legal and administration costs
- ▶ ...resolved **40 athlete** selection disputes before Olympic, Paralympic and Commonwealth Games
- ▶ ...received **more than 180** international referrals in the past 4 years from federations including World Athletics, the ITF and the UCI
- ▶ ...dealt with more than 280 anti-doping disputes in the UK in recent years
- ▶ ...**More than 280** sport specific arbitrators and mediators, covering both the UK and international regions
- ▶ ...been recognised in the Review of Australia's Sport Integrity Arrangements as "one of the most successful and well-regarded sports arbitration agencies globally"
- ▶ ...advised Japanese government in relation to the provision of dispute resolution services for the **Rugby World Cup 2019 and Tokyo 2020**
- ▶ ...operated the ad hoc panel of the World Athletics Disciplinary Tribunal for the **2019 World Athletics Championships in Doha**
- ▶ ...assisted the ITF by operating and administering an ad hoc Independent Tribunal during the 2019 Davis Cup Finals in Madrid
- ▶ ...entered into an agreement with the **International Testing Agency** to operate an independent tribunal which provides International Federations and RADOs with both institutional and operational independence at first instance in line with the new WADA International Standard for Results Management
- ▶ ..delivered educational seminars/presented to over 4500 attendees covering topical matters in sport

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CHAIR'S REPORT



Edwin Glasgow QC
Independent Chair

It is with sadness but with some real satisfaction that I contribute to the Annual Report for the last time as the Chair of Sport Resolutions (SR). I am passing the baton to my successor, but I can take this opportunity to reflect on the changes and progress that I have seen over the last five years and to pay tribute to those who have done the real work that has been needed to achieve that.

I have a clear recollection of a discussion at one of my first Board meetings at which there was a frank discussion about the wisdom of SR venturing into international waters. It is fair to say that not all were convinced at the time, but the decision was taken gently to explore the expansion of our horizon beyond our domestic shores.

In our first year of accepting international referrals, we assisted with 8 cases. In the four years since, that number has increased to 159!

This exponential growth in our international work is impressive enough, but in the same period of the past four years, SR received over 1200 enquiries and handled just under 600 cases. I remain profoundly impressed and grateful for the fact that this volume of cases can be administered so professionally by our small case team of just seven individuals – but even this achievement no longer surprises me. It is what the members of the Board, the CEO and I have learnt to expect of them and they of themselves and of each other.

A further example of our growing international presence is the fact that in the latest version of its Code, WADA made specific reference to SR in the NADO rules as being a competent and Code-compliant body to which NADOs could refer their anti-doping cases. To my knowledge, this is the first time that any private organisation has ever been referenced in the Code and is testament to our growing reputation.

As ever, SR is indebted to every panel member who make themselves available for appointment. It comes as no surprise to anyone that some other organisations look at our panels with envy and attempt to dissuade people from joining them because doing so might make them potentially non-eligible to join other less impressive ones!

By March 2021, SR was completing its three-yearly task of reviewing and refreshing its various panels. The size and diversity of our panel makes it almost unrecognisable from that in place when I became Chair in 2016. It now has over 280 members covering every continent and providing coverage in 19 languages.

This breadth and diversity is particularly important given the growth in our international work, with the linked requirement that we are able to provide diverse panels with broad language and cultural coverage.

The members of the SR pro bono panel must also be acknowledged and thanked. The original panel was developed to assist LOCOG with the operation of the London 2012 Games, but it has continued and grown since that time. Whilst perhaps an obvious comment to make but hugely important to remember; any individual who is a party to a matter administered by SR is entitled to request assistance from the panel at no cost to that person.

This helps with the smooth running of each process and ensures fairness, a level playing field and equality of arms. The significant cost saving should also not be overlooked. Since its inception in 2012, the pro bono panel has, at a conservative estimate, saved the sector many millions of pounds in legal and professional fees. SR, and sport in general, remains grateful to the members of the pro bono panel and I am honoured to again recognise their significant contribution to sport in the UK and beyond.

It is of course also important to note that SR continues to provide valuable services within the UK. We have run the National Anti-Doping Panel since 2007 and we were again successful in securing a new contract with DCMS to continue that service up to 2024. The NADP is widely noted as being the best of its kind in the world, testament to the skills of Charles Flint QC (its President) and the wider panel membership.

I would also express my gratitude to the Board members who have worked with me during my tenure as Chair and have always been patient with me – even when we have not always agreed on everything! Their loyal support, real wisdom and invaluable guidance has ensured that we have stayed on the right path and made the right decisions at all the right times. Good governance is rightly being acknowledged as being as important as outstanding sporting performance, and I am fortified to know that the SR Board is well placed to navigate the challenges ahead.

I publicly named and thanked each and every member of our magnificent staff team at this year's Annual Conference – the success of which was also due to them. While it is inevitably invidious to single out individuals for special praise and thanks, I cannot stand down without acknowledging the debt that I, and SR, owe to our CEO, Richard Harry. He has been a tower of strength and a tour de force. He has guided me through some very choppy waters and done so with immense kindness and patience as well as wisdom. It is no exaggeration at all to say that SR would not be where it is today, and could not have achieved even a small percentage of what it has, without the loyal commitment of this remarkable man.


Edwin Glasgow QC

CEO'S REVIEW OF THE YEAR



Richard Harry
Chief Executive Officer

In March 2020 the world was coming to terms with the prospect of life with a new virus called COVID. Whilst none of us could have known the global devastation that would ultimately be caused, we all needed to take steps to protect those who may be at risk.

Accordingly, Sport Resolutions (SR) staff were sent home and all in-person meetings and hearings were cancelled, to be replaced with a virtual offering. Our involvement in international matters over several years led us to become very early adopters of virtual hearings, so the transition from in-person to remote during the pandemic was seamless.

Given the enormity of COVID and its significant effects, it is right to recognise and record it in our Annual Report. It is also right to pay tribute to the skills and professionalism of the SR staff who, under unique and challenging circumstances, continued to maintain the highest of standards in matters that are often of the highest complexity, importance and sensitivity.

In terms of the work undertaken by SR, there has been a noticeable increase in the need for safeguarding support to the sport sector. By way of example, SR administered the FA Review undertaken by Clive Sheldon QC, a thorough and difficult process that ran from December 2016 to its conclusion in March 2021. The importance of this work, and the challenging and distressing nature of the subject, cannot be underestimated. The bravery and courage of those who spoke out must be applauded and recognised, but the stoicism and dedication of Mr Sheldon's team and my colleagues at SR should also be noted. It is telling that Mr Sheldon saw fit to recognise the support he received from SR, and from Kylie Brackenridge in particular, in his final report.

SR is also providing support in relation to the on-going safeguarding review of British Gymnastics. Again, this is a complex and sensitive matter involving a significant number of people in and around the sport.

Remaining with safeguarding, SR has been working closely with Sport England to deliver a unique service to support NGBs with the management of their safeguarding cases. During the Pilot phase, 9 NGBs were provided with support from SR and our panel members. This assistance covered the initial advice and guidance required at the point of referral up to and including the provision of hearing panels at the end of the process. It also allowed NGBs to request assistance with an independent investigation to look in to any allegations that had been made.


I am extremely proud of this ground-breaking development. To my knowledge, this support is the first of its kind and is desperately needed by those tasked with protecting those in their sport. Due credit and recognition needs to be paid to Sport England for their support and encouragement throughout. That support has continued and will enable SR to develop plans to expand the service to more NGBs who may need support. Again, the importance of this development cannot be over-stated – it is no exaggeration to say that it has the potential to revolutionise how NGBs manage safeguarding concerns and disclosures.

To support the NGBs further, SR has drafted a helpful Guide to assist those with safeguarding responsibilities within NGBs with how to investigate concerns.

The climate within sport has definitely changed. Those who work within sport, and increasingly athletes, are now far more prepared to raise concerns that they may have. The sector needs to think carefully about how it develops a system or process that facilitates the raising of concerns and we should encourage this direction of travel. I would suggest that for such a process to work it must have credibility and be trusted. That is best delivered if that process is demonstrably independent and expert. Whether fair or not, many complaints are not made if the person who wants to raise a concern perceives that their complaint is being made to the body/person about which the complaint relates. SR is well placed to remove that barrier by being demonstrably independent of any interested party, particularly at a time when there is so much talk of a need for an Ombudsman for sport and even a regulator for football.

To conclude, I thank each member of the SR staff and our panel members for their dedication, professionalism and flexibility during the most challenging time in our history. Despite all the difficulties, slings and arrows, they have stuck to their task without complaint and we should be grateful.

I must also pay tribute to our out-going Chair, Edwin Glasgow CBE QC. Put simply, it has been an honour and privilege to have worked so closely with him over the past five years. I shall miss his wisdom, counsel and humour and wish to record my gratitude for his unflinching support, given willingly at any hour of the day. Our success would not have been possible without him.

 **Richard Harry**

CASE MANAGEMENT REPORT



Catherine Pitre
Head of Case Management

In the sport sector, the year 2020-2021 was marked by the continuation of the pandemic and its impact on best laid plans. When it was announced that the Olympics and Paralympics would not go ahead as planned in 2020, athletes and federations had to change paths for a longer road to Tokyo than anticipated. Policies had to be under continuous review in light of the evolving situation, and training regimens adapted to peak a year later. Other major sporting events were postponed or cancelled, leading to many disputes over the impact of cancellations on standings, contingency plans and their implementation, among others. The determination and agility of both athletes and federations to adapt to the new obstacles being thrown their way cannot be understated.

At national level, we have recently resumed the holding of in person hearings, where requested by parties and made possible by favourable public health advice. Safety measures have been implemented. Due to the various travel restrictions remaining in place, our international matters continue to be heard remotely for the time being.

Due to the public health measures, lack of competition and opportunity for testing, there was a noteworthy decrease in the number of anti-doping matters brought against athletes, particularly analytical ADRVs. On the international side, in a departure from previous years where analytical matters prevailed, whereabouts failures and violations were the charges most frequently brought against athletes.

In January, we were delighted to enter into an agreement with the International Testing Agency (ITA) to operate the International Hearing Panel (IHP), available to adjudicate on first instance anti-doping matters for international federations. The IHP is constituted of members of Sport Resolutions' (SR's) International Panel of Arbitrators with significant experience determining anti-doping rule violations. The Procedural Rules were drafted with procedural fairness, simplicity, and flexibility in mind, such that they can be adopted by any federation wishing to convey jurisdiction on the IHP. As with other proceedings administered by SR, athletes and individuals involved in proceedings before the IHP can avail themselves of SR's Pro Bono Legal Advice & Representation Service. Parties can have confidence that operational and institutional independence is at the heart of what we do.

Shortly thereafter, 13 of WADA's Regional Anti-Doping Organisations (RADOs) opted to use the services of the IHP to refer national level matters in regions where the RADO oversees results management. This includes the Central America RADO, Caribbean RADO, South America RADO, Africa Zone I RADO, Africa Zone II & III RADO, Africa Zone V RADO, Africa Zone VI RADO, West Asia RADO, Central Asia RADO, South Asia RADO, Southeast Asia RADO, Indian Ocean RADO and the Oceania RADO.

The IHP service is in addition to bespoke independent tribunal and secretariat services we already deliver to a number of international sport federations, in the anti-doping sector and beyond.

In the anti-doping sector more generally, a few cases have already been determined pursuant to provisions under the 2021 World Anti-Doping Code (WADC). Where available to them, athletes serving periods of ineligibility for Specified Substances which would warrant lesser sanctions under the 2021 Code have relied on the doctrine of *lex mitior* to seek to have their periods of ineligibility reduced. It will be interesting to see the application of the 2021 WADC more broadly, as some of the world reopens and analytical testing resumes.

Over the last year, we have also been called upon to assist with wider integrity and governance matters. We entered into an agreement with the International Weightlifting Federation (IWF) to appoint an independent panel to make eligibility assessments of candidates for election to its Board and committees. We were appointed Secretariat to the IWF's Ethics and Disciplinary Commission (EDC), and will be operating an Independent Investigatory Chamber composed of SR arbitrators who will carry out investigations at the request of the EDC. At a pivotal moment for the sport, the necessity of independence is paramount.

After a stringent panel application and review process last Autumn, we benefit from refreshed panels, whose decision-making, breadth and expertise is second to none. We look forward to continuing to deliver world class ADR services to the sport community both in the UK and abroad.

Catherine Pitre

SAMPLE OF CONCLUDED INTERNATIONAL CASES 2020-21

World Athletics v Christian Coleman

Athlete Nationality:	United States
Date of Decision:	22.10.2020
Tribunal:	Charles Hollander QC, Dr Tanja Haug, Hannu Kalkas
Charge:	Whereabouts Failures
Outcome:	2 years Ineligibility

International Federation Investigation

Scope:	Allegations of misconduct made against Board member
Date of Report:	07.12.2020
Panel Member(s):	Louise Reilly

ITF v Arklon Huertas Del Pino

Athlete Nationality:	Peru
Date of Decision:	15.05.2020
Tribunal:	Cliff Hendel, Peter Sever, Jan Kleiner
Charge:	Presence- Cannabis
Outcome:	2 years Ineligibility

International Federation Investigation

Scope:	Investigation into working environment at high performance centre
Date of Report:	22.07.2020
Panel Member(s):	Janie Soublière, Richard Desjardins

World Athletics v Salwa Eid Naser

Athlete Nationality:	Bahrain
Date of Decision:	14.10.2020
Tribunal:	Charles Hollander QC, Janie Soubliere, Julien Berenger
Charge:	Whereabouts Failures
Outcome:	No ADRV, No Ineligibility

World Athletics v Artur Karamyan & Dmitry Shlyakhtin

Athlete Nationality:	Russia
Date of Decision:	08.02.2021
Tribunal:	Charles Hollander QC, Anna Smirnova, Steve Bainbridge
Charge:	4 charges: Tampering, Complicity, Refusal or Failure to report ADRV, Refusal or failure to cooperate w investigation
Outcome:	4 years Ineligibility

SAMPLE OF CONCLUDED INTERNATIONAL CASES CONTINUED

World Athletics v Marina Arzamasova

Athlete Nationality:	Belarus
Date of Decision:	27.11.2020
Tribunal:	Despina Mavromati, Janie Soubliere, Paul Ciucur
Charge:	Presence- LGD-40332
Outcome:	4 years Ineligibility

ITF v Ashley Kratzer

Athlete Nationality:	United States
Date of Decision:	28.10.2020
Tribunal:	Carol Roberts, Prof Isla Mackenzie, Brian Lunn
Charge:	Presence- GHRP-6
Outcome:	4 years Ineligibility

World Athletics v Kenneth Kiprop Kipkemoi

Athlete Nationality:	Kenya
Date of Decision:	17.07.2020
Tribunal:	Lucas Ferrer (Sole)
Charge:	Presence- Terbutaline
Outcome:	2 years Ineligibility

World Athletics v Al Mahjoub Dazza

Athlete Nationality:	Morocco
Date of Decision:	24.07.2020
Tribunal:	Patrick Grandjean, Julien Berenger, Despina Mavromati
Charge:	Athlete Biological Passport Irregularities
Outcome:	4 years Ineligibility

World Athletics v Mercy Jerotich Kibarus

Athlete Nationality:	Kenya
Date of Decision:	14.07.2020
Tribunal:	Dennis Koolaard (Sole)
Charge:	Presence: Norandrosterone
Outcome:	8 years Ineligibility- Second ADRV

ITF v Adeline Bervoux

Athlete Nationality:	France
Date of Decision:	15.01.2021
Tribunal:	Robert Englehart QC, Prof Peter Sever, Despina Mavromati
Charge:	Presence: Acetazolomide
Outcome:	2 years Ineligibility

SAMPLE OF CONCLUDED NATIONAL CASES 2020-21

EFL v Macclesfield Town (3) (Appeal)

Sport:	Football
Date of Decision:	18.08.2020
Tribunal:	HHJ Phillip Sycamore, Christopher Quinlan QC, William Norris QC
Charge:	Sporting Sanction
Outcome:	Appeal Allowed- Sporting Sanction Imposed Immediately

UKAD v Adam Carr (Appeal)

Sport:	Rugby League
Date of Decision:	03.12.2020
Tribunal:	Charles Hollander QC, Blondel Thompson, Dr Tim Rogers
Charge:	Presence- clenbuterol
Outcome:	Appeal dismissed- 4 years Ineligibility

UKAD v Kurt Brown

Sport:	Rugby Union
Date of Decision:	28.09.2020
Tribunal:	William Norris QC, Colin Murdock, Prof Isla Mackenzie
Charge:	Presence- Nandrolone
Outcome:	4 years Ineligibility

Nottingham Forest v EFL

Sport:	Football
Date of Decision:	28.10.2020
Tribunal:	William Norris QC (Sole)
Charge:	Player registered after transfer window closed
Outcome:	Application Dismissed

Athlete v Scottish Athletics

Sport:	Athletics
Date of Decision:	28.08.2020
Tribunal:	Kevin Carpenter, Rob Lucas, Leanne O'Leary
Charge:	1 year disciplinary ban
Outcome:	Appeal Dismissed

Athlete v British Skeleton (Selection Appeal)

Sport:	Skeleton
Date of Decision:	15.05.2020
Tribunal:	Andrew Smith (Sole)
Charge:	Selection Appeal
Outcome:	Appeal Successful

SAMPLE OF CONCLUDED NATIONAL CASES CONTINUED

Sheffield Wednesday v EFL (Appeal)

Sport:	Football
Date of Decision:	04.11.2020
Tribunal:	Lord Dyson, Sir Wyn Williams, Christopher Quinlan QC
Charge:	Breach of Profitability and Sustainability Rules
Outcome:	Appeal partially upheld, points deduction reduced from 12 to 6 points

UKAD v Mike Burgess (Appeal)

Sport:	Rugby Union
Date of Decision:	29.04.2020
Tribunal:	Christopher Quinlan QC, Dr Terry Crystal, Dr Kitrina Douglas
Charge:	Appealing 2 year sanction
Outcome:	Appeal dismissed

Individual v NGB

Date of Decision:	16.10.2020
Tribunal:	Tim Owen QC, Steve Boocock, Sara Lewis QC
Charge:	Breaches of Safeguarding Policy
Outcome:	Appeal Allowed

UKAD v Adam Machaj

Sport:	Boxing
Date of Decision:	04.09.2020
Tribunal:	Robert Englehart QC, Dr Terry Crystal, Lorraine Johnson
Charge:	Presence: Clomifene
Outcome:	4 years Ineligibility

UKAD v Athlete

Sport:	Rugby Union
Date of Decision:	10.08.2020
Tribunal:	Robert Englehart QC, Prof Kitrina Douglas, Mike Irani
Charge:	Evasion
Outcome:	No ADRV, no period of Ineligibility

NGB v Individual

Date of Decision:	29.09.2020
Tribunal:	Tim Owen QC, Laura Potter, Deborah Nicholson
Charge:	Breach of NGB's Rules and Regulations
Outcome:	3-year suspension

GLOBAL REACH

In the past year we have resolved a large number of cases involving parties based around the world.



INTERNATIONAL CLIENTS

- ▶ World Athletics
- ▶ International Tennis Federation
- ▶ Rugby League International Federation
- ▶ International Cricket Council
- ▶ World Sailing
- ▶ World Professional Billiards and Snooker Association
- ▶ Union Cycliste Internationale
- ▶ Rugby League European Federation
- ▶ World Archery
- ▶ International Weightlifting Federation
- ▶ International Testing Agency
- ▶ World Karate Federation
- ▶ World Underwater Federation
- ▶ WADA Regional Anti-Doping Organizations:

- Central America RADO
- Caribbean RADO
- South America RADO
- Africa Zone I RADO
- Africa Zone II & III RADO
- Africa Zone V RADO
- Africa Zone VI RADO
- West Asia RADO
- Central Asia RADO
- South Asia RADO
- Southeast Asia RADO
- Indian Ocean RADO
- Oceania RADO

EVENTS

Sport Resolutions delivers an industry leading programme of sport dispute resolution training, seminars and educational resources.

Throughout the past year Sport Resolutions has organised or contributed to events for more than 1080 delegates. These events focused on the big issues that create conflict and disputes in sport.

Event	Location	Delegates
SR Virtual Annual Conference	Online	305
State Aid in Sport and Covid-19	Online	220
Road to Tokyo 2021: How to manage athlete selection	Online	244
WISLAW Annual Conference: Pros and Cons of online dispute resolution	Online	90
Law in Sport Conference: How can you establish an effective independent National Sports Tribunal?	Online	100
NSP Training	Online	30
Bespoke Safeguarding Training x 2	Online	2
UCFB (University Campus of Football Business) Lecture	Online	50
Gloucester University Lecture	Online	40

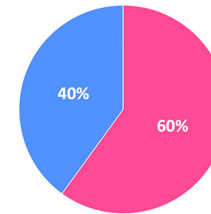
KEY NUMBERS

	2020 2021	2019 2020	2018 2019	2017 2018	2016 2017	2015 2016
Requests for dispute resolution guidance and help	279	331	302	303	227	179
Pro-Bono	54	69	45	51	50	20
NADP	10	33	18	28	15	25
Referrals Outside the UK	25	63	35	36	8	0
NSP	10	11	13	15	4	4
Others (sport arbitration, mediation, other enquiries)	180	155	191	173	150	130
Number of Case Referrals	149	184	156	108	85	92
Appointments	140	181	153	99	83	85
Investigations & Reviews	9	3	3	9	2	7
Number of delegates attending Sport Resolutions events / events at which we present	1081	1022	876	540	301	306

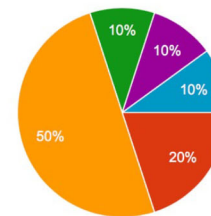
EQUALITY MONITORING PROFILE

EXECUTIVE TEAM

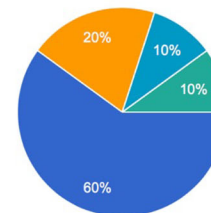
Gender



Age

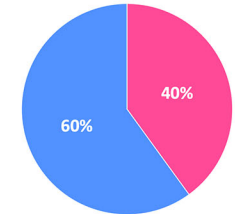


Ethnicity

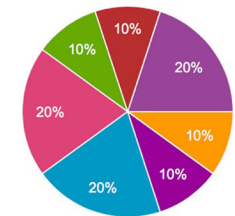


BOARD

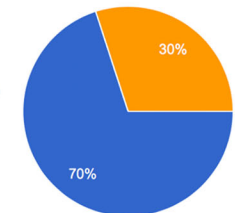
Gender



Age



Ethnicity



BOARD OF DIRECTORS

Edwin Glasgow QC Independent Chair	Barrister at 39 Essex Chambers
John Palmer Senior Independent Non- Executive Director	Corporate Communications Consultant Member of Marketing and Service Development Committee
Keith McGarry Representative Non- Executive Director	Senior Partner at Conn & Fenton Solicitors Nominated by Northern Ireland Sports Forum Member of Audit and Risk Committee and Panel Appointments and Review Committee
Tracy Harrison Independent Non- Executive Director	Director of Marketing at Sky plc Chair of Marketing and Service Development Committee and Member of Panel Appointments and Review Committee
Alison Mitchell Independent Non- Executive Director start date: 10.09.2020	Broadcast Journalist Board Equality Champion
Jacqui Traynor Independent Non- Executive Director start date: 27.08.2020	Anti-Doping and Integrity Officer at British Rowing General Secretary and Director for UK Deaf Sport Member of Panel Appointments and Review Committee Board Safeguarding Champion
Johanna Sheppard Independent Non- Executive Director resignation date: 28.08.2020	Director of Compliance at Barclays plc Member of Audit and Risk Committee and Panel Appointments and Review Committee
Martin Gibbs Independent Non- Executive Director	Strategic Adviser on Sport, Governance and Human Rights Member of Marketing and Service Development Committee
Nigel Smith Independent Non Executive Director	Chief Finance Executive at Elexon Ltd. Chair of Audit and Risk Committee
Richard Hendicott Representative Non- Executive Director	Retired District Judge Nominated by Welsh Sports Association Member of Panel Appointments and Review Committee

SECRETARIAT

Richard Harry	Chief Executive Officer
Catherine Pitre	Head of Case Management
Ross Macdonald	Business Manager
Duygu Yetkincan	Marketing Manager
Kylie Brackenridge	Senior Case Manager
Matthew Berry	Senior Case Manager
Roxana Weich	Senior Case Manager
Alisha Ellis	Case Manager
Anna Thomas	Case Manager
Joshua Ingham-Headland	Case Manager



ENABLING FAIR PLAY

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