

SDRCC

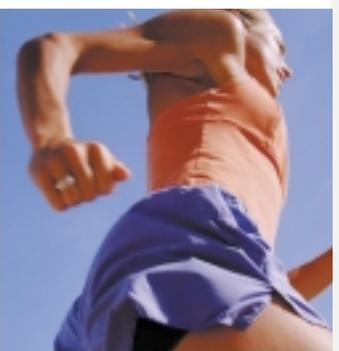
Sport Dispute Resolution Centre of Canada

Report on the operations of the SDRCC for 2004-2005



From the Chairperson
of the SDRCC

ALLAN J. STITT



July 31, 2005

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Introduction

The permanent Sport Dispute Resolution Centre of Canada (SDRCC) was created in June 2003 through 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 establish the SDRCC and oversee its activities. This report reviews the Centre’s operations and assesses the results of the activities of the Board of Directors of the SDRCC for the period April 1, 2004, to March 31, 2005 (the “Period”).

Participants

Chairperson Allan J. Stitt and Executive Director Benoit Girardin prepared this report on behalf of the SDRCC Board of Directors.

The members of the Board of Directors are:

MEMBERS

Allan J. Stitt (Chairperson)
Genevieve Chornenki
Susanne Dandenault
Christian Farstad
Julie Gagnon (resigned November 16, 2004)
Pierre Hutsebaut
Bruce Kidd
Marc Lemay (resigned June 29, 2004)
Dianne Norman
Gordon Peterson
Tamar Pichette
Steven Sugar
Benoit Girardin, Executive Director (Ex Officio)

Julie Gagnon and Marc Lemay resigned from the Board of Directors during the Period. They have not yet been replaced.

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

Summary of the work plan submitted to the Minister of Western Economic Diversification and Minister of State (Sport)

The Board of Directors was charged with preparing a work plan and budget to cover the Period. The work plan was prepared to allow the Board to fulfill its mandate under the Act. A copy of the work plan is attached in Appendix B. The SDRCC received \$1,000,000 in financial support from Sport Canada during the Period.

WORK PLAN

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

Objective 1: Staff the Centre to ensure that the Centre's goals are realized with the most effective and professional leadership and administration.

Objective 2: Select the location for the Centre's permanent headquarters, and implement the operational infrastructure of the Centre.

Objective 3: Implement the Dispute Secretariat services.

Objective 4: Revise the rules of procedure for the resolution of disputes, including a revision of the Code.

Objective 5: Implement the new anti-doping program, including the training of personnel, arbitrators and mediators.

Objective 6: Develop and implement a communication strategy aimed at informing the sport community about the Centre.

Objective 7: Develop and submit a corporate plan and budget for 2005-2006.

Objective 8: Prepare a financial report for the 2004-2005 fiscal year.

THE BUDGET

The budget for the Period included the following components:

\$169,000 for administration

\$96,000 for Board and Committee meetings

\$79,000 for official languages

\$685,750 for operations, including the management of disputes and the Resource Centre

\$289,000 for human resources

Results and performance

ACHIEVING THE OBJECTIVES OF THE WORK PLAN:

This section assesses the results achieved during the Period.

OBJECTIVE 1 STAFF THE CENTRE

The SDRCC officially opened for business on April 1, 2004.

Benoit Girardin was hired as Interim Executive Director from April 1, 2004, to August 31, 2004. During the summer of 2004, the Board launched a hiring process that included establishing a search committee, publishing an advertisement, receiving and analyzing applications, and conducting interviews. The Board selected Mr. Girardin as the permanent Executive Director of the SDRCC. Mr. Girardin assumed his permanent duties on September 1, 2004. (See Appendix A for his biography.)

With respect to the Resource Centre Coordinator, the same process was followed for the hiring of Julie Duranceau as Interim Coordinator between April 1, 2004, and December 31, 2004. Following a Board Retreat in the summer of 2004, the permanent position was revised to include the role of Resolution Facilitator in addition to Coordinator of the Resource Centre. The Board hired Ms. Duranceau on January 1, 2005, following a formal and public hiring process. (See Appendix A for her biography.)

A hiring process, including publishing an advertisement, receiving and analyzing the applications, and conducting interviews, was also followed to hire Julie Audette as Office Administrator and Executive Assistant on April 1, 2005. (See Appendix A for her Biography.)

The SDRCC has a Staffing Committee chaired by Dr. Bruce Kidd that oversees staffing matters. In addition, the following organizations contributed to the SDRCC during the Period:

Sport Canada, Face Value Communications, PR Communications, Trico Group, Heenan Blaikie, and the Canadian Commercial Arbitration Centre (CCAC).

OBJECTIVE 2 SELECT THE LOCATION FOR THE CENTRE'S PERMANENT HEADQUARTERS, AND IMPLEMENT THE OPERATIONAL INFRASTRUCTURE OF THE CENTRE

Following the hiring of the Executive Director, the Board of the SDRCC determined that it was appropriate to locate in the Montreal region and had an ad hoc committee of Board members in Montreal conducted a review of potential facilities. On the recommendation of this committee, the Board approved the establishment of the headquarters of the SDRCC at 3100 le Carrefour, Suite 560, in Laval, Quebec, and the SDRCC opened its new office on October 1, 2004. The office currently houses three employees and includes a boardroom and archives room. The office is located adjacent to major highways, roads and hotels and is also accessible via public transit. It is equipped to accommodate persons with disabilities.

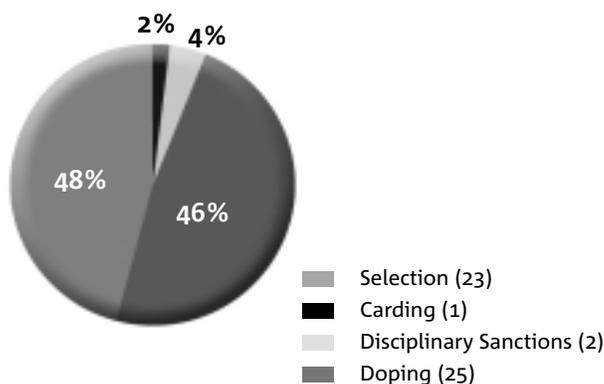
OBJECTIVE 3 IMPLEMENT THE DISPUTE SECRETARIAT SERVICES

The Act stipulates that the SDRCC must provide a Dispute Secretariat to manage sports related disputes. In April 2004, the Board decided to contract the CCAC to administer SDRCC cases from April 2004 until September 2004. During this period, it was contemplated that a request for proposal would be prepared to seek a permanent arrangement for the management of the sport dispute cases.

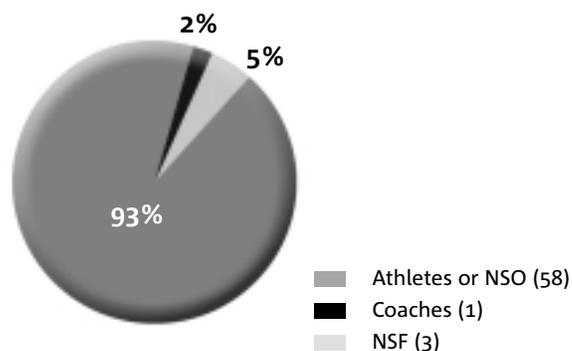
In September 2004, the Board determined that it was desirable to bring case management in-house and elected not to extend the CCAC's contract. Case management was entrusted to the Executive Director of the SDRCC and his team. The Board considered that internal case management better served the sport community, was a more efficient use of financial resources, and provided a sport-specific service. With the number of cases almost doubling in 2004-2005 (51 cases) compared to the previous year (25 cases in 2003-2004), this decision permitted a savings of approximately \$80,000 in professional fees.

As stated above, in the past year, the SDRCC managed 51 sports related disputes. Fifty of these were managed through arbitration, and one was mediated. Of these 51 cases, 31 decisions were rendered, and 19 cases were settled (or were in the process of being settled at year-end). The one mediation case was settled. Many of the disputes concerned the selection of athletes or coaches for Major Games (Olympic and Paralympic Games in Athens and World Cup events). The SDRCC was also used to resolve disputes involving carding, disciplinary sanctions and contractual issues. In addition, in June 2004, the SDRCC assumed the management of doping disputes and doping appeals for the Canadian Anti-Doping Program. During the period from June 1, 2004 to March 31, 2005, the SDRCC managed 25 doping cases, two of which involved an International Federation and Canadian athletes and one of which involved a horse.

The resolved disputes can be broken down as follows:



SDRCC users included:



Requests were submitted from the following sports:

Sport	Number of cases (50)
Archery	1
Athletics	3
Badminton	2
Boccia	2
Boxing	1
Canadian College Football	2
Canadian College Soccer	1
Canadian Interuniversity Football	3
Canadian Interuniversity Hockey	1
Canadian Interuniversity Basketball	2
Canadian Interuniversity Soccer	1
Canoeing	1
Curling	1
Cycling	3
Equestrian sports	5
Football	6
Goalball	1
Lawn Bowling	1
Paralympic Dressage	2
Racquetball	1
Sailing	2
Softball	3
Swimming	1
Weightlifting	1
Wheelchair Basketball	1
Wheelchair Track and Field	1
Wrestling	1

The vast majority (75%) of disputes were resolved within 30 days. The breakdown of the time taken to resolve disputes is as follows:

(37%)	(37%)	(20%)	(0%)	(6%)
19	19	10	0	3
1 to 10 days	11 to 30 days	1 to 6 months	6 to 12 months	Pending at year-end, withdrawn or settled

4
OBJECTIVE 4**REVISE THE RULES OF PROCEDURE FOR THE RESOLUTION OF DISPUTES, INCLUDING A REVISION OF THE CODE**

When the SDRCC opened its doors on April 1, 2004, the Board adopted the ADRsportRED rules, procedures and Code, which had been adopted and created by the Canadian Centre for Ethics in Sport (CCES) as part of the interim program. In April 2004, the Revision of the Code Committee of the SDRCC revised the Code to incorporate the new anti-doping program. The Board adopted the Code and implemented it on June 1, 2004. In addition to making amendments to the doping dispute rules in June 2004, the Board mandated the Revision of the Code Committee to improve the Code and its underlying rules.

The Revision of the Code Committee was engaged in the preparation of a new Code and worked on numerous drafts of the revised Code, which includes the following major changes:

- elimination of the role of chief arbitrators;
- use of a Resolution Facilitator as a preliminary step in resolving a dispute prior to proceeding to arbitration;
- combining of the Ad-Hoc Division and the Ordinary Division into one Division;
- Rotational process for the appointment of arbitrators and mediators.

As part of its process to revise the Code, the Revision of the Code Committee prepared a draft Code and solicited comments from athletes, administrators, coaches, officials and attorneys. A national consultation process was conducted by posting the code on the Web site and sending email messages to the sport community. In addition, parties who had been involved in disputes managed by the SDRCC were targeted for comments to improve the Code. The consultation process lasted over two months and resulted in comments received from athletes, coaches, national sport organizations, sport administrators, the Canadian Olympic Committee, sports lawyers, arbitrators, and Sport Canada.

The SDRCC consultation process was an important step in understanding the needs and expectations of members of the sport community. As of March 31, 2005, the Revision of the Code Committee had received many comments, and some arrived after the year-end. The Committee plans to incorporate as many comments as possible into the revised Code and wishes to complete this exercise in the next fiscal year.

The new Code, including the addition of a Resolution Facilitator, should assist the Centre in improving the services offered to the Canadian sport community. The overarching is to ensure that disputes are managed fairly, equitably and in the best interests of all involved.

The SDRCC kept the same list of arbitrators and mediators (See Appendix F) during the Period. The arbitrators and mediators are completely independent from the Centre. This list may be revised in the next fiscal year.

5 OBJECTIVE 5 IMPLEMENT THE NEW ANTI-DOPING PROGRAM, INCLUDING THE TRAINING OF PERSONNEL, ARBITRATORS AND MEDIATORS

In April 2004, arbitrators and mediators received training to familiarize them with the new Canadian Anti-Doping Program, which was based on the World Anti-Doping Code. The intent was to provide them with an understanding of doping disputes in the Canadian system. During this session, which was held at the World Anti-Doping Agency (WADA) in Montreal, the CCES and WADA presented to the arbitrators and mediators details of the new anti-doping program. This training provided an opportunity for the arbitrators and mediators to learn about and discuss the challenges involved in doping disputes. The session also provided an opportunity for Board members to get to know the SDRCC's arbitrators and mediators.

6 OBJECTIVE 6 DEVELOP AND IMPLEMENT A COMMUNICATION STRATEGY IN ORDER TO INFORM THE SPORT COMMUNITY ABOUT THE CENTRE

During the Period, the SDRCC pursued its mandate to inform and educate members of the sport community about the SDRCC.

The initiatives were as follows:

A. The SDRCC promoted its services at general sports conventions. The SDRCC was present at:

- The Annual Congress of the Canadian Olympic Committee, held in Montreal, Quebec, in April 2004;
- The Athletes CAN Forum, held in Victoria, British Columbia, in September 2004;
- The Forum Équipe Québec, held in Quebec City, Quebec, in October 2004;
- The Sport Leadership Conference, held in Winnipeg, Manitoba, in October 2004;
- The Sports Officials Conference, held in Regina, Saskatchewan, in December 2004;
- The Northwest Territories Sport Symposium, held in Yellowknife, Northwest Territories, in February 2005.

- B. The organization and presentation of information workshops designed to raise awareness within the sport community about conflict prevention and resolution, notably in cases involving the selection of individuals for sports events. With the exception of the Ottawa workshop, which focused exclusively on members of national sport organizations, all members of the sport community, including members of local and provincial organizations, were invited to participate. The workshops were held in the following locations:
- Yellowknife, Northwest Territories, February 2005;
 - Toronto, Ontario, March 2005;
 - Ottawa, Ontario, March 2005;
 - St John's, Newfoundland, March 2005;
 - Charlottetown, Prince Edward Island, March 2005;
 - Halifax, Nova Scotia, March 2005;
 - Fredericton, New Brunswick, March 2005.
- C. Mailings of information kits to members of the sport community via provincial organizations and national multi-sport centres. The kits contained (i) an SDRCC brochure, (ii) the SDRCC newsletter, (iii) an appeal policy kit, (iv) the selection guide, (v) an example of a case summary, (vi) the SDRCC publication on jurisprudence, and (vii) "Frequently Asked Questions."
- D. Participation in the Court of Arbitration for Sport (CAS) during the Olympic Games in Athens, Greece, from August 4 to 29, 2004. The CAS is a sports tribunal based in Lausanne offering international-level arbitration and mediation services. Most notably, it is responsible for resolving disputes that occur during the Olympic Games. Participation involved sending Julie Duranceau, who acted as a clerk for the CAS during the Olympic Games.
- E. The development and distribution of promotional tools and sport dispute information and prevention documents to the sport community. In this regard, the SDRCC:
- Developed a "Major Games Package" for Athens;
 - Developed the SDRCC "Selection Guidelines" document;
 - Developed *In the Neutral Zone*, a quarterly newsletter;
 - Improved the Jurisprudence Database;
 - Developed a Case Summary subsection to the Jurisprudence Database;
 - Improved the Doctrine Database;
 - Implemented an on-site library/bookstore at the Resource Centre (for the purchase of books and publications);
 - Developed a loan service for publications available in the library;
 - Published an article on the SDRCC in *Coaches Report*;
 - Published an article on jurisprudence in a sport publication;
 - Improved the site's search engines.

F. Enhancement of the www.ADRsportRED.ca web site to allow for better access to:

- News;
- Jurisprudence;
- Doctrine;
- Press releases;
- SDRCC publications;
- Frequently Asked Questions.

G. Initiation of the development of a communication strategy to better promote the SDRCC. This project began with the contracting of National and Face Value Communications in March 2005 to survey the sport community with respect to the SDRCC and to decide on the initiatives that should be undertaken to achieve the SDRCC's communication objectives and maximize its impact within the Canadian sport community. The results of the survey are expected to assist the SDRCC in establishing its strategic direction in the coming years.

OBJECTIVE 7 DEVELOP AND SUBMIT A CORPORATE PLAN FOR 2005-2006

As required by Section 32 of the Act, the SDRCC prepared, developed and submitted a corporate plan for the 2005-06 fiscal year. The corporate plan was submitted on March 1, 2005, to the Minister of State (Sport). It stated that the SDRCC should: (i) implement the services of the Resolution Facilitator and promote interest-based services and techniques; (ii) adopt a new Code of procedures based on feedback and suggestions received from the sport community; (iii) review (and revise if appropriate) the list of mediators and arbitrators; (iv) implement a partnership and education plan; (v) develop and implement transparent management and governance policies; (vi) manage sports related disputes in a fair and efficient manner; and (vii) ensure that SDRCC policies comply with the Act, its by-laws and agreements. The corporate plan included the following budget:

- \$276,000 for administration, including office, professional services and governance;
- \$64,200 for official languages requirements, including the cost of translation for the SDRCC documents and rulings;
- \$667,628 for operations and programming, including the administration of cases, training for mediators and arbitrators and resource centre operations;
- \$300,922 for human resources, including the salaries and benefits for the Executive Director and the SDRCC personnel.

**OBJECTIVE 8 PREPARE A FINANCIAL REPORT**

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 Board of Directors on July 5, 2005. The Auditor's report is presented in Appendix D of this report. The Auditor's report states that the policies of the SDRCC respect Canadian generally accepted accounting principles and that the SDRCC is considered economically dependant on government funding for its financial operations.

Expenses of \$907,521 were incurred during the Period, and the expenses included:

- \$312,523 for general and administrative expenses, including office, professional fees and governance;
- \$75,485 for official languages requirements, including translating documents and decisions;
- \$217,395 for the salaries and benefits of the interim and permanent staff
- \$302,118 for the services and programs offered by SDRCC, such as case management, prevention, education and training

In addition, capital expenditures of \$43,100 were incurred for office and equipment.

The SDRCC had a surplus of revenue over expenditures of \$59,170. Part of that surplus (\$25,000) was returned to Sport Canada before March 31, 2005, to allow for the reinvestment of this amount in the Canadian sport system during the Period. The balance was returned after the year-end.

Conclusion

The SDRCC has completed its first full year of operation. In 2004-2005, the SDRCC hired its executive team and employees. The SDRCC was established and moved into new facilities in the Montreal region. In the new facilities, the SDRCC has been able to better structure the Centre to enhance its operational efficiency, with greater employee satisfaction and better services. In addition, it has permitted the Dispute Secretariat services to be conducted internally. The number of cases managed during the year doubled from the number of cases managed by the interim program (ADRsportRED), mainly because of the management of the doping cases and the selection cases related to the 2004 Summer Olympic and Paralympic Games. Most of the cases were resolved within 30 days or less.

The SDRCC has worked intensively on improving its Code and rules. The SDRCC solicited the members of the sport community, took into consideration all comments received and tried to incorporate as many as possible into the new draft of the Code. The SDRCC was successful in adopting a new Code that integrates the Canadian anti-doping program.

The educational tools prepared and the presentations offered by the SDRCC to better educate the members about avoiding and resolving disputes were a good start for the SDRCC in its mission to promote better practices and fairness in sports in Canada. This first year has created a path for future educational initiatives.

To refine these future initiatives, the SDRCC conducted a survey to evaluate the needs of the members of the Canadian sport community and solicit feedback on the strengths and weaknesses and the level of satisfaction of the sport community regarding the services offered by the SDRCC.

The SDRCC has prepared its corporate plan for 2005-2006 in view of continuing its efforts to improve its rules and services to better assist and educate the members of the sport community about fairness and dispute resolution.

The SDRCC's Board of Directors is satisfied that the organization is fulfilling its mandate to resolve disputes and contribute to the development of a better sport system in Canada.

This report has given us an opportunity to evaluate the relevance and usefulness of the SDRCC's operations and identify areas where the program can be improved with respect to case management, rules, policies, better decisions and education. The Board of Directors has tried to address all of these needs and recognizes that the SDRCC is a young organization and will require continual review in order to continue to serve the evolving needs of the sport community. The Board would like to thank the many people and organizations who provided information, comments and recommendations.

BIOGRAPHIES OF THE MEMBERS OF THE BOARD OF DIRECTORS OF THE SDRCC

ALLAN J. STITT (CHAIRPERSON)

- Three Law Degrees, ADR specialization, Harvard University (Master of Laws)
- Practicing Mediator and Arbitrator
- Author, *ADR for Organizations: How to Design a System for Conflict Resolution; Mediating Commercial Disputes; Mediation: A Practical Guide*
- Professor, ADR courses, U of T, University of Windsor Law School, Notre Dame Law School
- Former President of ADR Institute of Canada and Arbitration and Mediation Institute of Canada

GENEVIEVE CHORNENKI

- Lawyer with Master of Laws in ADR from Osgoode Hall Law School
- Over 10 years experience as ADR consultant, educator, mediator, arbitrator
- Founding Chair, ADR Section, Ontario Bar Association
- Author, *The Corporate Counsel Guide to Dispute Resolution*
- Served on numerous Boards, including ADR Canada and the Society for Professionals in Dispute Resolution

SUSANNE DANDENAULT

- Athlete representative
- Member, National Weightlifting Team
- Law school graduate
- Athletes Services Manager/Board Member, Canadian Sport Centre-MN
- Former Athlete Rep, Freestyle Ski Association
- Past Chair - Athletes CAN
- Co-Chair, Sport and Competition Division, 2002 NAIG

CHRISTIAN FARSTAD

- Athlete representative
- 13 year member, National Bobsleigh Team
- Director, Athlete Relations, Canadian Olympic Committee
- Former member, COC Executive Committee, Board of Directors, Finance and Administration Committee, Nominating Committee and Vice-Chair of the COC Athletes Council
- President of Bobsleigh Canada Skeleton

JULIE GAGNON (Resigned November 16, 2004)

- Lawyer and executive with over 16 years of national and international experience in the private, public and academic sectors
- Currently private consultant providing expertise in strategic ethics, authentic board governance and conscious enterprise leadership
- Former member, Ontario Municipal Board (youngest ever appointed)

PIERRE HUTSEBAUT

- National Sport Organization representative
- Experience as National Team Coach and High Performance Director
- Familiar with disputes through involvement with 4 Olympic Games, 2 Pan Am Games, 2 Commonwealth Games and 22 World Championships.

BRUCE KIDD

- Co-Chair, ADR Work Group
- Member, ADR Implementation Committee
- Member, ADRsportRED Steering Committee
- Former national team athlete, coach, sport administrator
- Sport historian and social scientist
- Dean, U of T Faculty of Physical Education and Health

MARC LEMAY (Resigned June 29, 2004)

- Lawyer
- Member of ADRsportRED Steering Committee
- Former President, Quebec and Canadian Cycling Associations
- Former President, International Mountain Bike Commission of the International Amateur Cyclist Federation (FIAC)
- Former member, Canadian Olympic Committee

DIANE NORMAN

- Athlete representative
- 16 yrs member, National Women's Basketball team
- Master of Arts in Philosophy, specialization in Ethics
- Sessional Instructor, Dean of Students, Harassment Officer - Laurentian University
- Member, Dalhousie University Human Research Ethics Board

GORDON PETERSON

- Multi Sport Games Organization representative
- Board Member, Canadian Olympic Committee
- Member, ADR Work Group
- Chair, ADR Implementation Committee
- Chair, ADRsportRED Steering Committee
- Former President/Board member, Canadian Amateur Diving Association
- Lawyer with experience advising not-for-profit charitable corporations

TAMAR PICHETTE

- Lawyer graduated from Osgoode Hall Law School
- 10 years experience in corporate practice with knowledge of ADR
- Volunteer for Quebec Tae Kwon Do Association Commissioner of Ethics, including resolution of disputes between athletes, coaches and TKD Canada

STEVEN SUGAR

- Coach representative
- Professional Figure Skating Coach
- VP, Canadian Professional Coaches Association
- Board member, Coaching Association of Canada
- Past Board member, Skate Canada
- Workshop Presenter, Conflict Resolution in Sport
- Business Management and Change Consultant

BENOIT GIRARDIN (EX-OFFICIO)

- Executive Director and member of the Board of Directors of the SDRCC
- Lawyer specializing in business and sports, member of the Quebec Bar
- Member of the working group and the implementation Committee of ADR
- Arbitrator in several sporting disputes
- Member of the Canadian Olympic Committee
- Participation in several Major Games as a member of the mission staff team
- Ex-coach at national level in tennis
- Ex-coach in Alpine skiing
- Mediator

STAFF

JULIE DURANCEAU

- Lawyer, member of the Quebec Bar
- Mediator
- Former amateur athlete
- Intern for the Court of Arbitration for Sport during the 2004 Athens Olympic Games
- Resource and Documentation Centre Coordinator for the ADRsportRED program

JULIE AUDETTE

- 8 years experience as a sport program coordinator at Université du Québec à Trois-Rivières
- Former chair for the marketing of Université du Québec à Trois-Rivières programs.
- Former Sports Program Coordinator at Academy Ménard-Girardin
- Volunteer for numerous multi sport events and non-profit charitable organizations in Trois-Rivières, Magog and Montreal.
- Former elite swimmer

Corporate Plan for the 2004-2005 fiscal year

INTRODUCTION

The Canadian Sport Policy

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

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

The goal of 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 focused governments' 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.

One such "weak link" was the lack of a fair, transparent, efficient system of dispute resolution for sport in Canada. Over the past four years, leaders in the Canadian sport community and experts in the field of alternate dispute resolution have worked to create such a system. With its inception in January 2002, the interim ADRsportRED program, provided new quality services that improved the Canadian sport system. The Sport Dispute Resolution Centre of Canada is the culmination of these efforts.

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 of Canada's policy on sport to include the fair, equitable, transparent and timely resolution of disputes in sport. The Act provides for the creation of the Centre and stipulates that the Centre shall include a Dispute Resolution Secretariat and a Resource Centre.

The affairs and business of the Centre are managed by a Board of Directors composed of 12 members appointed by the Minister. In December 2003, the Minister of Canadian Heritage appointed the following individuals as the inaugural Board of Directors of the Centre pursuant to guidelines established in consultation with the Canadian sport community:

Geneviève Chornenki, Suzanne Dandenault, Christian Farstad, Julie Gagnon,
Pierre Hutsebaut, Bruce Kidd, Marc Lemay, Diane Normand, Gordon Peterson,
Tamar Pichette, Allan J. Stitt, Steven Sugar

In January 2004, Allan J. Stitt was appointed Chairperson of the Board of Directors by the Minister on the recommendation of the Board. This is the first Corporate Plan of the Centre.

SPORT DISPUTE RESOLUTION CENTRE OF CANADA

1.0 Executive Summary

1.1 STRATEGIC ISSUES

The key strategic issues for the 2004-2005 planning period include the establishment of the Sport Dispute Resolution Centre of Canada (the 'Centre'); the administration of the interim ADRsportRED program; and, the integration of the new Canadian Antidoping Program and World Antidoping Agency Code requirements into the Centre's programs. The Centre's operations will be divided between several primary functions, including the provision of dispute resolution services, a Resource Centre, dispute resolution training courses, and educational initiatives aimed at conflict avoidance and management.

1.2 MAJOR OBJECTIVES

The Centre's major objectives for the 2004-2005 fiscal year include managing the ADRsportRED program, the ADRsportRED Resource Centre and the Dispute Resolution Secretariat, and the opening of the Centre itself on April 1, 2004. In addition, planning for the Centre's strategic direction and long-term strategic plan will remain a priority for the Centre's Board of Directors (the "Board"), including identifying long-term strategic goals, policies, and practices for the Centre.

1.3 PLANNED INITIATIVES

Major decisions and key capital projects arising out of the implementation of the Centre's plan include: hiring an Executive Director; determining the physical location of the Centre; leasing and equipping the Centre's new offices; the transition, review and establishment of necessary services and programs of the Centre in accordance with its objectives and long-term strategic goals; training arbitrators and mediators in preparation for the implementation of the new Canadian Antidoping Program; and the development and implementation of a comprehensive communication strategy for the Centre.

2.0 MANDATE

2.1 MISSION STATEMENT

In keeping with the goals of the Canadian Sport Policy, and in accordance with the Act, the mission of the Centre is to provide the sport community with a national centre for the avoidance and resolution of sport disputes. The Centre will be set up as a model for conflict avoidance and ethically-based sport dispute resolution and offer a substantive resource base for the ongoing development of sport at all levels.

The Centre will contribute, in particular, to the Canadian Sport Policy goals of enhanced capacity and enhanced interaction. Moreover, it will support the promotion of safety, fairness in play and decision-making, and ethical behaviour in sport environments by offering fair, accessible, and cost-effective services to better resolve or avoid disputes.

3.0 CORPORATE PROFILE

3.1 BACKGROUND

Currently, national sport organizations (NSOs) funded by Sport Canada are required to have internal appeal mechanisms to address disputes. Historically, when disputes were not resolved through these mechanisms, athletes and NSOs either let the matter drop or turned to the courts, a process that could be very costly for all the parties involved and did not always allow for the timely resolution of disputes.

The Secretary of State (Amateur Sport) established a working group composed of experts in alternative dispute resolution (ADR) and sport. In its report in September 2001, the working group recommended that a national ADR system for sport be developed to provide the Canadian sport community with ADR services. In response, the Secretary of State (Amateur Sport) tabled the Act, which included provisions for the creation of the Centre.

In the period leading to the creation of the Centre, an interim program called ADRsportRED was initiated in January 2002 under the auspices of the Canadian Centre for Ethics in Sports (CCES). Its mandate was to provide dispute resolution services in the sports community. It offered arbitration and mediation services to resolve disputes quickly, transparently and in a cost effective manner.

3.2 LEGAL ENTITY

3.2.1 NOT FOR PROFIT CORPORATION

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

3.3 ORGANIZATIONAL STRUCTURE

The Act indicates that the Centre shall be composed of a Dispute Resolution Secretariat ('Secretariat') and a Resource Centre. However, it allows the Centre to define its own mandate, duties, and functions to ensure that it is responsive to the evolving needs of the sport community and in a position to enhance overall capacity.

Pursuant to the Act, the affairs and business of the Centre are managed by a Board of Directors consisting of not more than 12 directors, including the Chairperson and the Executive Director of the Centre, who does not have the right to vote. The Minister appoints the directors, and does so in accordance with guidelines established in consultation with the sport community.

These guidelines provide for a Board comprised of men and women who: (a) are committed to the promotion and development of sport; (b) have the experience and capacity to enable the Centre to achieve its objectives; (c) are representative of the sport community; and (d) are representative of the diversity and linguistic duality of Canadian society.

The Centre will be managed by a full-time Executive Director, who will be charged with the fulfillment of the objectives and mission of the Centre, including oversight of all projects, programs, and services across Canada.

The Secretariat will be managed initially by a service provider specializing in case management, which will provide logistical support to the Centre.

The Resource Centre will be managed by a full-time coordinator who will oversee the establishment of the Resource Centre's programs and services.

The Board will review and revise 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.

3.4 PROGRAMS & SERVICES

3.4.1 ADRSPORTRED

The Centre will continue the services provided by ADRsportRED as of April 1, 2004. The Board will review and revise the Centre's programs as necessary to best serve the sport community throughout the fiscal year.

Once operational, the Centre will continue to build upon the ADRsportRED services and make such changes as become necessary. Dispute resolution services shall continue to be based upon principles of fair, timely, equitable, transparent, and cost-effective resolution of disputes for the benefit of the sport community.

3.4.2 RESOURCE CENTRE

The ADRsportRED Resource Centre will be administrated by the Centre on April 1, 2004 and will form the basis of the new Resource Centre. It will provide tools and information to members of Canada's sports community with a view towards preventing conflicts and informing stakeholders as to their rights and responsibilities within the sports system.

The objective of the Resource Centre is to prevent disputes and, in cases where disputes persist, to help NSOs build the competence and capacity to handle them effectively. The Resource Centre will consist of a national repository of dispute resolution policies and best practices in the sports field, and of dispute resolution decisions. It may also provide assistance and expertise to decision-makers in sports organizations to promote conflict avoidance and dispute resolution in sport. The intention is for the Resource Centre to be proactive in the development of good policies and fair and effective dispute mechanisms through educational campaigns, training, monitoring, and other initiatives.

The Resource Centre will offer a wide range of information and materials, including:

- An Appeal Policy package
- A Major Games package
- Appeal policies of different national organizations
- A best practices collection from worldwide sources
- A database of previous ADRsportRED decisions and sport case law
- Relevant legislation
- Sample contracts, templates of contractual arbitration clause and contractual mediation clauses, sample arbitration agreements and mediation agreements
- Practical information on arbitration and mediation
- List of qualified arbitrators and mediators
- Other prevention and educational materials

3.4.3 ANTI-DOPING

Currently, doping disputes are handled by the *Centre for Sport and Law Inc.* under the Canadian Policy on Antidoping in Sport. With the implementation of the World Anti-Doping Agency Code in Canada, a new Canadian Antidoping Program will become effective and will provide that the Centre administer all hearings and appeals under this program.

The Centre will build upon the present Canadian Antidoping Program to ensure that anti-doping disputes are dealt with in a timely, transparent, and fair manner with the requisite expertise required to address all relevant issues. In order to fulfill this function, the Centre will train arbitrators and mediators to prepare them to deal with specific cases.

3.5 CLIENTELE

The Sport Canada accountability framework requires all NSOs to have an internal dispute resolution mechanism. Furthermore, if a dispute is not resolved internally, disputes with respect to national team athletes and coaches must be managed by the Centre.

The services rendered by the Centre may additionally be offered for other matters on a consensual basis,

provided they meet any admissibility criteria adopted by the Centre. All sport organizations and anyone affiliated with a sport organization (including its members), may agree to refer a dispute to the Centre and benefit from the Centre's services.

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

3.6 ALTERNATIVE PROVIDERS

In addition to the Centre, dispute resolution may be achieved through the courts or private agencies. While athletes, coaches, and other stakeholders may pursue private dispute resolution, these services are often prohibitively expensive. Further, such dispute resolution mechanisms would be contingent on both parties consenting to refer the dispute to the private agency. Moreover, the courts and private agencies may not have the necessary expertise to deal with the unique issues raised in sport disputes.

4.0 STRATEGIC ISSUES AND PERFORMANCE

4.1 CURRENT PERFORMANCE

Since its inception, the ADRsportRED program has handled over 27 disputes, including matters such as team selection and athlete carding.

4.2 PROJECTED PERFORMANCE

With the introduction of the new Canadian Anti-Doping Program slated to come into effect in June, 2004, and taking into consideration the on-going cycle of major games, the projected annual caseload for the Centre is 75+ cases per year.

5.0 CORPORATE OBJECTIVES

5.1 MAJOR OBJECTIVES

The Centre's main objectives during the planning period will include the administration of the ADRsportRED program. The Centre will initially be located at 8305 Chemin Cote De Liesse, Montreal (Saint Laurent), Quebec, Canada, until a permanent location for the Centre is established.

The Board, in conjunction with the Centre's Executive Director and staff, will develop a comprehensive long-term strategic plan for the Centre, including a review of policies, programs and practices commensurate with the objectives of the Centre, and will develop a comprehensive communications strategy to introduce and inform the Canadian public and the sports community in particular about the new Centre.

5.2 IMPLEMENTATION

The Centre will continue to operate the ADRsportRED program as of April 1, 2004 and will undertake the following steps during the fiscal year to achieve the identified objectives:

- Hire the ADRsportRED Executive Director and Resource Centre Coordinator on a five-month contract basis to ensure a smooth integration of the ADRsportRED program to the Centre and to assist in the establishment of the Centre;
- Hire a permanent Executive Director and staff (advertising, interviewing, selecting), at least one month prior to September 1, 2004, on a full-time basis;
- Establish court office services (Secretariat) on either a contractual or in-house basis;
- Select a location for the Centre and establish offices, including a toll-free number;
- Establish a panel of arbitrators and mediators. This will include a review of the existing panel from ADRsportRED and the determination of changes/additions to be made, if any;
- Hire any additional Centre staff required for the Resource Centre and/or Secretariat;
- Establish office infrastructure;
- Implement the new Canadian Antidoping Program, including training programs for staff, arbitrators, and mediators;
- Establish guidelines to deal with athletes who have been suspended under previous doping provisions, where the new WADA Code provides for lesser suspensions;
- Revise the rules, code, and procedures for arbitration and mediation services in accordance with the objectives of the Centre;
- Develop and implement a communications plan to inform key audiences about the Centre:
 1. Printed materials consisting of brochures will provide an overview of the new Centre, highlighting its mission statement and background. The products will offer detailed descriptions of the Centre's projects and programs, including the continuation of the ADRsportRED services by the Centre, the role of the Centre with respect to the new Canadian Antidoping Program, and the creation of an enhanced Resource Centre. Other written products may offer updates on new initiatives and success stories highlighting dispute resolution in the sport community;
 2. Web site development and launch
 3. The Centre's communications strategy will additionally include protocols and procedures for the management of media inquiries in a manner that demonstrates openness to public scrutiny but that also respects the independence and procedural fairness aspects of its programs.

6.0 FINANCIAL PLAN

PROJECTED FINANCIAL STATEMENT APRIL 1, 2004 - MARCH 31, 2005

THE TOTAL PROPOSED BUDGET FOR THIS PERIOD IS \$1,300,000, BROKEN DOWN AS FOLLOWS:

BUDGET FISCAL YEAR 2004-2005

ADMINISTRATION	\$265,000
• OFFICES	\$119,000
• PROFESSIONAL SERVICES	\$ 50,000
• BOARD OF DIRECTORS MEETINGS	\$ 96,000
OFFICIAL LANGUAGES	\$ 79,000
• PRINTED MATERIALS	\$ 46,000
• LIBRARY TRANSLATION	\$ 33,000
OPERATIONS (PROGRAMS AND SERVICES)	\$685,750
• ADMINISTRATION OF CASES	\$562,750
• RESOURCE CENTER/EDUCATION PREVENTION/LIBRARY/RESEARCH	\$ 63,000
• ARBITRATORS AND MEDIATORS	\$ 60,000
SALARIES \$289,000	
• INTERIM EXECUTIVE STAFF \$103,000	
• EXECUTIVE STAFF \$128,000	
• ADMINISTRATIVE STAFF \$ 58,000	
TOTAL EXPENSES FOR FISCAL YEAR 2004-2005	\$1 318,750
REVENUE: 75 FILES @ \$250	\$ 18,750
TOTAL BUDGET (FUNDING)	\$1 300,000

FUNDING BLOCK

(% OF THE SPORT CANADA CONTRIBUTION)

• ADMINISTRATION (20%)	\$265,000
• OFFICIAL LANGUAGES (6%)	\$ 79,000
• OPERATIONS (SERVICES & PROGRAMS) (52%)	\$685,750
• SALARIES (22%)	\$289,000

Committees of the SDRCC 2004-2005

Allan Stitt is a member of all committees except the Audit Committee

Benoit Girardin is an ex-officio member of all committees

EXECUTIVE COMMITTEE

Allan Stitt (Chair)
Bruce Kidd
Dianne Norman
Gordon Peterson
Benoit Girardin

COMPLIANCE COMMITTEE

Tamar Pichette (Chair)
Gordon Peterson
Susanne Dandenault
Allan Stitt
Benoit Girardin

COMMUNICATION COMMITTEE

Christian Farstad (Chair)
Pierre Hutsebaut
Steven Sugar
Allan Stitt
Benoit Girardin

REVISION OF THE CODE COMMITTEE

Allan Stitt (Chair)
Gordon Peterson
Susanne Dandenault
Benoit Girardin

STAFFING COMMITTEE

Bruce Kidd (Chair)
Pierre Hutsebaut
Steven Sugar
Allan Stitt
Benoit Girardin

AUDIT COMMITTEE

Steven Sugar (Chair)
Christian Farstad
Diane Norman
Benoit Girardin

AUDITOR'S REPORT FOR THE YEAR 2004-2005

SPORT DISPUTE RESOLUTION CENTRE OF CANADA

FINANCIAL STATEMENTS

FOR THE YEAR ENDED MARCH 31, 2005

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Statement of Changes in Net Assets

Statement of Cash Flows

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Driving growth

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Chartered Accountants and Advisors

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www.bdo.ca

AUDITORS' REPORT

To the Directors of Sport Dispute Resolution Centre of Canada

We have audited the balance sheet of Sport Dispute Resolution Centre of Canada as at March 31, 2005 and the statements of operations, 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, 2005 and the results of its operations for the year then ended in accordance with Canadian generally accepted accounting principles.

Chartered Accountants

Montréal, Québec
June 3, 2005

SPORT DISPUTE RESOLUTION CENTRE OF CANADA
BALANCE SHEET

March 31	2005	2004
		(Restated Note 7)
Assets		
Current		
Cash	\$ 121,219	\$ 51,271
Contribution receivable	—	37,143
Prepaid expenses	10,939	17,779
Sales taxes receivable	11,401	12,826
	143,559	119,019
Capital assets (Note 3)	48,515	14,706
	192,074	\$133,725
Liabilities and Net Assets		
Current		
Accounts payable and accrued liabilities (Note 4)	\$109,389	\$119,019
Contribution payable (Note 5)	34,170	—
	143,559	119,019
Net assets		
Net assets invested in capital assets	48,515	14,706
	\$192,074	\$133,725

On behalf of the Board

_____ Director

_____ Director

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

**SPORT DISPUTE RESOLUTION CENTRE OF CANADA
STATEMENT OF OPERATIONS**

For the year ended March 31	2005	2004
	(12 months)	(1 month) (Restated Note 7)
Revenue		
Contribution (Note 5)	\$ 1,000,000	150,000
Other revenue	500	—
Reimbursement of excess contribution (Note 5)	(59,170)	(37,857)
	941,330	112,143
Expenses		
General and administrative		
Professional fees	104,837	41,990
Travel expenses	52,474	1,393
Meeting	38,291	10,980
Rent	32,310	—
Office expense	23,542	35
Web site design	20,258	—
Insurance	13,078	—
Telephone and telecommunications	13,052	1,688
Amortization	9,291	2,784
Advertising	2,525	9,323
Dues and subscription	2,422	725
Bank charges and interest	443	—
	312,523	68,918
Salaries and benefits	217,395	—
Official languages		
Translation	48,884	1,904
Printing	26,601	26,615
	75,485	28,519
Operation		
Case fees	162,266	—
Education / prevention forum	81,567	—
-Nonreimbursable sales tax	45,532	—
Training	12,753	—
	302,118	—
Excess of revenue over expenditures for the year (Note 5)	\$ 33,809	\$ 14,706

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

SPORT DISPUTE RESOLUTION CENTRE OF CANADA
STATEMENT OF CHANGES IN NET ASSETS

For the year ended March 31	2005			2004
	(12 months)			(1 month)
	Net Assets Invested in Capital Assets	Unrestricted Net Assets	Total	Total
Balance, beginning of year				
As previously reported	\$ 14,706	\$ 37,857	\$ 52,563	—
Prior period adjustment (Note 7)	—	(37,857)	(37,857)	—
As restated	14,706	—	14,706	—
Excess of (expenditures over revenue) revenue over expenditures for the year	(9,291)	43,100	33,809	14,706
Investment in capital assets	43,100	(43,100)	—	—
Balance, end of year	\$ 48,515	—	\$ 48,515	\$ 14,706

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

**SPORT DISPUTE RESOLUTION CENTRE OF CANADA
STATEMENT OF CASH FLOWS**

For the year ended March 31	2005	2004
	(12 months)	(1 month) (Restated Note 7)
Cash flows from operating activities		
Excess of revenue over expenditures for the year	\$ 33,809	\$ 14,706
Item not involving cash		
Amortization of capital assets	9,291	2,784
	43,100	17,490
Changes in noncash working capital balances		
Contribution receivable	37,143	(37,143)
Prepaid expenses	6,840	(17,779)
Sales taxes receivable	1,425	(12,826)
Accounts payable and accrued liabilities	(9,630)	107,526
Due to director	—	11,493
Contribution payable	34,170	—
	113,048	68,761
Cash flows from investing activity		
Purchase of capital assets	(43,100)	(17,490)
Increase in cash during the year	69,948	51,271
Cash, beginning of year	51,271	—
Cash, end of year	\$ 121,219	\$ 51,271

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

**SPORT DISPUTE RESOLUTION CENTRE OF CANADA
NOTES TO FINANCIAL STATEMENT**March 31, 2005

1. General Information

The 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 nonforprofit corporation without share capital and without pecuniary gain to its members.

The organization 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 the Centre

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

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:

Revenue recognition	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.
----------------------------	---

Financial instruments	The organization's financial instruments consist of cash, sales tax receivable, accounts payable and accrued liabilities and contribution payable. Unless otherwise noted, it is management's opinion that the organization is not exposed to significant interest, currency or credit risk arising from these financial instruments.
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SPORT DISPUTE RESOLUTION CENTRE OF CANADA NOTES TO FINANCIAL STATEMENT

March 31, 2005

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 revenues 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

3. Capital Assets

	Cost	Accumulated Amortization	2005 Net Book Value	2004 Net Book Value
Office equipment	\$ 40,887	\$ 4,346	\$ 36,541	\$ 1,263
Computer equipment	19,703	7,729	11,974	13,443
	\$ 60,590	\$ 12,075	\$ 48,515	\$ 14,706

4. Related Party Transactions

Included in accounts payable and accrued liabilities is an amount due to director for \$12,464 (2004 - \$11,493).

The related party transactions for the year are in the normal course of operations and are measured at the exchange amount, which is the amount of consideration established and agreed to by the related party.

SPORT DISPUTE RESOLUTION CENTRE OF CANADA NOTES TO FINANCIAL STATEMENT

March 31, 2005

5. Government Contributions

During the year, the SDRCC received \$1,000,000 in financial assistance from Sport Canada. The entire amount has been included in revenue. Any amount of contribution in excess of expenses for the current year must be returned. As at March 31, 2005, there is a balance repayable to the Sport Canada of \$34,170 which has been recorded in the financial statements.

The reimbursement of excess contribution consists of the following:

	2005	2004
Excess of revenue over expenditures for the year	\$ 33,809	\$ 14,706
Reimbursement of excess contribution	59,170	37,857
Income before adjustment for contribution	92,979	52,563
Amortization	9,291	2,784
Capital acquisitions for the year	(43,100)	(17,490)
Reimbursement of excess contribution	\$ 59,170	\$ 37,857

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

6. Commitments

The organization has an operating lease for its premises expiring on September 30, 2009.

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

2006	\$ 18,630
2007	18,630
2008	18,630
2009	18,630
2010	9,315
	\$ 83,835

7. Prior Period Adjustment

The contribution receivable and reimbursement of excess contribution for the year 2004 were decreased and increased respectively by \$37,857 to reflect the amount to be reimbursed to CCES for 2004.

SYNOPSIS OF CASES ORDINARY DIVISION

April 1, 2004 to March 31, 2005

Decisions are available at www.adrsportred.ca

FILE NUMBER DIVISION & TYPE OF REQUEST	SPORT	TYPE OF DISPUTE	MEMBER FILING THE REQUEST	ARBITRATOR OR MEDIATOR	LENGTH OF PROCEEDINGS	SOLUTION	LEGAL REPRESENTATIVE
SDRCC-04-0001 Ord. division Arbitration	Canoe	Carding	Athlete	Michel G. Picher	March 31, 2004	Unsettled	Yes for all parties
SDRCC-04-0005 Ord. division Arbitration	Archery	Selection	Athletes (2)	Michel G. Picher	June 1, 2004	Withdrawal of application by athletes	
SDRCC-04-0006 Ord. division Arbitration	Wheelchair Basketball	Selection	Athlete	Stewart McInnes	22 days (June 1, 2004, to June 23, 2004)	Award rendered Appeal dismissed	
SDRCC-04-0007 Ord. division Arbitration	Softball	Selection	Athlete	Tricia C.M. Smith	37 days (June 1, 2004, to July 7, 2004)	Award rendered Appeal allowed	Yes for one party (athlete)
SDRCC-04-0008 Ord. division Arbitration	Equine	Selection	Athletes(2)	John P. Sanderson	7 days (June 11, 2004, to June 18, 2004)	Award rendered Appeal allowed	
SDRCC-04-0009 Ord. division Arbitration	Boccia	Selection	Ahtlete	James W. Hedley	15 days (June 14, 2004, to June 29, 2004)	Award rendered Appeal dismissed	Yes for one party (NSO)
SDRCC-04-00010 Ord. division Arbitration	Paralympic Dressage Epic	Selection	Athlete	Tricia C.M. Smith	41 days (June 7, 2004, to July 21, 2004)	Award rendered Appeal allowed	Yes for all parties
SDRCC-04-00011 Ord. division Arbitration	Boccia	Selection	Athlete	James W. Hedley	22 days (June 7, 2004, to June 29, 2004)	Award rendered Appeal allowed	Yes for all parties
SDRCC-04-00012 Ord. division Arbitration	Bowls	Selection	Athlete	Paule Gauthier	33 days (June 9, 2004, to July 12, 2004)	Award rendered Appeal dismissed	
SDRCC-04-00013 Ord. division Arbitration	Goalball	Selection	Athlete	Jane H. Devlin	11 days (June 10, 2004, to June 21, 2004)	Award rendered Appeal dismissed	
SDRCC-04-00014 Ord. division Arbitration	Equine	Selection	Athlete	John P. Sanderson	18 days (June 17, 2004, to July 5, 2004)	Withdrawal of the request for arbitration by athlete	Yes for all parties
SDRCC-04-00015 Ord. division Arbitration	Softball	Selection	Athlete	Tricia C.M. Smith	23 days (June 23, 2004, to July 16, 2004)	Award rendered Appeal dismissed	Yes for one party (athlete)
SDRCC-04-00016 Ord. division Arbitration	Raquetball	Selection	Athlete	Patrice M. Brunet	17 days (July 7, 2004, to July 24, 2004)	Award rendered Appeal allowed	Yes for all parties
SDRCC-04-00017 Ord. division Arbitration	Paralympic Dressage	Selection	Athlete	Richard W. Pound	3 days (July 8, 2004, to July 11, 2004)	Award rendered Appeal dismissed	

APPENDIX E (continued)

FILE NUMBER DIVISION & TYPE OF REQUEST	SPORT	TYPE OF DISPUTE	MEMBER FILING THE REQUEST	ARBITRATOR OR MEDIATOR	LENGTH OF PROCEEDINGS	SOLUTION	LEGAL REPRESENTATIVE
SDRCC-04-00018 Ord. division Arbitration	Equine	Selection	Athlete	Tricia C.M. Smith	14 days (July 7, 2004, to July 21, 2004)	Award rendered Appeal allowed	
SDRCC-04-00019 Ord. division Arbitration	Cycling	Selection	Athlete	Michel G. Picher	7 days (July 9, 2004, to July 16, 2004)	Award rendered Appeal dismissed	Yes for the athlete (non legal representative)
SDRCC-04-00020 Ord. division Arbitration	Swimming	Selection	Athlete	Ed Ratushny	5 days (July 13, 2004, to July 18, 2004)	Award rendered Appeal dismissed	Yes for all parties
SDRCC-04-00021 Ord. division Arbitration	Athletics Wheelchair	Selection	Athlete	Graeme Mew	3 days (August 31, 2004, to September 2, 2004)	Award rendered Appeal dismissed	Yes for all parties
SDRCC-04-0022 Ord. division Arbitration	Badminton	Selection	Athlete	James W. Hedley	26 days (September 11, 2004, to October 7, 2004)	Award rendered Appeal allowed in part	
SDRCC-05-0023 Ord. division Mediation	Equine	Discipline	Coach Athlete		October 25, 2004	Incompleted request	
SDRCC-05-0024 Ord. division Mediation	Bobsleigh	Discipline	Athlete	Stephen L. Drymer	10 days (January 24, 2005, to February 4, 2005)	Settlement	Yes for all parties
SDRCC-05-0025 Ord. division Arbitration	Cycling	Doping	Athlete	Richard McLaren	14 days (January 21, 2005, to February 4, 2005)	Award rendered Sanction: 6 months suspension & fine	
SDRCC-05-0026 Ord. division Arbitration	Softball	Selection	NSO	Richard W. Pound	12 days (February 4, 2005, to February 16, 2005)	Award rendered Appeal dismissed	Yes for the athlete
SDRCC-05-0027 Ord. division Arbitration	Cycling	Doping	Athlete	John P. Sanderson	52 days (February 22, 2005, to April 14, 2005)	Sanction: Warning	Yes for the athlete
SDRCC-05-0028 Ord. division Arbitration	Equine	Jurisdiction & Doping	Rider	Ed Ratushny	93 days (February 24, 2005, May 27, 2005)	Award rendered Appeal allowed	Yes for all parties

SYNOPSIS OF CASES AD HOC DIVISION

April 1, 2004, to March 31, 2005

FILE NUMBER DIVISION & TYPE OF REQUEST	SPORT	TYPE OF DISPUTE	MEMBER FILING THE REQUEST	ARBITRATOR OR MEDIATOR	LENGTH OF PROCEEDINGS	SOLUTION	LEGAL REPRESENTATIVE
SDRCC 04-0002 Ad Hoc division Arbitration	Yatching	Jurisdiction Selection	Athlete	Pierre A Michaud (Jurisdiction) Stephen L. Drymer (Selection)	76 days (April 23, 2004, to July 9, 2004)	Award rendered Appeal denied	
SDRCC-04-0003 Ad Hoc division Arbitration	Boxing	Jurisdiction Selection	NSO & Athletes(3)	Pierre A Michaud (Jurisdiction) Michel Picher (Selection)	11 days (July 10, 2004, to July 21, 2004)	Award rendered Appeal allowed	
SDRCC 04-0004 Ad Hoc division Arbitration	Sailing	Yatching	Athlete		16 days (May 21, 2004, to June 7, 2004)	Withdrawal by the athlete	Yes for all parties
SDRCC-04-0005 Ad Hoc division Arbitration	Badminton	Selection	NSO & Athletes (2)	Richard H. McLaren	2 days (July 16, 2004, to July 18, 2004	Award rendered Both appeals dismissed	Yes for all parties

SYNOPSIS OF CASES DOPING TRIBUNAL

April 1, 2004 to March 31, 2005

FILE NUMBER DIVISION & TYPE OF REQUEST	TYPE OF INFRACTION	SPORT	ARBITRATOR OR MEDIATOR	LENGTH OF PROCEEDINGS (CCES)	WAIVER OR DÉCISION	LEGAL REPRESENTATIVE
SDRCC DT 04-0001 Doping Tribunal Arbitration	Doping	Athletics		10 days (July 19, 2004, to July 29, 2004)	Waiver	
SDRCC DT 04-0002 Doping Tribunal Arbitration	Doping	Athletics		19 days (Sept 8, 2004, to Sept 27, 2004)	Waiver	
SDRCC DT 04-0003 Doping Tribunal Arbitration	Doping	Athletics		23 days (Sept 13, 2004, to Oct 6, 2004)	Waiver	
SDRCC DT 04-0004 Doping Tribunal Arbitration	Doping	CIS- Soccer		11 days (Nov 11, 2004, to Nov 22, 2004)	Waiver	
SDRCC DT 04-0005 Doping Tribunal Arbitration	Doping	CCAA - Soccer		1 days (Nov 23, 2004, to Nov 24, 2004)	Waiver	
SDRCC DT 04-0006 Doping Tribunal Arbitration	Doping	CIS - Football		9 days (Dec 13, 2004, to Dec 22, 2004)	Waiver	
SDRCC DT 04-0007 Doping Tribunal Arbitration	Doping	CIS - Football		9 days (Dec 13, 2004, to Dec 22, 2004)	Waiver	
SDRCC DT 04-0008 Doping Tribunal Arbitration	Doping	Football		9 days (Dec 21, 2004, to March 7, 2005)	Waiver	
SDRCC DT 04-0009 Doping Tribunal Arbitration	Doping	Football Sanction	Paule Gauthier	135 days (Dec 21, 2004, to May 6 , 2005)	1 year suspension	Yes for the CCES
SDRCC DT 04-0010 Doping Tribunal Arbitration	Doping	Football		26 days (Dec 21, 2004, to Jan 17, 2005)	Waiver	
SDRCC DT 04-0011 Doping Tribunal Arbitration	Doping	Football		13 days (Dec 21, 2004, to Jan 4 , 2005)	Waiver	
SDRCC DT 04-0012 Doping Tribunal Arbitration	Doping	Football		8 days (Dec 21, 2004, to Dec 29 , 2004)	Waiver	
SDRCC DT 04-0013 Doping Tribunal Arbitration	Doping	CIS-Basketball		9 days (Jan 4, 2005, to Jan 13, 2005)	Waiver	
SDRCC DT-04-0014 Doping Tribunal Arbitration	Doping	CIS- Basketball	Graeme Mew	33 days (Jan 4 2005, to February 7, 2005)	Sanction 2 years suspension	Yes for the CCES

APPENDIX E (continued)

FILE NUMBER DIVISION & TYPE OF REQUEST	TYPE OF INFRACTION	SPORT	ARBITRATOR OR MEDIATOR	LENGTH OF PROCEEDINGS (CCES)	WAIVER OR DÉCISION	LEGAL REPRESENTATIVE
SDRCC DT-04-0015 Doping Tribunal Arbitration	Doping	Football		8 days (Jan 4, 2005, to Jan 12, 2005)	Waiver	
SDRCC DT-04-0016 Doping Tribunal Arbitration	Doping	CCAA - Football		8 days (Jan 4, 2005, to Jan 12, 2005)	Waiver	
SDRCC DT-04-0017 Doping Tribunal Arbitration	Doping	CCAA-Football		7 days (Jan 7, 2005, to Jan 14, 2005)	Waiver	
SDRCC DT-04-0018 Doping Tribunal Arbitration	Doping	CIS - Hockey		18 days (Jan 7, 2005, to Jan 25, 2005)	Waiver	
SDRCC DT-04-0019 Doping Tribunal Arbitration	Doping	Wrestling		5 days (Feb 15, 2005, to Feb 20, 2005)	Waiver	
SDRCC DT-05-0020 Doping Tribunal Arbitration	Doping	Weighthlifting	Patrice M. Brunet	44 days (March 4, 2005, to April 17, 2005)	Sanction 2 years suspension	Yes for all parties
SDRCC DT-05-0021 Doping Tribunal Arbitration	Doping	CIS-Sport		8 days (March 15, 2005, to March 23, 2005)		Waiver
SDRCC DT-05-0022 Doping Tribunal Arbitration	Doping	Curling	Richard H McLaren	48 days (April 14, 2005, to June 2, 2005)	Sanction 2 years suspension	Yes for the CCES

List of arbitrators and mediators of the SDRCC

The Arbitrators and Mediators by province are as follows:

Nova Scotia

Peter J. Mackeigan
The Honourable Stewart McInnes

Quebec

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

Ontario

Michel G. Picher
Graeme Mew
Ed Ratushny
The Honourable John Watson Brooke
Jane H. Devlin
Ross C. Dumoulin
Richard H. McLaren

Manitoba

James W. Hedley

Alberta

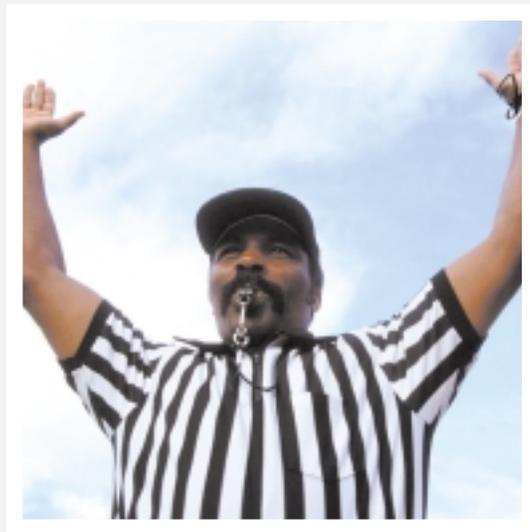
Dale H. Styner
David C. Elliott
John Harrison Welbourn
William J. Warren

British Columbia

Tricia C. M. Smith
John P. Sanderson

Richard H. McLaren and L. Yves Fortier act as Co-Chief Arbitrators to oversee and supervise the affairs related to the application of the Code of procedures of the SDRCC.

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