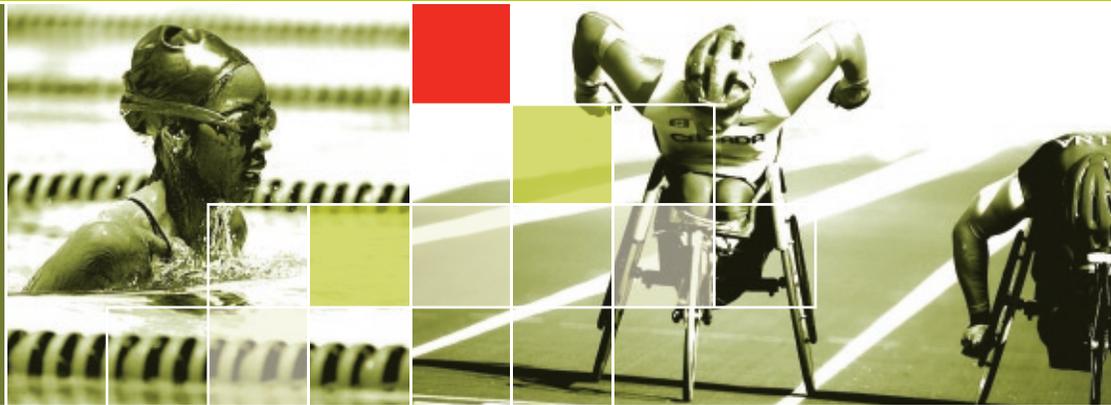


# SPORT DISPUTE RESOLUTION CENTRE OF CANADA



REPORT ON THE OPERATIONS OF THE SDRCC 2008-2009

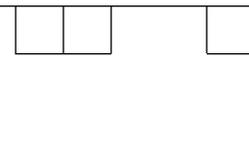
From the Chairperson  
of the SDRCC  
ALLAN J. STITT

July 31, 2009





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# INTRODUCTION

The Sport Dispute Resolution Centre of Canada (the "SDRCC") was created in June 2003 by an Act of Parliament, the Physical Activity and Sport Act (the "Act"). The members of the Board of Directors of the SDRCC (the "Board") were appointed by the Minister of Canadian Heritage. The Board is composed of voluntary members and has the mandate to direct the SDRCC and oversee its activities. This report reviews the operations and assesses the results of the activities of the SDRCC for the period from April 1, 2008 to March 31, 2009 (the "Period").

## PARTICIPANTS

Chairperson Allan J. Stitt and Executive Director Marie-Claude Asselin prepared this report on behalf of the SDRCC Board of Directors.

The members of the Board of Directors for 2008–2009 are:

### MEMBERS

Allan J. Stitt (Chairperson)

Anne Benedetti

Alexandre Charbonneau

Susanne M. Dandenault (mandate expired on November 30, 2008)

Bruce Kidd (mandate expired on November 30, 2008)

Clayton A. Miller

Aimable Ndejuru

Dianne Norman

Gordon E. Peterson

Tamar Pichette (mandate expired on November 30, 2008)

Carla Qualtrough

Steven Sugar (mandate expired on November 30, 2008)

Marie-Claude Asselin (ex officio)

Biographies of the members of the Board and staff can be found in Appendix A.

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## SUMMARY OF THE CORPORATE PLAN SUBMITTED TO THE SECRETARY OF STATE (FOREIGN AFFAIRS AND INTERNATIONAL TRADE) (SPORT)

The Board of Directors prepared the corporate plan and budget to cover the Period. The corporate plan was designed to facilitate achievement of the SDRCC's mandate under the Act. A copy of the corporate plan is attached in Appendix B. The SDRCC received \$847,500 in financial support from Sport Canada during the Period.

### CORPORATE PLAN

The SDRCC Board of Directors had the following objectives during the Period:

**OBJECTIVE 1:** Enhance excellence in sport through the prevention or reduction of sports-related disputes, thus creating a culture of fairness in the Canadian sport system

- 1.1 Implement the amendments to the Code as necessary in light of the new Canadian Anti-Doping Program scheduled to take effect on January 1, 2009
- 1.2 Continue to promote the use of resolution facilitation and mediation to prevent and resolve sports-related disputes
- 1.3 Improve the knowledge base of the SDRCC by training staff
- 1.4 Further educate the mediators and arbitrators, including the training of arbitrators on the new anti-doping rule changes
- 1.5 Develop a plan for a fee-for-service program to serve provincial sports organizations and their members in dispute prevention and dispute resolution

**OBJECTIVE 2:** Strengthen the capacity of our sport community leaders and participants by creating a positive culture of fairness

- 2.1 Enhance interaction with the Canadian sport community through the creation and consolidation of long-term and project-based partnerships
- 2.2 Educate the sport community, particularly the NSOs, about best practices aimed at creating a culture of fairness
- 2.3 Develop innovative and tailored education and dispute prevention programs for all members of the Canadian sport community

**OBJECTIVE 3:** Operate and manage an organization promoting excellence and transparency

- 3.1 Develop and implement transparent and responsible management and governance policies
- 3.2 Manage all sports-related disputes in a fair and efficient manner
- 3.3 Ensure that the SDRCC policies comply with the Act, its by-laws and agreements

### BUDGET

The Plan was designed with a budget for the Period, aggregating \$937,500, which included the following components:

**\$176,000** for administration and governance

**\$45,000** for official languages

**\$385,500** for operations, including the management of disputes, the Resource Centre and prevention

**\$331,000** for human resources

# RESULTS AND PERFORMANCE FOR 2008–2009

## ACHIEVING THE OBJECTIVES OF THE CORPORATE PLAN

This section assesses the results achieved during the Period.

**OBJECTIVE**  
**01** ENHANCE EXCELLENCE IN SPORT THROUGH THE PREVENTION OR REDUCTION OF SPORTS-RELATED DISPUTES, THUS CREATING A CULTURE OF FAIRNESS IN THE CANADIAN SPORT SYSTEM

### **1.1 Implement the amendments to the Code as necessary in light of the new Canadian Anti-Doping Program scheduled to take effect on January 1, 2009**

Following a public consultation in the summer of 2008 (during which members of the Canadian sport community and the legal community were invited to make suggestions and comments), the SDRCC conducted a review of the Canadian Sport Dispute Resolution Code. The review resulted in a series of amendments, including a clarification of the issues surrounding language of proceedings and more detail on the resolution facilitation process. The SDRCC collaborated with the Canadian Centre for Ethics in Sport (CCES) to ensure that the revised Code was consistent with the Canadian Anti-Doping Program 2009. The new Canadian Sport Dispute Resolution Code came into effect on January 1, 2009.

### **1.2 Continue to promote the use of resolution facilitation and mediation to prevent and resolve sports-related disputes**

More than one-third of the non-doping disputes brought to the SDRCC in 2008–2009 were resolved by way of resolution facilitation (RF) or mediation; parties entered into settlement agreements in 11 of the 31 cases. For many of the disputes that did not settle at the resolution facilitation, the process still enabled parties to clarify the scope of their dispute and to simplify the arbitration.

Doping disputes must now proceed through a tailored version of the RF process. The purpose of the use of the RF is to facilitate the sharing of information between parties in a confidential and non-prejudicial environment. The SDRCC and the CCES hope that the use of the RF will increase understanding of the CCES and the roles and responsibilities of members of the sport community in a doping-free sport system. The use of the RF will be evaluated after two years.

In an effort to promote the use of RF to resolve disputes before the need for arbitration, the SDRCC has developed a printed leaflet outlining the ways in which resolution facilitation can assist the Canadian sport community members in preventing disputes or resolving them consensually.

### **1.3 Improve the knowledge base of the SDRCC by training staff**

In its continued efforts to offer the best dispute resolution and prevention services to the Canadian sport community, the SDRCC staff received training in various aspects of their jobs, including the use of online technology for dispute resolution, computer software for case management, linguistic skills, and legal secretarial skills.

Staff members also attended the arbitrator and mediator conference held in Mississauga, Ontario, in October 2008. A profile of the SDRCC staff members can be found in Appendix A of this report.

### **1.4 Further educate the mediators and arbitrators, including the training of arbitrators on the new anti-doping rule changes**

The SDRCC arbitrator and mediator conference was held in October 2008 in Mississauga, Ontario. The participants were educated on the new anti-doping rules in anticipation of their coming into effect in January 2009 and took part in discussions on how the SDRCC could better manage sports-related disputes.

The SDRCC conducted training sessions to introduce arbitrators and mediators to the use of new technological tools in dispute resolution.

The list of SDRCC mediators and arbitrators can be found in Appendix F of this report.

### **1.5 Develop a plan for a fee-for-service program to serve provincial sports organizations and their members in dispute prevention and dispute resolution**

In order to implement a fee-for-service process, the SDRCC needed to determine its costs of operation. Therefore the SDRCC has implemented an improved process for internal tracking of staff time to determine the cost of the tribunal operations. The information gleaned from this process will provide potential users of a fee-for-service program with estimates of the costs of SDRCC dispute resolution services.

The SDRCC has provided scenario-based interactive workshops on a fee-for-service basis in Quebec and in Alberta. The target group for this initiative was provincial sport organizations. The SDRCC will continue to work with provincial and territorial sport federations that have demonstrated interest in this initiative. The SDRCC will also extend its offer to other sports organizations such as colleges and universities.

**OBJECTIVE****02**

STRENGTHEN THE CAPACITY OF OUR SPORT COMMUNITY LEADERS AND PARTICIPANTS BY CREATING A POSITIVE CULTURE OF FAIRNESS

### **2.1 Enhance interaction with the Canadian sport community through the creation and consolidation of long-term and project-based partnerships**

The SDRCC participated in several multisport organization (MSO) events during the Period. The Executive Director and the Education and Communication Coordinator facilitated workshops and roundtable discussions on dispute prevention at the annual conference of Sports Officials of Canada and the Sport Leadership Conference. The SDRCC also had an awareness kiosk at those events and at the AthletesCan Forum. The SDRCC conducted a training session for the staff of Sport Solution and wrote articles for MSO and NSO newsletters.

The SDRCC and the Canada Games Council signed a memorandum of agreement to ensure consistency in the provision of dispute prevention and resolution services in future Canada Games.

The SDRCC participated in the consultation conducted by the CCES on the draft Canadian Anti-Doping Program 2009 by providing feedback on the new proposed rules.

The SDRCC offered its expertise and guidance to sport organizations wishing to establish a sport dispute resolution program at other levels of the sport system, in its efforts to expand the availability of dispute resolution services to all members of the Canadian sport community. During the Period, the SDRCC collaborated with Sport BC and had discussions with other provincial bodies.

### **2.2 Educate the sport community, particularly the NSOs, about best practices aimed at creating a culture of fairness**

The SDRCC Board of Directors promoted a preventive approach to sports-related disputes, with an emphasis on education to help the sport community establish and adopt management and decision-making processes that were fair and would reduce misunderstandings, disagreements, and disputes.

The online jurisprudence database contains the decisions rendered by SDRCC arbitrators. Each decision is accompanied by a case summary outlining the parties' positions and drawing lessons learned from the case. There was a thorough evaluation of the database during the Period. As a result, the SDRCC redesigned the database and upgraded its search engine. The new search engine allows for PDF searches and more accurate and comprehensive search results. The launch of the upgraded database is planned for the summer of 2009.

The newsletter *In the Neutral Zone*, published three times a year, featured several articles aimed at the prevention of sports-related disputes. Contributors included SDRCC arbitrators and mediators as well as representatives of multisport organizations.

### **2.3 Develop innovative and tailored education and dispute prevention programs for all members of the Canadian sport community**

The SDRCC continued to look for innovative approaches to reach members of the sport community with its educational messages for dispute prevention. For example, the SDRCC used a bilingual online interactive game to promote the use of mediation to resolve sports-related disputes. The game is to be launched at the Canada Games in 2009.

The SDRCC developed a bank of case scenarios to help present interactive workshops to various audiences in the sport community. The scenarios were inspired by real SDRCC cases.

The SDRCC is exploring potential partnership with the program Club Excellence to educate volunteer leaders of local clubs and associations about good governance practices to reduce the risks of disputes and allow for fairer dispute resolution processes.

**OBJECTIVE****03**

OPERATE AND MANAGE AN ORGANIZATION PROMOTING EXCELLENCE AND TRANSPARENCY

### **3.1 Develop and implement transparent and responsible management and governance policies**

During the Period, the SDRCC complied with its legislative and contractual obligations, with the exception of the requirement for appropriate coach representation on its Board of Directors. Since the mandate of Board member and coach representative Steven Sugar expired in November 30, 2008, the SDRCC found itself to be not in compliance with the appointment criteria for its Board of Directors as established by the Minister pursuant to section 14(2) of Bill C-12.

In August 2008, at the request of Sport Canada, the SDRCC managed the application process for new appointments by the Minister to replace 4 Board members whose mandates expired on November 30, 2008. The Minister of State (Sport) appointed the new members on May 6, 2009, including a coach representative.

A new staff member was hired in February 2009 to assist the Executive Director in furthering the strategic objectives of the SDRCC.

The SDRCC also revised its official languages policy and its complaint process.

### **3.2 Manage all sports-related disputes in a fair and efficient manner**

All sports-related disputes submitted to the SDRCC during the Period were managed in a fair and efficient manner. From April 1, 2008 to March 31, 2009, 47 sports-related disputes were filed with the SDRCC, including 16 doping cases. The cases originated from 25 sports.

## RESULTS AND PERFORMANCE FOR 2008–2009

Of the 31 non-doping cases, 16 were resolved through arbitration, 11 were resolved by a settlement between the parties in either mediation or resolution facilitation, and 4 requests were withdrawn by the claimant. The average duration of a non-doping case was just under 46 days.

Of the 16 doping cases, 12 were resolved by waivers and the other 4 cases were determined by an arbitral decision. Two of the doping cases involved athlete support personnel. The average duration of a doping case was 39 days.

In comparison with the previous period, there was a 93% increase in non-doping cases and a 24% overall increase in case numbers. There were six cases during the Period relating to qualification and selection for the Beijing Olympic and Paralympic Games. The average duration of Olympic and Paralympic-related cases was 3.5 days.

Bilingual mediators or arbitrators were requested by the parties in 35% of non-doping cases. Due to an increasing demand for bilingual dispute resolution services, the SDRCC called for applications from bilingual mediators and three new mediators were added to the roster in November 2008.

TABLE

01

### TYPES OF DISPUTES

The types of disputes dealt with were as follows:

TYPE OF DISPUTE	NUMBER OF CASES
Doping	16
Selection and Eligibility	17
Carding	6
Discipline	2
Contract	2
Stay of Execution	2
Others	2

TABLE

02

### DISPUTES PER SPORT

Requests were submitted from the following sports:

SPORT	NUMBER OF CASES
Alpine Ski	3
Archery	1
Athletics	4
Biathlon	1
Bowls	2
Boxing	1
Cycling / Para-cycling	4
Equine Sport	3
Fencing	2
Figure Skating	1
Football	6
Freestyle Ski	1
Hockey	1
Karate	2
Racquetball	1
Snowboard	1
Soccer	1
Softball	1
Taekwondo	2
Volleyball	1
Water Polo	3
Weightlifting	3
Wheelchair Rugby	1
Wrestling	1

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### 3.3 Ensure that SDRCC policies comply with the Act, its by-laws and agreements

The SDRCC is required to meet several legislative and contractual obligations. During the Period, the SDRCC complied with its obligations to develop and submit a corporate plan for the 2009–2010 fiscal year and to prepare a financial report.

As required by Section 32 of the Act, the SDRCC corporate plan for the 2009–2010 fiscal year was submitted to the Minister of State (Sport) on March 1, 2009. It stated that the SDRCC would: (i) Enhance excellence in sport through the prevention or reduction of sports-related disputes, thus creating a culture of fairness in the Canadian sport system; (ii) Strengthen the capacity of our sport community leaders and participants by creating a positive culture of fairness; (iii) Operate and manage an organization promoting excellence and transparency. The corporate plan presented a budget that included expenditures of \$859,500. The expenditures included:

- \$136,000 for administration, including office, governance, and communication;
- \$45,000 for official languages requirements, including the cost of translation for the SDRCC documents and rulings;
- \$310,000 for operations and programming, including the administration of cases, training for mediators and arbitrators, education, and prevention; and
- \$368,500 for human resources, including professional services as well as salaries and benefits for the SDRCC staff.

A bookkeeper provided accounting services for the SDRCC during the Period. BDO Dunwoody, Chartered Accountants and Advisors, audited the accounts and financial transactions of the SDRCC and submitted its written report to the Audit Committee of the SDRCC on June 19, 2009. The Auditors' Report was approved by the Board of Directors of the SDRCC on July 27, 2009. The Auditors' Report is presented in Appendix D of this report. The Auditors' Report states that the policies of the SDRCC respect generally accepted Canadian accounting principles and that the SDRCC is considered economically dependant upon government funding for its financial operations.

Sport Canada's contribution to the SDRCC for the Period was \$847,500, and expenses were \$748,887. The expenses included:

- \$187,174 for administration, including office, governance, and communication;
- \$36,284 for official languages requirements, including the cost of translation for the SDRCC documents and rulings;
- \$273,755 for operations and programming, including the administration of cases, training for mediators and arbitrators, education, and prevention; and
- \$251,674 for human resources, including professional services as well as salaries and benefits for the SDRCC staff.

The SDRCC had a surplus of revenue over expenses of \$98,613. Before the year-end and before approving the financial statements for the Period, the SDRCC returned to Sport Canada a projected surplus of \$94,119.

The financial statements and Auditors' Report can be found in Appendix D.

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# CONCLUSION

The SDRCC continues to pursue its objectives of preventing and reducing sports-related disputes in Canada. During the Period, the SDRCC implemented its new long term objectives for education and dispute prevention and for the creation of new partnerships. These initiatives are designed to reduce the number of sports-related disputes and to increase the access of members of the Canadian sport community to dispute prevention and resolution resources.

During the Period, Olympic and Paralympic-related cases accounted for the majority of the increase in case volume at the SDRCC; however, the SDRCC had anticipated the increase in number of requests for dispute resolution services. It is expected that the volume of cases may increase in the short-term because the SDRCC has been raising awareness among the members of the sport community about dispute resolution.

In the longer term, however, it is expected that the emphasis on education and prevention of sports-related disputes will have a positive impact on the way in which members of the sport community communicate with each other, design sound policies, and make fair decisions. The SDRCC hopes that improvements will lead to fewer sports-related disputes.

The number of cases resolved through resolution facilitation and mediation suggests that members of the sport community are increasingly aware of the importance of maintaining harmonious relationships and working together towards their goals. The SDRCC will sustain its efforts to promote resolution facilitation in order to resolve disagreements and misunderstandings before the dispute requires arbitration.

The next period will cover qualification and selection activities for several multisport events including the Canada Games, the Vancouver/Whistler 2010 Olympic and Paralympic Games, and the Commonwealth Games. The caseload of the SDRCC may therefore remain at its current level. SDRCC volume may also be impacted by CCEs' emphasis on asserting anti-doping violations against athlete support personnel and other non-analytical rule violators.

During the Period, the SDRCC continued to improve its corporate practices by maintaining a high quality of dispute resolution services and keeping its corporate policies current and comprehensive.

It is in this context that the SDRCC continues to look towards the future with a vision of a fair, equitable and harmonious Canadian sport system.

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## APPENDIX A:

### BIOGRAPHIES OF THE MEMBERS OF THE BOARD OF DIRECTORS AND PERSONNEL OF THE SDRCC

#### SDRCC BOARD OF DIRECTORS

##### Allan J. STITT

Allan J. Stitt is the President of ADR Chambers and the Stitt Feld Handy Group. He is a Toronto-based mediator, arbitrator, negotiation consultant, facilitator, trainer, and Alternative Dispute Resolution (ADR) systems design specialist. He is an Adjunct Professor at the University of Toronto Law School teaching courses in Negotiation and has been a Lecturer at the University of Windsor Law School and the University of Notre Dame Law School. He has taught ADR and Negotiation courses throughout North America and also in South America, Europe, Asia, Africa and Australia.

After earning his B.Comm at the University of Toronto, Allan earned his LL.B. at the University of Windsor Faculty of Law and his J.D. at the University of Detroit Law School, graduating first in his class in both law schools. He then earned his LL.M. degree at Harvard Law School. He returned to Harvard on a number of occasions to act as a Teaching Assistant to Professor Roger Fisher. Until 1994, he was a litigator at Osler, Hoskin & Harcourt.

Allan is the Past President of the ADR Institute of Canada and the Arbitration and Mediation Institute of Canada. He is the Chair of the Sport Dispute Resolution Centre of Canada, a member of the NAFTA Advisory Committee on Private Commercial Disputes, and a member of the International Mediation Institute (IMI) Independent Standards Commission. He has received the University of Windsor Faculty of Law Alumni Award of Excellence and has been awarded the 2006 Ontario Bar Association Award of Excellence in Alternative Dispute Resolution.

Allan is both a Chartered Mediator (C.Med.) and a Chartered Arbitrator (C.Arb.). He has mediated two-party and multi-party disputes in numerous contexts, including commercial, employment, corporate governance, workplace, banking, personal injury, sports, and breach of contract. He is a Distinguished Fellow of the International Academy of Mediators. He has arbitrated numerous commercial cases including cases for the National Transportation Agency and the Ontario Farm Products Marketing Board and is on the International Panel of Arbitrators for the International Centre for Dispute Resolution (ICDR). He has designed ADR systems for such organizations as the Canadian Bankers Association, the Ontario Human Rights Commission, the Law Society of Upper Canada, and Canadian Tire Corporation. His books, *ADR For Organizations*, and *Mediating Commercial Disputes*, were both business books bestsellers. He also wrote *Mediation: A Practical Guide* and is the Editor-in-Chief of the *CCH ADR Practice Manual*.

##### Anne BENEDETTI

Anne Benedetti played with the Canadian National Lacrosse Program, and is a lawyer at Goodmans LLP practicing administrative and municipal law.

She has degrees from Queen's University (B.A.H. English and History, B.ED), the University of Western Ontario (LLB) and Oxford University (Masters of Law, BCL).

During her time at Queen's University, Anne led the Queen's team to two championships not only as a player but also as head coach; she continued to both play and head coach at the University of Western Ontario while pursuing her law degree. Anne has been acknowledged both for her activities on the field and in the classroom at both Queen's and Western, and was named Athlete of the Year by both the Queen's Journal and Western Gazette in her respective graduating years. Upon the completion of her law degree at Western, she was named a Chatelaine Woman of Influence Leader of Tomorrow.

While studying at Oxford, Anne was awarded an Oxford full blue and was a member of the British University Sports Association National Lacrosse Team.

Anne was a member of the Canadian National Lacrosse Team from 1999 to 2005, which placed fourth at the Women's Lacrosse World Cup in 2001 in England.

Anne has worked and volunteered in the area of Sport Dispute Resolution, first serving as the Chair of the Inter-University Athletic Council at Queen's University and then as a volunteer at the Sport Solution Clinic at Western Law. During her legal education, she was chosen to be the clerk for the Court of Arbitration for Sport (CAS) at the Commonwealth Games in Manchester, England in 2002. She has also published and written articles in the area of international sport dispute resolution.

##### Alexandre CHARBONNEAU

Currently in the postdoctoral stage at the CHUL's Centre de recherche en maladies lipidiques (lipid disorder research centre), Alexandre Charbonneau is trying to determine the role certain genes have in the development of type 2 diabetes. Holder of a Ph.D. in Exercise Physiology from the Université de Montréal, he has been published in various scientific journals such as

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## APPENDIX A: BIOGRAPHIES

Endocrinology, the Journal of Physiology, American Journal of Physiology and International Journal of Sports Medicine. He has been both lecturer and guest professor at the Université de Montréal, Université Laval, and the National Institute for Physical Education of Catalonia for his expertise in exercise physiology, training methodology, as well as for his knowledge regarding ergogenic aids and anabolic steroids.

He started karate in 1983 and received his black belt at the age of 14 in 1988. Currently 4th Dan in Shotokan karate, he has participated in numerous Pan American and international competitions for 18 years. In 1994 and 1999, he went to Japan for one year to perfect his knowledge of this martial art. Having retired from competition in 2002, he continues to provide training advice for many karatekas and owns a karate school in Montreal. In addition to the excellent training he provides karatekas, he has also trained numerous athletes in a variety of sport disciplines (cycling, football, water polo and boxing).

In addition to his research, karate training and lecturing, Alexandre holds school conferences to teach teenagers about the harmful effects of anabolic steroid use.

Alexandre lives in Quebec City and also in Montreal.

### Susanne M. DANDENAULT

(mandate expired on November 30, 2008)

Susanne Dandenaault has been a member of the Sport Dispute Resolution Centre (SDRCC) Board of Directors between December 2003 and November 2008. Prior to her appointment to the SDRCC Board, Susanne served as Chair of AthletesCAN, the association representing Canada's National Team athletes, and the Manitoba Athletes Association from 1999–2001. Subsequently, she became the President of the Manitoba Weightlifting Association from 2004–2006. Susanne is currently working as Legal Counsel with Paterson Global Foods Inc. and is also a Motivational Speaker.

Susanne obtained a Law Degree from the University of Manitoba. She also received a five-year scholarship to the University of Washington for Track & Field, while earning Two Bachelor of Arts Degrees (Psychology and Environmental Studies).

Susanne is a three-time National Junior team member in Track & Field (discus, shot put). She is a nine-time national champion in Weightlifting (75 kg + class). In 1998, 1999, 2001, 2002, 2003, she participated in the World Weightlifting Championships placing 14th in Finland, 18th in Greece, 11th in Turkey, 14th in Poland and 20th in Vancouver. In 1999 and 2003 Pan American Games, she was a team member of Weightlifting and placed 5th in the (75 kg + Class). Susanne holds the Canadian Record in the Snatch (105.0 kg); the Clean and Jerk (136.5 kg) and in the Total (237.5 kg). She has set FOURTEEN Canadian records in total and she is the first Canadian woman and third North

American woman in weightlifting history to successfully clean and jerk 300 pounds.

Susanne and her husband, Richard Mason, gave birth to their son in July 2007 and to their daughter in February 2009. They live in Winnipeg, Manitoba with their two dogs and one cat.

### Bruce KIDD

(mandate expired on November 30, 2008)

Bruce Kidd is Professor and Dean of the Faculty of Physical Education and Health at the University of Toronto. He has degrees from the University of Toronto (B.A., Political Economy), the University of Chicago (A.M., Education), and York University (M.A. and Ph.D., History).

Bruce teaches and has written extensively about the history and political economy of Canadian and international sport, including the rights of athletes. He has authored or edited eight books and hundreds of articles, papers, lectures, plays and film and radio scripts. *The Struggle for Canadian Sport* (University of Toronto Press, 1996), which recaptures the efforts of sport leaders in Canada in the Period between the First and Second World War, won the Book Prize of the North American Society for Sport History in 1997. His most recent book, co-edited with Jim Phillips, *From Enforcement and Prevention to Civic Engagement: Research on Community Safety* (Toronto: Centre of Criminology, University of Toronto, 2004) grew out of his work on sport and social development.

Bruce has served on numerous boards of local, national and international bodies dealing with sport, including the International Council of Sport Sciences and Physical Education, the International Campaign Against Apartheid Sport, the Stadium Corporation of Ontario, and WomenSport International. He is a member of the Commonwealth Advisory Body on Sport, chairs the International Development through Sport Committee of Commonwealth Games Canada, and serves as Vice-Chair of the Sport Dispute Resolution Centre of Canada, created by the Physical Activity and Sport Act of 2003. He is a member of the Leadership Group of the City of Toronto's Call to Action on Physical Activity.

Bruce has been involved in the Olympic Movement throughout his life. He has participated in the Games as an athlete (track and field, 1964), journalist (1976), contributor to the arts and culture programs (1976 and 1988) and accredited social scientist (1988 and 2000).

As an athlete, Bruce was twice elected Canada's Male Athlete of the Year by Canadian Press (1961 and 1962). He is a member of the Canada's Sports Hall of Fame, the Canadian Olympic Hall of Fame (as both an athlete and a builder) and the University of Toronto Sports Hall of Fame. In 2005, he was awarded the Canadian Olympic Order.

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In his career as a track and field athlete, Bruce held four world junior records, won 18 national championships and set numerous records in Canada, the United States and Great Britain, one of which—the Canadian junior men's record for 5,000 metres—still stands after 44 years. He was a Gold and Bronze Medalist at the 1962 British Commonwealth Games and a member of the 1964 Olympic Team.

In 1997, the Canadian Sports Awards created the Bruce Kidd Award to honour an outstanding national team athlete who has given significant leadership to sports.

In 2004, he was appointed an Officer of the Order of Canada. In 2006, he was given a Lifetime Achievement Award by the Commonwealth Sports Awards Foundation.

## Clayton A. MILLER

Clayton Miller lives in Kelowna BC where he practices law and enjoys time with his wife and two young boys.

He attended the University of British Columbia where he obtained undergraduate degrees in Physics and Secondary Education. He obtained his law degree from the University of Saskatchewan and is currently writing his masters thesis in law. His thesis focuses on ethics and professional responsibility.

Clayton has been a member of the National Skeet Shooting team for over 13 years. He attended the Pan American Games in 1999 (bronze medalist) and 2003 (4th place). He attended the Commonwealth Games in 2002 (gold medalist) and 2006 (bronze medalist). He also represented Canada at the Olympic Games in 1996.

Clayton is active in the politics of sport in Canada. He currently is a member of the Board of Directors of the Shooting Federation of Canada, is a member of the Canadian Olympic Committee and was an athlete representative to the board of directors of Canadian Sport Centre Saskatchewan for 2005 and 2006.

## Aimable NDEJURU

Aimable Ndejuru was Commissioner of the Canadian Human Rights Commission. His experience in Human Rights spans over 20 years, 12 of which were spent as Commissioner at the Immigration and Refugee Board of Canada (IRB). Since ending his term as Commissioner at the IRB, Aimable has worked as a Special Counselor in professional development, acting as a mentor to the Commission. Continuous training and participation in various Human Rights seminars have helped Aimable carry out his functions.

Aimable holds a joint Ph.D. in Sport Science and Anthropology from the University of Cologne and the Deutsche Sporthochschule Köln, in Germany. The latter institution had previously awarded

him a State Diploma in Physical Education and Sports, with a specialty in athletics, basketball, wrestling, fencing, boxing, and tennis.

Aimable's professional experience spans three continents. In Africa—Rwanda specifically—he was a sports coach at the National University of Rwanda, the Institut Pédagogique National (IPN), and the Byimana Teacher Training School (École normale de Byimana). His coaching skills helped the University's sports teams and those of the IPN to win Regional Championships in Athletics and Soccer. In Germany, he had the privilege of acting as a guide at the Olympic Games in Munich. He also taught Physical Education and worked as a coach in colleges, particularly in the sports of athletics, basketball, and swimming. In parallel, he has also been working as a tennis coach in private tennis clubs and as a sports journalist and commentator for Radio Deutsche Welle.

In Canada, he was a lecturer and professor at the Department of Kinanthropology at the Université du Québec à Montréal (UQAM). A very active member of the Montreal community, he was one of the founding members of neighbourhood tennis clubs and an organizer of various inter-community tennis competitions. He gave swimming and tennis lessons at the Montreal YMCA, and furthermore provided tennis coaching to children for the city of Montreal as well as tennis lessons to adults in private clubs.

A former cross-country and long distance (5000m and 10 000m) runner, Aimable is still active in tennis and cycling. Married and father of three girls, he is also a grandfather to one boy and one girl.

## Dianne NORMAN

Dianne played with the Canadian National Basketball program from 1987 to 2003. She represented Canada at two Olympics (1996–2000), as well as the World Student Games, Pan Am Games, Jeux de la Francophonie and many other international competitions.

Dianne competed for Laurentian University where she won two national championships and was a four time All-Canadian. She played professionally in Germany, Spain and Switzerland.

Dianne completed a degree in Political Science and Ethics and also holds a Masters of Arts in philosophy from the University of New Brunswick.

Dianne is an experienced public speaker and she has been a part-time lecturer at Dalhousie University and Laurentian University.

Dianne serves on various boards including, Olympians Canada (Atlantic Chapter), Canadian Sport Centre Atlantic and the Sport Dispute Resolution Centre of Canada.

Dianne presently resides in Halifax with her husband and two children, where she runs her own business, Onward Facilitation.

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## APPENDIX A: BIOGRAPHIES

### Gordon E. PETERSON

Gordon Peterson has been a member of the Sport Dispute Resolution Centre (SDRCC) Board of Directors since its establishment in December 2003. Prior to his appointment to the SDRCC Board, Gordon served as a member of the alternative dispute resolution (ADR) Working Group from 2000–01 to examine the feasibility of a dispute resolution system for sport in Canada. Gordon subsequently served as Chair of the ADR Implementation Committee (2001–02) and as Chair of the Steering Committee for ADRsportRED, the predecessor to the SDRCC, while the legislation creating SDRCC was being processed through parliament.

Gordon obtained his Honours B.B.A. from Simon Fraser University (SFU) and both his law (LL.B.) and graduate business (M.B.A.) degrees from The University of Western Ontario (UWO). His business degrees include a concentration in finance at both SFU and the UWO Ivey School of Business and, together with his legal experience, provide him with a solid foundation for decision making for the organizations he has served. Gordon currently practices corporate law (with an emphasis on securities).

A former national team diver, Gordon has a long history of involvement in sport in Canada. He began coaching while still a diver, later gravitating to officiating and sport administration governance as he embarked on his professional career. He is currently a top-level international diving official and judged at many international events, including the World Cup, Pan American Games and Commonwealth Games. He has served as Vice President of the B.C. Provincial Diving Section, President of the Canadian Amateur Diving Association Inc. (now Diving Plongeon Canada) and President of the Aquatic Federation of Canada (the umbrella organization for swimming, diving, water polo and synchronized swimming and a member of the international swimming federation - FINA).

Gordon is also a member of the Board of Directors of the Canadian Olympic Committee (COC) and a COC Vice President. He has been an active participant on a number of COC committees, including as Chair of its Team Selection Committee, Chair of the By-laws Committee, a member of the Compensation Committee and a member of the Audit Committee, as well as serving on a number of COC Task Forces, such as the COC Task Force on High Performance Sport.

In addition to his governance roles, Gordon has also adjudicated numerous disputes and appeals in sport, both at the local, national and international level. He currently is a member of the FINA Doping Panel which hears doping cases for international level athletes in the aquatic sports.

He lives in London, Ontario with his wife and has two adult children.

### Tamar PICHETTE

(mandate expired on November 30, 2008)

Tamar Pichette has been a member of the Sport Dispute Resolution Centre (SDRCC) Board of Directors between December 2003 and November 2008. She is a lawyer with ten years experience in commercial litigation, including alternative dispute resolution. She was previously a consultant for the Quebec Tae Kwon do Association, and has held positions as assistant soccer coach - boys house league, and as a trainer for the Lac-St. Louis Intercity Girls' Soccer League.

She has law degrees from Oxford University, England, and Osgoode Hall, Toronto, Ontario, with undergraduate studies at Vassar College, New York, and the London School of Economics, London, England.

Her publications include *The Obligation to Obey Law: a New Theory and an Old Problem*, Osgoode Hall Law Journal.

She is bilingual in French and English and currently resides in Palo Alto, California, with her family.

### Carla QUALTROUGH

Carla Qualtrough is a Vancouver-based human rights lawyer and Paralympic athlete. Carla joined 2010 Legacies Now in August of 2006 as Director of Inclusion and Sport Tourism, and is also the elected President of the Canadian Paralympic Committee. Carla is responsible for developing a strategy for making the 2010 Olympic and Paralympic Games a true celebration of diversity and inclusion. Her focus will be on leveraging the opportunity provided by hosting the 2010 Games to address inequity and advance social policy objectives, particularly as they relate to traditionally marginalized and disadvantaged groups.

Carla comes from a unique background in the areas of human rights and sport policy. Carla has acted as legal counsel for both the BC Human Rights Tribunal and the Canadian Human Rights Commission (CHRC). In addition to her duties as a litigator with both organizations, she acted as lead counsel and primary presenter for the CHRC on a human rights mission to India to discuss the area of disability rights and the legal definition of "disability". On the sport policy side, in 2005 Carla acted as Senior Advisor to the Parliamentary Secretary (Sport) to the Prime Minister, where she was responsible for researching and drafting the Report to the Prime Minister on the advisability of the creation of a full Ministry of Physical Activity and Sport for Canada. Prior to that, she served as the Senior Policy Advisor to the former Secretary of State (Physical Activity and Sport), as well as Special Advisor to the Director General of Sport Canada. As Senior Policy Advisor, her responsibility was to provide overall strategic political advice and policy direction in all matters related to sport and physical activity in Canada. Her passion for fairness and equity led her to oversee the creation

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of a national alternative dispute resolution system for sport, as well to manage the strategic development of programs and policies aimed at reducing barriers to and increasing participation of traditionally under-represented groups within the Canadian sport system, which included the development of an Aboriginal sport policy; the development of a Strategy for Women and Girls in Sport; and the creation of a Work Group for Persons with a Disability in Sport.

Carla regularly conducts workshops and makes presentations in the areas of governance, equity and inclusion, and effective decision-making. She volunteers in a number of capacities within the Canadian and international sport systems, including the Canadian Olympic Committee, Commonwealth Games Canada, and the International Paralympic Committee. She recently received a federal ministerial appointment to the Board of the Sport Dispute Resolution Centre of Canada.

Carla competed nationally for 8 years and internationally for 7 years in the sport of swimming, including the Paralympics in Seoul 1988 (1 bronze), the World Championships in Assen, Holland in 1990 (2 silver, 2 bronze), and the Paralympics in Barcelona 1992 (2 bronze).

## **Steven SUGAR**

(mandate expired on November 30, 2008)

Steven Sugar, ChPC, has been a member of the Sport Dispute Resolution Centre (SDRCC) Board of Directors between December 2003 and November 2008. He was elected as non-officer board member for the Canadian Olympic Committee in March 2009. He has worked as a full-time figure skating coach for all athletes from new skaters to high performance, as well as professionals for more than 35 years. He has more than 25 years experience delivering Skate Canada and NCCP Courses to coaches since the inception of the NCCP. Steven is a master learning facilitator for Skate Canada.

Steven serves as president of Coaches of Canada, an organization that represents the profession of coaching across the country and seeks to advance the contribution coaches make to individuals, teams, communities and society. He is also board member of many sports organizations, including the Coaching Association of Canada and the Coaching Association of Ontario. Steven is a past director of Skate Canada.

Steven was appointed by Canada's Secretary of State (Amateur Sport) as a member of the Coaching Implementation Group, to outline the role of governments for national, provincial and territorial sport federations, and to each institution involved in the training of coaches.

Steven is a writer/reviewer of the Skate Canada Coaching Manuals. As a Skate Canada club service delivery consultant, he visited more than 75 clubs in eight provinces to provide an assessment of how club programming, coaching and

administration related to national standards, and how to optimize the delivery of Skate Canada programming to its members.

He also works as a change consultant, assisting and inspiring clients to excel in a rapidly evolving environment.

## **Marie-Claude ASSELIN**

Marie-Claude Asselin is the Executive Director and Chief Executive Officer of the Sport Dispute Resolution Centre of Canada since April 2007. She holds bachelor and master's degrees in Physical Activity Sciences from Université Laval and is pursuing a doctoral degree in Sociology. She possesses a multi-faceted perspective of amateur sport with 28 years of experience as athlete, coach, official, administrator, and volunteer.

Before joining the SDRCC, Marie-Claude was Manager of Education at the World Anti-Doping Agency (WADA), where she was responsible for developing doping prevention and education programs. From 1997 to 2002, while employed by the Canadian Olympic Committee, she held responsibilities in Games management, in high performance services and in athlete services.

In addition to having taught undergraduate courses at the university level, Marie-Claude is an experienced public speaker. She presented at numerous symposia, workshops and conferences in Canada, the United States, Australia, and Europe.

She coached ice hockey and basketball at different age categories from toddlers to elite, including three years as assistant coach of the women's basketball team at the University of Waterloo. She was a learning facilitator with the National Coaching Certification Program. Parallel to her coaching career, Marie-Claude was also a basketball referee for 13 years and acted as assignor, instructor, supervisor, and administrator in various local officiating organizations. She is, since October 2006, the leader of the Committee for the development of officials under the aegis of Sports-Québec.

She speaks French, English and Spanish, and resides in Saint-Hubert, Québec, with her husband and three children.

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## APPENDIX A: BIOGRAPHIES

### SDRCC PERSONNEL

#### **Fredy IUNI**

(Education and Communication Coordinator)

Fredy holds a Masters Degree from the Graduate Division of Educational Research with a specialization in Educational Technology from the University of Calgary.

Fredy worked in the Sport Technology Research Laboratory at the University of Calgary as part of a team that developed both multimedia and online programs on stretching and flexibility, working out in the gym, lacrosse, F.I.T. Breaks and other projects in various capacities.

Fredy also holds a Bachelors Degree in Psychology from York University.

#### **Nathalie LABELLE**

(Executive Assistant)

Nathalie is responsible for case management and administration, administrative project development and file management in accounting and human resources.

She has more than 20 years of experience as an executive assistant in both private and public companies. Nathalie also has extensive expertise in event management for general annual meetings and board meetings.

Nathalie was also responsible for leading a team in a recent Canadian Cancer Society fundraiser.

#### **Émilie BRISSON**

(Administrative assistant)

Émilie is responsible for the coordination of corporate affairs and for assisting with the case management in the Dispute Resolution Secretariat.

Holding degrees in literature and journalism, Émilie possesses an extensive experience in writing, revision, and correction. She also has ten years of experience as assistant in various fields.

Émilie will also obtain a degree in communications/public relations in the fall of 2009.

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# APPENDIX B

## SDRCC CORPORATE PLAN FOR THE 2008–2009 PERIOD

### INTRODUCTION

#### THE CANADIAN SPORT POLICY

The Canadian Sport Policy identifies four substantive goals: enhanced participation, enhanced excellence, enhanced capacity, and enhanced interaction.

Enhanced participation and enhanced excellence target the expansion of the capacity of individuals, communities, and institutions, as well as the financial and material resources that comprise Canada's sport system.

Enhanced capacity focuses on ensuring that the essential components of an ethically based, athlete/participant-centred development system are in place and are being continually modernized and strengthened as required.

The Canadian Sport Policy focuses government efforts on identifying and strengthening the weak links in the Canadian sport system at the national, provincial/territorial and community levels in order to maximize its effectiveness.

*An Act to Promote Physical Activity and Sport* S.C. 2003 C-2 (the "Act") received Royal Assent on March 19, 2003. The Act sets out the Government's policy on sport as including the fair, equitable, transparent and timely resolution of disputes in sport. The Act provided for the creation of the Sport Dispute Resolution Centre of Canada (the "SDRCC"). The SDRCC opened on April 1, 2004.

#### MISSION STATEMENT

In keeping with the goals of the Canadian Sport Policy and in accordance with the Act, the mission of the SDRCC is to provide the sport community with a national service for the prevention and resolution of sport disputes as well as expertise and assistance regarding alternative dispute resolution.

#### REPORT ON ACTIVITIES FOR 2007–2008

The fiscal year 2007–2008 saw the implementation of several important changes, including the appointment by the Minister of five new members to the Board of Directors in July 2007.

A new Executive Director and Chief Executive Officer was hired, and the beginning of her mandate coincided with the beginning of the fiscal year. Two new permanent staff members were also

hired in November 2007 to assist the Executive Director in the operations of the Dispute Resolution Secretariat and of the Dispute Prevention Resource Centre.

During 2007–2008, the SDRCC managed an increased number of cases compared to 2006–2007. As of March 1<sup>st</sup> 2008, the SDRCC handled over 34 disputes dealing with issues such as team selection, athlete carding, disciplinary and anti-doping issues. A database was designed to improve and facilitate case management in the Dispute Resolution Secretariat. The SDRCC also facilitated several workshops to educate the sport community about dispute prevention.

The SDRCC adopted a new logo and new corporate image, and launched a new website that is user-friendly and easy to navigate. After importing updated content on dispute resolution from the previous website, new thematic sections were added to provide more information and resources for the prevention of sports-related dispute.

The office of the SDRCC was relocated to the heart of Montreal's business district and offers a larger mediation and arbitration facility as well as accessibility to its collection of dispute prevention and resolution publications for on-site consultation.

Those important changes have set the tone for a renewed long-term strategy that will prioritize education and dispute prevention for the creation of a culture of fairness in the Canadian sport system. A strategic planning retreat was held in November 2007 to develop a multi-year strategy for the SDRCC.

#### MAJOR OBJECTIVES AND INITIATIVES

The SDRCC's priorities for the 2008–2009 fiscal year include: (i) promoting the use of resolution facilitation and mediation in sports-related disputes and to prevent sports-related disputes; (ii) enhancing interaction with the Canadian sport community through long-term and project-based partnerships; (iii) educating the sport community, particularly NSOs, about best practices aimed at creating a culture of fairness; (iv) revising and implementing amendments to the Code of procedure (the "Code") in light of the new Canadian Anti-Doping Program which is scheduled to take effect January 1, 2009; (v) training arbitrators on the anti-doping rule changes; and (vi) expanding reach of dispute resolution services to provincial sports organizations through a fee-for-service program.

### BACKGROUND AND GOVERNANCE

#### SDRCC GOVERNING LEGISLATION

The Act established the SDRCC as a not-for-profit corporation and outlines its structure, mission, powers and rules of operation. Given the intention to make the SDRCC arm's length from government, the legislation states that the SDRCC is not an agent of Her Majesty, a departmental corporation or a Crown corporation.

#### ORGANIZATIONAL STRUCTURE

The Act specifies that the SDRCC shall be composed of a Dispute Resolution Secretariat ("Secretariat") and a Resource Centre, but leaves it to the SDRCC to define its mandate, duties and functions to ensure that it is responsive to the evolving needs of the sport community in order to better enhance capacity in the Canadian sport community.

Pursuant to the Act, the affairs and business of the SDRCC are managed by a Board of Directors consisting of the Executive Director of the SDRCC, who is an ex officio director, and 12 other directors. In December 2003, the Minister appointed the directors after consultation with the sport community. The guidelines cited in the Act provided for a Board comprised of men and women who: (a) are committed to the promotion and development of sport; (b) have the experience and capability to enable the SDRCC to achieve its objectives; (c) are representative of the sport community; and (d) are representative of the diversity and linguistic duality of Canadian society. On July 13, 2007, the Minister appointed 5 new members to the Board of Directors.

The Executive Director is the SDRCC's Chief Executive Officer. The full-time CEO is charged with the fulfillment of the objectives and mission of the SDRCC, including spearheading the projects, programs, and services offered by the SDRCC and overseeing their successful delivery across Canada. The CEO and staff coordinate activities and projects to further the objectives of the SDRCC and provide the mandated services for the SDRCC's stakeholders.

The Dispute Secretariat and the Resource Centre are managed internally by the staff of the SDRCC.

The Board reviews and revises as necessary the management of both the Secretariat and the Resource Centre during the course of the fiscal year in order to best serve the needs of the sport community.

#### THE MEMBERS OF THE BOARD OF DIRECTORS DURING THE 2007–2008 FISCAL YEAR WERE:

- Anne Benedetti (appointed on July 13, 2007)
- Alexandre Charbonneau (appointed on July 13, 2007)
- Susanne Dandenault
- Bruce Kidd
- Clayton Miller (appointed on July 13, 2007)
- Aimable Ndejuru (appointed on July 13, 2007)
- Dianne Norman
- Gordon Peterson
- Tamar Pichette
- Carla Qualtrough (appointed on July 13, 2007)
- Allan J. Stitt (Chairperson of the Board of Directors)
- Steven Sugar
- Marie-Claude Asselin (*ex-officio*)

#### THE STAFF MEMBERS AT THE SDRCC WERE:

- Marie-Claude Asselin, Executive Director and Chief Executive Officer
- Nathalie C. Labelle, Executive Assistant (from November 2007)
- Fredy M. Luni, Education and Communication Coordinator (from November 2007)
- Danielle Comeau, (consultant) Bookkeeper
- Louise Storelli (Executive Assistant, resigned in November 2007)
- Johanne Poirier (Administrative Coordinator, resigned in November 2007)

BDO Dunwoody, Chartered Accountants, were appointed by the Board of Directors as the independent auditor.

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**THE ARBITRATORS AND MEDIATORS BY PROVINCE  
FOR 2008–2009 ARE AS FOLLOWS:**

**NOVA SCOTIA**

Peter J. Mackeigan (Mediator/Arbitrator)  
The Honourable Stewart McInnes (Mediator/Arbitrator)

**QUEBEC**

Patrice M. Brunet (Arbitrator)  
Jean-Guy Clément (Arbitrator)  
Stephen L. Drymer (Mediator/Arbitrator)  
L. Yves Fortier (Arbitrator)  
The Honourable Paule Gauthier (Mediator/Arbitrator)  
The Honourable Benjamin J. Greenberg (Arbitrator)  
The Honourable Marc Lalonde (Arbitrator)  
Richard W. Pound (Arbitrator)  
Bernard A. Roy (Arbitrator)

**MANITOBA**

James W. Hedley (Arbitrator)

**ALBERTA**

Roger Gunn (Mediator)  
Ian R. MacDonald (Mediator)  
Anton M.S. Melnyk (Mediator/Arbitrator)  
Deborah Sword (Mediator/Arbitrator)  
John Harrison Welbourn (Arbitrator)

**YUKON**

Joie Quarton (Mediator/Arbitrator)

**ONTARIO**

Greg Ambrozic (Mediator)  
Larry Banack (Mediator/Arbitrator)  
David Bennett (Mediator)  
The Honourable John Watson Brooke (Arbitrator)  
Kevin M. Burkett (Mediator/Arbitrator)  
Kileen Dagg Centurione (Mediator)  
Jane H. Devlin (Mediator/Arbitrator)  
James E. Doyle (Arbitrator)  
Ross C. Dumoulin (Arbitrator)  
Lyon Gilbert (Mediator)  
Paul-Denis Godin (Mediator)  
Kathleen J. Kelly (Mediator/Arbitrator)  
Bunny McFarlane (Mediator)  
Richard H. McLaren (Arbitrator)  
Graeme Mew (Mediator/Arbitrator)  
Henri Pallard (Arbitrator)  
Michel G. Picher (Mediator/Arbitrator)  
Ed Ratushny (Arbitrator)  
George W. Taylor (Mediator)

**BRITISH-COLUMBIA**

Barbara Cornish (Mediator/Arbitrator)  
Carol Roberts (Arbitrator)  
John P. Sanderson (Mediator/Arbitrator)  
Tricia C. M. Smith (Arbitrator)

## MULTI-YEAR STRATEGY AND OBJECTIVES FOR 2008–2009

### LONG-TERM OBJECTIVES 2008–2012

The SDRCC's long-term (4-year) strategies were based on the objectives of the Canadian Sport Policy: participation, excellence, capacity and enhanced interaction in sport, as well as the SDRCC's mission to provide a national alternative resolution service for sport disputes.

#### a) Excellence and Expertise

Enhance excellence in the Canadian sport system by strengthening the culture of fairness through education and dispute prevention initiatives and by providing world-class resolution facilitation, mediation and arbitration services to resolve sports-related disputes.

#### b) Participation

Enhance the accessibility and inclusiveness of the Canadian sport system by strengthening the capacity of leaders and decision makers to make fair and impartial decisions and by providing ADR services and SDRCC resources across Canada in both official languages.

#### c) Resources

Strengthen the capacity of leaders and participants in the Canadian sport system to develop and implement sound policies that will reduce the risk of disputes and to acquire the knowledge and skills to deal with internal disputes more efficiently. Develop within the SDRCC the service and resource structure required to offer an optimal alternative sport dispute resolution service to the sport community.

#### d) Enhanced Interaction

Create and foster harmonious relationships with members of the sport community. Enhance existing partnerships and create new ones in order to share expertise and maximize the impact of our respective resources.

#### e) Sound, Effective Management

Operate and administer a balanced, effective, transparent, and responsible organization that demonstrates leadership in its respect for governance, management and human values.

### OBJECTIVES AND PLANNED INITIATIVES FOR 2008–2009

#### Projected Activities for 2008–2009

The projected activities for 2008–2009 will ensure that the two core elements of the SDRCC services, the Dispute Prevention Resource Centre and the Dispute Resolution Secretariat, are maintained and improved.

The objective of the Dispute Prevention Resource Centre is to provide information and tools to assist members of the sport community in preventing disputes and to increase the NSOs' capacity to handle disputes that cannot be prevented. The Dispute Prevention Resource Centre offers a database of arbitration decisions as well as publications and other resources to educate the sport community with respect to best practices in policy writing and in decision making. Through its Dispute Prevention Resource Centre, the SDRCC will also offer tailored awareness and outreach activities such as meetings with key NSO representatives and dispute prevention workshops for key members of the sport community.

The Dispute Resolution Secretariat will continue to offer world-class resolution facilitation, mediation, med/arb and arbitration services when disputes do arise. With the upcoming 2008 Olympic and Paralympic Games in Beijing and an anticipated increase in the number of doping cases, the projected annual caseload for the SDRCC is over 50 cases for 2008–2009. In addition, the Dispute Resolution Secretariat may also be used to provide dispute resolution services to non-funded organizations as part of the SDRCC's plan to establish a fee-for-service program.

#### Clientele

The Sport Canada accountability framework requires all NSOs and MSOs to have an internal dispute resolution mechanism. If not resolved internally, disputes with respect to national team athletes and coaches will be administrated by the SDRCC.

The services rendered by the SDRCC may additionally be offered for other matters on a consensual basis. All NSOs and anyone affiliated with a NSO, including its members, may agree to refer a dispute to the SDRCC and benefit from the SDRCC's services, provided they meet the admissibility criteria adopted by the SDRCC.

Where other sport organizations and their members request access to the SDRCC's services, the Board may, under certain conditions, grant access to the SDRCC.

### Objectives 2008–2009

Enhance excellence in sport by improving the sport system through the prevention or reduction of sports-related disputes, thus creating a culture of fairness in the Canadian sport system.

Initiatives:

- Implement the amendments to the Code as necessary in light of the new Canadian Anti-Doping Program scheduled to take effect on January 1, 2009
- Continue to promote the use of resolution facilitation and mediation to prevent and resolve sports-related disputes
- Improve the knowledge base of the SDRCC by training staff
- Further educate the mediators and arbitrators, including the training of arbitrators on the new anti-doping rule changes
- Develop a plan for a fee-for-service program to serve provincial sports organizations and their members in dispute prevention and dispute resolution

Strengthen the capacity of our sport community leaders and participants by creating a positive culture of fairness.

Initiatives:

- Enhance interaction with the Canadian sport community through the creation and consolidation of long-term and project-based partnerships
- Educate the sport community, particularly the NSOs, about best practices aimed at creating a culture of fairness
- Develop innovative and tailored education and dispute prevention programs for all members of the Canadian sport community

Operate and manage an organization promoting excellence and transparency.

Initiatives:

- Develop and implement transparent and responsible management and governance policies
- Manage all sports-related disputes in a fair and efficient manner
- Ensure that SDRCC policies comply with the Act, its by-laws and agreements

## BUDGET 2008–2009

The total proposed budget for this Period is \$937,500 broken down as follows:

ADMINISTRATION	176,000
OFFICIAL LANGUAGES	45,000
OPERATIONS	385,500
HUMAN RESOURCES	331,000
TOTAL EXPENSES	937,500
REVENUES	2,500
FUNDING FROM SPORT CANADA	935,000

### FUNDING BLOCKS

Administration:	(19%)	176,000
Official Languages:	( 5%)	45,000
Operations:	(41%)	385,500
Human Resources:	(35%)	331,000

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# APPENDIX C

## COMMITTEES OF THE SDRCC 2008–2009

Allan Stitt is a member of all committees except the Audit Committee.  
Marie-Claude Asselin is an *ex-officio* member of all committees.

### EXECUTIVE

Allan Stitt (Chair)  
Anne Benedetti  
Bruce Kidd  
(mandate expired on  
November 30, 2008)  
Dianne Norman  
Carla Qualtrough  
Marie-Claude Asselin

### AUDIT

Steven Sugar (Chair -  
mandate expired on  
November 30, 2008)  
Dianne Norman (Chair -  
as of December 1, 2008)  
Alexandre Charbonneau  
Bruce Kidd  
(mandate expired on  
November 30, 2008)  
Clayton Miller  
Marie-Claude Asselin

### CODE REVISION

Allan Stitt (Chair)  
Anne Benedetti  
Clayton Miller  
Gordon Peterson  
Marie-Claude Asselin

### COMPLAINTS

Tamar Pichette (Chair -  
mandate expired on  
November 30, 2008)  
Clayton Miller (Chair -  
as of December 1, 2008)  
Alexandre Charbonneau  
Dianne Norman  
Allan Stitt  
Marie-Claude Asselin

### COMPLIANCE

Tamar Pichette (Chair -  
mandate expired on  
November 30, 2008)  
Carla Qualtrough (Chair -  
as of December 1, 2008)  
Alexandre Charbonneau  
Susanne Dandenault  
(mandate expired on  
November 30, 2008)  
Gordon Peterson  
Allan Stitt  
Marie-Claude Asselin

### EXPANSION

Carla Qualtrough (Chair)  
Anne Benedetti  
Bruce Kidd  
(mandate expired on  
November 30, 2008)  
Clayton Miller  
Dianne Norman  
Allan Stitt  
Marie-Claude Asselin

### HUMAN RESOURCES

Bruce Kidd (Chair -  
mandate expired on  
November 30, 2008)  
Alexandre Charbonneau (Chair -  
as of December 1, 2008)  
Anne Benedetti  
Aimable Ndejuru  
Allan Stitt  
Steven Sugar  
(mandate expired on  
November 30, 2008)  
Marie-Claude Asselin

### PARTNERSHIP, EDUCATION AND COMMUNICATION

Anne Benedetti (Chair)  
Bruce Kidd  
(mandate expired on  
November 30, 2008)  
Aimable Ndejuru  
Gordon Peterson  
Carla Qualtrough  
Allan Stitt  
Steven Sugar  
(mandate expired on  
November 30, 2008)  
Marie-Claude Asselin

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# APPENDIX D

## AUDITORS' REPORT FOR THE 2008–2009 FISCAL YEAR

### Sport Dispute Resolution Centre of Canada Financial Statements For the year ended March 31, 2009

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#### Auditors' Report

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Statement of Financial Position

Statement of Revenue and Expenditures

Statement of Changes in Net Assets

Statement of Cash Flows

Notes to Financial Statements



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## Auditors' Report

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### To the Directors of Sport Dispute Resolution Centre of Canada

We have audited the statement of financial position of the Sport Dispute Resolution Centre of Canada as at March 31, 2009 and the statements of revenue and expenditures, changes in net assets and cash flows for the year then ended. These financial statements are the responsibility of the organization's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the organization as at March 31, 2009 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

*BDO Dunwoody LLP*

Chartered Accountants

Montréal, Québec  
June 8, 2009

CA auditor permit No. 10589

***BDO Dunwoody s.r.l./S.E.N.C.R.L. est une société en nom collectif à responsabilité limitée constituée en Ontario***  
***BDO Dunwoody LLP is a Limited Liability Partnership registered in Ontario***

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**Sport Dispute Resolution Centre of Canada  
Statement of Financial Position**

March 31	2009	2008
<b>Assets</b>		
<b>Current</b>		
Cash	\$ 92,179	\$ 116,662
Sales taxes receivable	21,478	20,500
Prepaid expenses	12,246	11,427
	125,903	148,589
<b>Capital assets (Note 4)</b>	<b>19,563</b>	<b>25,385</b>
	<b>\$ 145,466</b>	<b>\$ 173,974</b>
<b>Liabilities and Net Assets</b>		
<b>Current</b>		
Accounts payable and accrued liabilities	\$ 107,796	\$ 84,680
Contribution payable (Note 5)	1,869	62,626
	109,665	147,306
<b>Net assets</b>		
Invested in capital assets	19,563	25,385
Unrestricted	16,238	1,283
	35,801	26,668
	<b>\$ 145,466</b>	<b>\$ 173,974</b>

On behalf of the Board

\_\_\_\_\_ Director

\_\_\_\_\_ Director

## Sport Dispute Resolution Centre of Canada Statement of Revenue and Expenditures

For the year ended March 31	2009	2008
<b>Revenue</b>		
Contribution (Note 5)	\$ 775,828	\$ 810,000
Other revenue	6,508	2,690
Reimbursement of excess contribution (Note 5)	(24,316)	(131,495)
	<u>758,020</u>	<u>681,195</u>
<b>Expenditures</b>		
General and administrative		
Professional fees	49,827	50,053
Rent	39,913	37,766
Promotion and communications	29,307	51,197
Meeting	14,948	16,688
Traveling expenses	11,008	12,859
Office expenses	9,852	15,326
Telephone and telecommunications	9,472	11,561
Insurance	8,987	14,561
Meals and entertainment	7,064	4,258
Amortization	5,702	8,363
Bank charges and interest	996	1,051
Loss on disposal of capital assets	98	1,283
Dues and subscription	-	638
	<u>187,174</u>	<u>225,604</u>
Human resources		
Salaries and benefits	245,207	211,849
Training	6,467	15,243
Professional fees	-	1,715
	<u>251,674</u>	<u>228,807</u>
Official languages		
Translation of decisions	29,976	26,191
Translation of documents	6,308	13,026
	<u>36,284</u>	<u>39,217</u>
Operations		
Case fees	172,794	179,726
Training of arbitrators and mediators	58,741	(93)
Education expenses	42,220	12,960
	<u>273,755</u>	<u>192,593</u>
<b>Excess (deficiency) of revenue over expenditures for the year (Note 5)</b>	<b>\$ 9,133</b>	<b>\$ (5,026)</b>

The accompanying notes are an integral part of these financial statements.

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## Sport Dispute Resolution Centre of Canada Statement of Changes in Net Assets

<b>For the year ended March 31</b>			<b>2009</b>	<b>2008</b>
	<b>Invested in Capital Assets</b>	<b>Unrestricted</b>	<b>Total</b>	<b>Total</b>
<b>Balance</b> , beginning of year	\$ 25,385	\$ 1,283	\$ 26,668	\$ 31,694
<b>(Deficiency) excess of revenue over expenditures for the year</b>	(5,800)	14,933	9,133	(5,026)
<b>Investment in capital assets</b>	(22)	22	-	-
<b>Balance</b> , end of year	\$ 19,563	\$ 16,238	\$ 35,801	\$ 26,668

The accompanying notes are an integral part of these financial statements.

## Sport Dispute Resolution Centre of Canada Statement of Cash Flows

<b>For the year ended March 31</b>	<b>2009</b>	<b>2008</b>
<b>Cash flows from operating activities</b>		
Excess (deficiency) of revenue over expenditures for the year	\$ 9,133	\$ (5,026)
Items not involving cash		
Amortization of capital assets	5,702	8,363
Loss on disposal of capital assets	98	1,283
	<u>14,933</u>	4,620
Changes in non-cash working capital balances		
Prepaid expenses	(819)	1,352
Sales taxes receivable	(978)	8,318
Accounts payable and accrued liabilities	23,116	(50,181)
Contribution payable	(60,757)	133,569
	<u>(24,505)</u>	97,678
<b>Cash flows from investing activities</b>		
Purchase of capital assets	(1,178)	(3,337)
Proceeds on sale of capital assets	1,200	-
	<u>22</u>	(3,337)
<b>(Decrease) increase in cash during the year</b>	<b>(24,483)</b>	<b>94,341</b>
<b>Cash, beginning of year</b>	<b>116,662</b>	<b>22,321</b>
<b>Cash, end of year</b>	<b>\$ 92,179</b>	<b>\$ 116,662</b>

The accompanying notes are an integral part of these financial statements.

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# Sport Dispute Resolution Centre of Canada

## Notes to Financial Statements

March 31, 2009

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### 1. General Information

Sport Dispute Resolution Centre of Canada ("SDRCC") was incorporated under the *Physical Activity and Sport Act* of Canada (Bill C-12) on March 19, 2003 as a non-for-profit corporation without share capital and without pecuniary gain to its members.

SDRCC may be designated under the following names:

In French - Centre de règlement des différends sportifs du Canada  
In English - Sport Dispute Resolution Centre of Canada

#### Mission of SDRCC

The mission of SDRCC is to provide to the sport community a national alternative dispute resolution service for sport disputes, and expertise and assistance regarding alternative dispute resolution.

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### 2. Significant Accounting Policies

The accounting policies of the organization are in accordance with Canadian generally accepted accounting principles. Outlined below are the policies considered particularly significant:

<b>Revenue Recognition</b>	The organization follows the deferral method of accounting for contributions whereby restricted contributions related to expenses of future periods are deferred and recognized as revenue in the period in which the related expenses are incurred. Restricted contributions are defined as contributions on which stipulations are imposed that satisfy how the resources must be used. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.
<b>Financial Instruments</b>	The organization's financial instruments consist of cash, accounts payable and contribution payable. Unless otherwise noted, it is management's opinion that the organization is not exposed to significant interest, currency or credit risks arising from these financial instruments.
<b>Fair Value of Financial Assets and Liabilities</b>	The following financial assets and liabilities; cash, accounts payable and contribution payable are measured at carrying value since it approximates fair value due to the short-term nature of these financial instruments.

## Sport Dispute Resolution Centre of Canada Notes to Financial Statements

March 31, 2009

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### Financial Instruments Classification

The organization classifies its financial instruments into one of the following categories based on the purpose for which the asset was acquired. The organization's accounting policy for each category is as follows:

#### *Held-for-trading*

This category includes the cash. This asset is carried in the statement of financial position at fair value with changes in fair value recognized in the statement of revenue and expenditures.

#### *Other Financial Liabilities*

This category includes the accounts payable and the contribution payable. These liabilities are initially recognized at fair value and subsequently carried at amortized cost using the effective interest rate method.

Transactions costs for each category are expensed as incurred.

### Use of Estimates

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future.

### Capital Assets

Capital assets are stated at cost less accumulated amortization. Amortization based on the estimated useful life of the asset is calculated as follows:

Office equipment	20% diminishing balance basis
Computer equipment	30% diminishing balance basis

### New Accounting Pronouncements

Recent accounting pronouncements that have been issued but are not yet effective, and have a potential implication for the organization, are as follows:

#### *Financial Statement Concepts*

CICA Handbook Section 1000, Financial Statement Concepts, has been amended to focus on the capitalization of costs that truly meet the definition of an asset and de-emphasizes the matching principle. The revised requirements are effective for annual and interim financial statements relating to fiscal years beginning on or after October 1, 2008. The organization is currently evaluating the impact of the adoption of this change on the disclosure within its financial statements.

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# Sport Dispute Resolution Centre of Canada

## Notes to Financial Statements

March 31, 2009

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### *Financial Statement Presentation by Not-for-Profit Organizations*

Section 4400 has been amended for the treatment of net assets invested in capital assets and for the presentation of revenues and expenses. The new standard is effective for interim and annual financial statements relating to fiscal years beginning on or after January 1, 2009. The organization is currently assessing the impact of the new standard.

### *Disclosure of Related Party Transactions by Not-for-Profit Organizations*

CICA Handbook Section 4460, Disclosure of Related Party Transactions by Not-for-Profit Organizations, has been amended to make the language in Section 4460 consistent with Related Party Transactions, Section 3840. The changes are effective for interim and annual financial statements beginning on or after January 1, 2009. The amendments will have no significant impact on the financial reporting of the organization.

### *Disclosure of Allocated Expenses by Not-for-Profit Organizations*

This new section 4470 establishes disclosure standards for not for-profit organizations that choose to classify their expenses by function and allocate expenses from one function to another. The changes are effective for interim and annual financial statements beginning on or after January 1, 2009. The organization is currently assessing the impact of the new standard.

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### **3. Changes in Accounting Policies**

The organization has adopted the following new Handbook sections issued by the CICA, effective April 1, 2008:

#### *General Standards on Financial Presentation*

CICA Handbook Section 1400, General Standards on Financial Statement Presentation, has been amended to include requirements to assess and disclose an entity's ability to continue as a going concern. The adoption of this new standard did not have any material impact on the financial results.

#### *Capital Management*

Section 1535 establishes standards for disclosing information about an entity's capital and how it is managed. This section describes the disclosures requirements of the entity's objectives, policies and processes for managing capital, the quantitative data relating to what the entity regards as capital, information related to whether the entity has complied with all capital requirements, and, if it has not complied, the consequences of such non-compliance. The disclosure requirements of Section 1535 are stated in Note 7, Capital Management.

## Sport Dispute Resolution Centre of Canada Notes to Financial Statements

**March 31, 2009**

### 4. Capital Assets

	2009		2008	
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Office equipment	\$ 41,052	\$ 25,301	\$ 15,751	\$ 20,576
Computer equipment	23,854	20,042	3,812	4,809
	<b>\$ 64,906</b>	<b>\$ 45,343</b>	<b>\$ 19,563</b>	<b>\$ 25,385</b>

### 5. Government Contributions

During the year, the organization was granted \$847,500 in financial assistance from Sport Canada. As at March 31, 2009, \$775,828 has been received and recorded in the revenues. The contribution receivable for March 2009 has not been received because the organization did not need it. Any amount of contribution in excess of expenses for the current year must be returned. As at March 31, 2009, there is a net balance payable to Sport Canada of \$1,869 which has been recorded in the financial statements.

The reimbursement of excess contribution consists of the following:

	2009	2008
Excess (deficiency) of revenue over expenditures for the year	\$ 9,133	\$ (5,026)
Reimbursement of excess contribution	24,316	131,495
Revenue before adjustment for contribution	33,449	126,469
Other revenue	(13,657)	-
Amortization	5,702	8,363
Capital assets acquisitions for the year	(1,178)	(3,337)
Reimbursement of excess contribution	24,316	131,495
Contribution receivable at year-end	-	(68,869)
Advance on contribution payable	(22,447)	-
Net contribution payable	<b>\$ 1,869</b>	<b>\$ 62,626</b>

The organization is economically dependant on government funding for its financial operations.

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## Sport Dispute Resolution Centre of Canada Notes to Financial Statements

**March 31, 2009**

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### 6. Commitments

The organization has an operating lease for its premises expiring on November 30, 2012.

The minimum annual lease payments for the next four years are as follows:

2010	\$	36,168
2011		36,168
2012		36,168
2013		<u>24,112</u>
	\$	<u>132,616</u>

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### 7. Capital Management

The organization considers its capital to be its net assets, restricted and unrestricted. Its restricted net assets consist of amounts invested in capital assets. No change in the capital management approach occurred since the prior year.

The organization's objectives in managing its capital are to safeguard its ability to continue as a going concern so it can continue to provide to the sport community a national alternative dispute resolution service for sport disputes, and expertise and assistance regarding alternative dispute resolution. Annual budgets are developed and monitored to ensure the organization's capital is maintained at an appropriate level.

The organization is subject to an externally imposed capital requirement as disclosed in Note 5.

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# APPENDIX E

## 2008–2009 STATISTICS ON CASES

### SPORT DISPUTE RESOLUTION CENTRE OF CANADA

### SYNOPSIS OF CASES BEFORE THE **ORDINARY TRIBUNAL** (from April 1, 2008 to March 31, 2009)

FILE NUMBER DIVISION TYPE OF REQUEST	SPORT	TYPE OF DISPUTE	MEMBER FILING THE REQUEST	ARBITRATOR OR MEDIATOR	LENGTH OF PROCEEDINGS	SOLUTION	LEGAL REPRESENTATIVE
SDRCC 07-0066 Ordinary Division Mediation	Wheelchair Basketball	Contract	Athlete	Paul Denis Godin	201 days (December 20, 2007 to July 8, 2008)	Consent / Settlement	Steve Indig (NSO)
SDRCC 08-0074 Ordinary Division Arbitration	Fencing	Selection	Athlete	Stephen L. Drymer	3 days (April 9, 2008 to April 12, 2008)	Appeal allowed	Michael Bardagi (Athlete) Jean M. Alarie Hugo R. Martin (Affected party)
SDRCC08-0075 Ordinary Division Arbitration	Taekwondo	Carding	Athlete	Ross C. Dumoulin	49 days (April 18, 2008 to June 6, 2008)	Appeal denied	
SDRCC 08-0076 Ordinary Division Arbitration	Softball	Selection	NSO	Michel G. Picher	103 days (April 23, 2008 to August 4, 2008)	Appeal denied	Hilary A. Findlay (NSO) Maria Holman (MSO)
SDRCC 08-0077 Ordinary Division Arbitration	Fencing	Selection	Athlete	Richard W. Pound	2 days (April 23, 2008 to April 25, 2008)	Appeal allowed	Michael Bardagi (Athlete) Francis P. Donovan (NSO) Samuel Bergeron (Affected party)
SDRCC 08-0078 Ordinary Division Arbitration	Wrestling	Stay of Execution	Athlete	James E. Doyle	7 days (May 9, 2008 to May 16, 2008)	Appeal denied	Morden C. Lazarus (Athlete)
SDRCC 08-0079 Ordinary Division Arbitration	Alpine Ski	Selection	Athlete	Jane H. Devlin	20 days (May 21, 2008 to June 10, 2008)	Consent / Settlement	Jim Bunting (Athlete) James D. Miles (NSO)
SDRCC 08-0080 Ordinary Division Arbitration	Athletics	Carding	Athlete	Richard W. Pound	36 days (May 27, 2008 to July 2, 2008)	Appeal denied	Daniel Caisse (Athlete) Leanne E. Standryk (NSO) Vanessa Enweani (Affected parties)
SDRCC 08-0081 Ordinary Division Mediation	Alpine Ski	Contract	Athlete	Jane H. Devlin	97 days (May 29, 2008 to September 3, 2008)	Consent / Settlement	Brian Ward James Smellie (Athletes) James D. Miles (NSO)
SDRCC 08-0082 Ordinary Division Arbitration	Taekwondo	Governance	NSO	Richard W. Pound	203 days (May 29, 2008 to December 18, 2008)	Appeal allowed	Norman Rosenbaum (NSO) Lyle Smordin (PSO)
SDRCC 08-0083 Ordinary Division Arbitration	Archery	Selection	Athlete	Patrice M. Brunet	7 days (July 2, 2008 to July 9, 2008)	Appeal allowed	
SDRCC 08-0084 Ordinary Division Arbitration	Para-cycling	Selection	Athlete	Stewart McInnes	2 days (July 3, 2008 to July 5, 2008)	Appeal denied	
SDRCC 08-0085 Ordinary Division Arbitration	Equine	Selection	Athlete	Kathleen J. Kelly	0 day (July 16, 2008 to July 16, 2008)	Appeal denied	Magali Fournier (Athlete) John Curtis (NSO)
SDRCC 08-0086 Ordinary Division Med/Arb	Freestyle Ski	Carding	NSO	N/A	41 days (July 19, 2008 to August 29, 2008)	Request withdrawn	Hilary A. Findlay (NSO)
SDRCC 08-0087 Ordinary Division Med/Arb	Athletics	Eligibility	NSO	Graeme Mew	270 days (July 21, 2008 to April 17, 2009)	Appeal denied	Hilary A. Findlay (MSO)
SDRCC 08-0088 Ordinary Division Arbitration	Equine	Selection	Athlete	Paule Gauthier	1 day (July 21, 2008 to July 22, 2008)	Consent / Settlement	Lawrence Cherrett (Athlete)
SDRCC 08-0089 Ordinary Division Med/Arb	Equine	Selection	Official	N/A	5 days (August 1, 2008 to August 6, 2008)	Request withdrawn	

SPORT DISPUTE RESOLUTION CENTRE OF CANADA (*continued*)  
**SYNOPSIS OF CASES BEFORE THE ORDINARY TRIBUNAL (from April 1, 2008 to March 31, 2009)**

FILE NUMBER DIVISION TYPE OF REQUEST	SPORT	TYPE OF DISPUTE	MEMBER FILING THE REQUEST	ARBITRATOR OR MEDIATOR	LENGTH OF PROCEEDINGS	SOLUTION	LEGAL REPRESENTATIVE
SDRCC 08-0090 Ordinary Division Mediation	Athletics	Other	Athlete	N/A	11 days (August 2, 2008 to August 13, 2008)	Request withdrawn	
SDRCC 08-0091 Ordinary Division Arbitration	Racquetball	Selection	Athlete	Larry Banack	62 days (August 8, 2008 to October 9, 2008)	Appeal denied	
SDRCC 08-0092 Ordinary Division Med/Arb	Biathlon	Carding	Athlete	Graeme Mew	56 days (August 19, 2008 to October 14, 2008)	Consent / Settlement	
SDRCC 08-0093 Ordinary Division Arbitration	Karate	Eligibility	Athlete	Paule Gauthier	33 days (September 3, 2008 to October 6, 2008)	Consent / Settlement	Leanne Standryk (NSO)
SDRCC 08-0094 Ordinary Division Med/Arb	Snowboard	Carding	Athlete	John P. Sanderson	37 days (September 29, 2008 to November 5, 2008)	Consent / Settlement	
SDRCC 08-0095 Ordinary Division Arbitration	Figure Skating	Eligibility	Athlete	Richard W. Pound	1 day (December 5, 2008 to December 6, 2008)	Consent / Settlement	Michael A. Smith (Athlete) Daphne Fedoruk (NSO)
SDRCC 08-0096 Ordinary Division Med/Arb	Weightlifting	Selection	Athlete	Paule Gauthier	13 days (December 10, 2008 to December 23, 2008)	Consent / Settlement	Marc Legros (NSO)
SDRCC 08-0097 Ordinary Division Arbitration	Alpine Ski	Contract	Athlete	N/A	40 days (December 11, 2008 to January 20, 2009)	Request withdrawn	James Bunting (Athlete) James D. Miles (NSO)
SDRCC 08-0098 Ordinary Division Arbitration	Athletics	Carding	Athlete	Marc Lalonde	167 days (December 12, 2008 to May 28, 2009)	Consent / Settlement	Timothy Danson (Athlete) Rob Lonergan (NSO) Michael Bardagi (Affected party)
SDRCC 09-0099 Ordinary Division Arbitration	Bowls	Discipline	Athlete	Richard W. Pound	61 days (January 29, 2009 to March 31, 2009)	Appeal allowed	
SDRCC 09-0100 Ordinary Division Arbitration	Weightlifting	Selection	Official	Michel G. Picher	30 days (February 4, 2009 to March 6, 2009)	Appeal denied	
SDRCC 09-0101 Ordinary Division Med/Arb	Weightlifting	Selection	Official	Michel G. Picher	43 days (February 4, 2009 to March 19, 2009)	Appeal allowed	
SDRCC 09-0102 Ordinary Division Med/Arb	Hockey	Eligibility	Athlete	Larry Banack	34 days (February 6, 2009 to March 12, 2009)	Appeal denied	
SDRCC 09-0103 Ordinary Division Med/Arb	Soccer	Discipline	College	Michel G. Picher	37 days (March 9, 2009 to April 15, 2009)	Consent / Settlement	Hugh Christie (Claimant) Matthew Cohen (MSO)
SDRCC 09-0104 Ordinary Division Arbitration	Bowls	Stay of Execution	NSO	Richard W. Pound	22 days (March 9, 2009 to March 31, 2009)	Appeal denied	Steve Indig (NSO)

## APPENDIX E: 2008–2009 STATISTICS ON CASES

### SPORT DISPUTE RESOLUTION CENTRE OF CANADA SYNOPSIS OF CASES BEFORE THE **DOPING TRIBUNAL** (from April 1, 2008 to March 31, 2009)

FILE NUMBER DIVISION TYPE OF REQUEST	SPORT	MEMBER FILING THE REQUEST	ARBITRATOR OR MEDIATOR	LENGTH OF PROCEEDINGS	WAIVER OR DECISION	LEGAL REPRESENTATIVE
SDRCC DT 08-0080 Doping Tribunal Arbitration	Football	Athlete		3 days (June 20, 2008 to June 23, 2008)	Waiver	
SDRCC DT 08-0081 Doping Tribunal Arbitration	Wheelchair Rugby	Athlete		5 days (June 26, 2008 to July 1, 2008)	Waiver	
SDRCC DT 08-0082 Doping Tribunal Arbitration	Football	Athlete		22 days (July 8, 2008 to July 30, 2008)	Waiver	
SDRCC DT 08-0083 Doping Tribunal Arbitration	Water Polo	Athlete		16 days (July 28, 2008 to August 13, 2008)	Waiver	
SDRCC DT 08-0084 Doping Tribunal Arbitration	Water Polo	Athlete	John Harrison Welbourn	136 days (July 28, 2008 to December 11, 2008)	Sanction: 2 years ineligibility	David Lech (CCES)
SDRCC DT 08-0085 Doping Tribunal Arbitration	Water Polo	Athlete		15 days (August 12, 2008 to August 27, 2008)	Waiver	
SDRCC DT 08-0086 Doping Tribunal Arbitration	Volleyball	Athlete		36 days (August 26, 2008 to October 1, 2008)	Waiver	
SDRCC DT 08-0087 Doping Tribunal Arbitration	Karate	Athlete	John P. Sanderson	92 days (September 18, 2008 to December 19, 2008)	Sanction: 2 years ineligibility	David Lech (CCES)
SDRCC DT 08-0088 Doping Tribunal Arbitration	Cycling	Athlete		75 days (October 29, 2008 to January 12, 2009)	Waiver	
SDRCC DT 08-0089 Doping Tribunal Arbitration	Cycling	Coach	Michel G. Picher	124 days (October 29, 2008 to March 2, 2009)	Sanction: lifetime ban	Yann Bernard (CCES)
SDRCC DT 08-0090 Doping Tribunal Arbitration	Cycling	Other		56 days (November 14, 2008 to January 9, 2009)	Waiver	
SDRCC DT 08-0091 Doping Tribunal Arbitration	Football	Athlete		10 days (November 14, 2008 to November 24, 2008)	Waiver	
SDRCC DT 08-0092 Doping Tribunal Arbitration	Football	Athlete		9 days (December 30, 2008 to January 9, 2009)	Waiver	
SDRCC DT 09-0093 Doping Tribunal Arbitration	Football	Athlete		5 days (January 21, 2009 to January 26, 2009)	Waiver	
SDRCC DT 09-0094 Doping Tribunal Arbitration	Football	Athlete		8 days (February 8, 2009 to February 10, 2009)	Waiver	
SDRCC DT 09-0095 Doping Tribunal Arbitration	Boxing	Athlete	Jane H. Devlin	31 days (March 9, 2009 to April 9, 2009)	Sanction: 2 years ineligibility	William J. Hayler (Athlete) David Lech (CCES)

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# APPENDIX F

## LIST OF ARBITRATORS AND MEDIATORS OF THE SDRCC

### ARBITRATORS

Larry Banack (Ontario)  
John W. Brooke (Ontario)  
Patrice M. Brunet (Quebec)  
Kevin M. Burkett (Ontario)  
Jean-Guy Clément (Quebec)  
Barbara Cornish (British Columbia)  
Jane H. Devlin (Ontario)  
James E. Doyle (Ontario)  
Stephen L. Drymer (Quebec)  
Ross C. Dumoulin (Ontario)  
L. Yves Fortier (Quebec)  
Paule Gauthier (Quebec)  
Benjamin Greenberg (Quebec)  
James W. Hedley (Manitoba)  
Kathleen J. Kelly (Ontario)  
Marc Lalonde (Quebec)  
Peter J. MacKeigan (Nova Scotia)  
Stewart McInnes (Nova Scotia)  
Richard McLaren (Ontario)  
Anton M.S. Melnyk (Alberta)  
Graeme Mew (Ontario)  
Henri Pallard (Ontario)  
Michel G. Picher (Ontario)  
Richard W. Pound (Quebec)  
Joie Quarton (Yukon)  
Ed Ratushny (Ontario)  
Carol Roberts (British Columbia)  
Bernard A. Roy (Quebec)  
John P. Sanderson (British Columbia)  
Tricia C. Smith (British Columbia)  
Deborah Sword (Alberta)  
John H. Welbourn (Alberta)

### MEDIATORS

Greg Ambrozic (Ontario)  
Larry Banack (Ontario)  
David Bennett (Ontario)  
Dominique F. Bourcheix (Québec)  
Kevin M. Burkett (Ontario)  
Barbara Cornish (British Columbia)  
Kileen Dagg Centurione (Ontario)  
Jane H. Devlin (Ontario)  
Stephen L. Drymer (Quebec)  
Julie Duranceau (Québec)  
Steven C. Gaon (Ontario)  
Paule Gauthier (Quebec)  
Lyon Gilbert (Ontario)  
Paul Denis Godin (Ontario)  
Roger Gunn (Alberta)  
Kathleen J. Kelly (Ontario)  
Ian R. MacDonald (Alberta)  
Bunny Macfarlane (Ontario)  
Peter J. MacKeigan (Nova Scotia)  
Stewart McInnes (Nova Scotia)  
Anton M.S. Melnyk (Alberta)  
Graeme Mew (Ontario)  
Michel G. Picher (Ontario)  
Joie Quarton (Yukon)  
John P. Sanderson (British Columbia)  
Deborah Sword (Alberta)  
George W. Taylor (Ontario)

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# NOTES





[www.crdsc-sdrcc.ca](http://www.crdsc-sdrcc.ca)

**SPORT DISPUTE RESOLUTION CENTRE OF CANADA**

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