

JURISPRUDENCE 2021-22

SDRCC Case #	Sport	Type of Dispute	Arbitrator	Decision Date	Decision Link
21-0492	Swimming McKay v. SNC + Hedlin	Selection Referred back to SNC	James Oakley	April 29, 2021 Granted	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/979_SDRCC%2021-0492.pdf
21-0495	Wrestling Balfour v. WCL + Phulka	Selection Dismissed Reasonable	John H. Welbourn	May 10, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/976_SDRCC%2021-0495.pdf
21-0498	Canoe-Kayak Scott v CKC	Jurisdiction May proceed	Carol Roberts	May 14, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/983_SDRCC%2021-0498.pdf
21-0496	Fencing Bontems v CFF + AP	Selection Dismissed Reasonable	Yves Fortier	May 18, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/973_SDRCC%2021-0496.pdf
21-0499	Gymnastics Chartier et. al v GymCAN	Selection COVID Dismissed	David Bennett	May 20, 2021 reasonable	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/975_SDRCC%2021-0499.pdf
21-0498	Canoe-Kayak Scott v CKC	Selection Dismiss appeal	Carol Roberts	June 9, 2021 Timeliness	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/982_SDRCC%2021-0498.pdf
21-0503	Badminton Tong v BC + Bell BAB (1)	Jurisdiction May proceed	JJ McIntyre	June 10, 2021 De novo	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1002_SDRCC%2021-0503.pdf
21-0482	Bobsleigh Monaghan v BCS	Selection Deference where expertise	Janice Johnston	June 23, 2021 Dismissed reasonable	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1009_SDRCC%2021-0482.pdf
21-0508	Equine Sport Bennett-Awad et al. v EC +AP	Selection Dismissed Reasonable	Robert Néron	July 5, 2021 Fair, not arbitrary	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/992_SDRCC%2021-0508.pdf
21-0482	Bobsleigh Monaghan v BCS	Costs	Janice Johnston	July 6, 2021 Filing Fee – CEO to decide	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1010_SDRCC%2021-0482.pdf
21-0491	Skeleton Greszczyszyn v. BCS +AP	Carding dismissed	Patrice Brunet	July 9, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/998_SDRCC%2021-0491.pdf
21-0505	Cycling Bouchard v CC + Disera	Selection Dismissed	Yves Fortier	July 12, 2021 Met onus reasonable	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/991_SDRCC%2021-0505.pdf
19-0434	Cricket ACC v. CC/ACA	Membership Merits	Janice Johnston	July 13, 2021 Granted	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/977_SDRCC%2019-0434.pdf
21-0507	Cycling Batty v CC + Pendrel/Smith	Selection	Carol Roberts	July 14, 2021 denied	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/997_SDRCC%2021-0507.pdf

19-0421	Bobsleigh <i>Humphries v. BCS</i>	Maltreatment	Robert Armstrong	July 15, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/974_SDRCC%2019-0421.pdf
19-0434	Cricket <i>ACC v. CC/ACA</i>	Interpretation of Award	Janice Johnston	July 26, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/978_SDRCC%2019-0434.pdf
21-0491	Skeleton <i>Greszczyszyn v. BCS +AP</i>	Costs Bear own costs	Patrice Brunet	August 6, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/999_SDRCC%2021-0491.pdf
21-0518	Canoe-Kayak <i>Himmelman v CKC + AP</i>	Selection	David Bennett	Sept 2, 2021 Reasonable and clear	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1000_SDRCC%2021-0518.pdf
21-0511	Freestyle Ski <i>Dufour-Lapointe v FC + AP</i>	Carding Dismissed – criteria applied correctly	Patrice Brunet	September 22, 2021 reasonable	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1011_SDRCC%2021-0511.pdf
19-0421	Bobsleigh <i>Humphries v. BCS</i>	Costs	Robert Armstrong	September 29, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/980_SDRCC%2019-0421.pdf
21-0519/20	Gymnastics <i>Bennett et al v GC + AP</i>	Selection – officials Bennett	David Bennett	Oct 14, 2021 Allowed in part	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/993_SDRCC%2021-0519_20.pdf
21-0523/24	Speed Skating <i>Boisvert-Lacroix v SSC + AP</i>	Selection Allowed amend criteria when results known	Karine Poulin	November 11, 2021 – not reasonable – applied criteria correctly	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/981_SDRCC%2021-0523-24.pdf
21-0529	Table Tennis <i>ATT v TTC</i>	Jurisdiction May not proceed -not exhausted int.	Janice Johnston	December 7, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1012_SDRCC%2021-0529.pdf
21-0503	Badminton <i>Tong v BC + Bell BAB (2)</i>	Maltreatment Dismissed	JJ McIntyre	December 14, 2021	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1003_SDRCC%2021-0503.pdf
19-0434	Cricket <i>ACC v. CC/ACA</i>	Review Application	Perell, J. Granted – new hearing	Dec. 23, 2021	https://www.canlii.org/en/on/onsc/doc/2021/2021onsc8451/2021onsc8451.html
21-0525	Equine Sport <i>Steer v EC + MDD</i>	Discipline Dismissed	Carol Roberts	Jan 4, 2022 reasonable	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/994_SDRCC%2021-0525.pdf
21-0536	Soccer <i>CSL v CSA and OS</i>	Jurisdiction May proceed	Yves Fortier	January 18, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1008_SDRCC%2021-0536.pdf
21-0516(2)	Judo <i>Valois v JC (1)</i>	Arbitrator Challenge Allowed	Éric Ouellet	Jan 19, 2022 Language	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1018_SDRCC%2021-0516.pdf

DT-0325	Powerlifting Gagnon-Maltais	Doping	Janie Soublière,	Jan. 24, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/989_SDRCC%20DT%2021-0325.pdf
21-0503	Badminton Tong v BC + Bell BAB (3)	Costs Against Claimant	JJ McIntyre	Jan. 25, 2022 Inflammator y submissions	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1004_SDRCC%2021-0503.pdf
22-0539	Speed Skating DeHaitre v SSC +AP	Selection – Cancel Event COVID	Carol Roberts	Jan 31, 2022 Reasonable – no bias, discrim or bad faith	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1001_SDRCC%2022-0539.pdf
22-0551	Bobsleigh Murray-Lawrence v BCS	Selection Dismissed – not arbitrary, biased	Janie Soublière	February 1, 2022 Reasonable	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1005_SDRCC%2022-0551.pdf
22-0544/ 45/46/48 /49	Snowboard Beaulieu et al v CS + Gaudet	Selection 3 Allowed – criteria not followed	Patrice Brunet	Feb 7, 2022 Unreasonabl e Arb. Selected	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1006_SDRCC%2022-0544_45_46_48_49.pdf
21-0531	Wrestling Malu v WCL	Eligibility Non Medical exemption - religious	John Welbourn	Feb 9, 2022 Dismissed – did not meet onus	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/990_SDRCC%2021-0531.pdf
22-0536	Soccer CSL v CSA and OS	Membership Allowed	Yves Fortier	February 16, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/988_SDRCC%2021-0536.pdf
22-0558 / 0560	Snowboard Freeman et. al. v CS	Selection COVID dismissed	David Bennett	Mar 31, 2022 Didn't meet onus	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1007_SDRCC%2022-0558_0560.pdf
21- 0516(2)	Judo Valois v JC (2)	Carding – not to be dis- advantaged	Karine Poulin	April 4, 2022 Allowed	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1019_SDRCC%2021-0516.pdf
22- 0544/45/ 46/48/49	Snowboard Beaulieu et. al v CS + Gaudet	Costs Not exceptional	Patrice Brunet	April 8, 2022 bear own costs	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1023_SDRCC%2022-0544_45_46_48_49.pdf
22-0561	Weightlifting Millette v WCH	Jurisdiction May proceed	Patrice Brunet	April 14, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1027_SDRCC%2022-0561.pdf
DT 21- 0327	Rugby Geier	Doping Allowed - 6 mo sanction	Peter Lawless	May 4, 2022 Light degree of fault	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/995_DT%2021-0327.pdf
21- 0516(2)	Judo Valois v JC (3)	Costs \$27,038 Exceptional	Karine Poulin	May 25, 2022 Not in good faith JC knew it	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1020_SDRCC%2021-0516.pdf

22-0559	Rowing RCA v CGC	Selection of sports - dismissed	Richard McLaren	June 2, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1013_SDRCC%2022-0559.pdf
22-0565	Fencing Hay v CFF + Hamilton	Selection Dismissed	Carol Roberts	June 8, 2022 No error	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1022_SDRCC%2022-0565.pdf
22-0556	Swimming Price v SNC + Schwartz Smith	Jurisdiction May not proceed	Larry Banack	July 11, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1025_SDRCC%2022-0556.pdf
22-0568	Karate Crowle v KC	Eligibility (COVID-19) Allowed	Robert Wickett	July 16, 2022 Religious – sincere belief	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/996_SDRCC%2022-0568.pdf
22-0579	Wrestling Bogart v CGC	Eligibility (COVID-19) Denied	Julie Hopkins	Aug 11, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1026_SDRCC%2022-0579.pdf
22-0587	Athletics Dovichak v CGC	Eligibility (COVID-19)	Patrice Brunet	August 18, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1024_SDRCC%2022-0587.pdf
22-0589	Athletics Mayr v CGC	Eligibility (COVID-19)	Robert Wickett	August 18, 2022	http://www.crdsc-sdrcc.ca/resource_centre/pdf/English/1021_SDRCC%2022-0589.pdf

LEGEND		
Colour	Matter Area	
	Eligibility	
	Selection / Carding	
	Miscellaneous	
	Jurisdiction	
	Costs	
	Doping	
	Session 4 of the conference	

Additional Jurisprudence discussed:

Cricket Canada v. Alberta Cricket Council, 2020 ONSC 3776 (CanLII) (Justice Koehnen)
<https://www.canlii.org/en/on/onsc/doc/2020/2020onsc3776/2020onsc3776.html?autocompleteStr=2020%203776&autocompletePos=2>

Alberta Cricket Association v. Alberta Cricket Council, 2022 ONSC 1119 (CanLII) ONSC 1119 (Justice Perell)
<https://www.canlii.org/en/on/onsc/doc/2022/2022onsc1119/2022onsc1119.html?resultIndex=1>