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# SPORT DISPUTE RESOLUTION CENTRE OF CANADA

REPORT ON THE OPERATIONS OF THE SDRCC 2011-2012

From the Chairperson of the SDRCC  
CARLA QUALTROUGH  
July 31, 2012

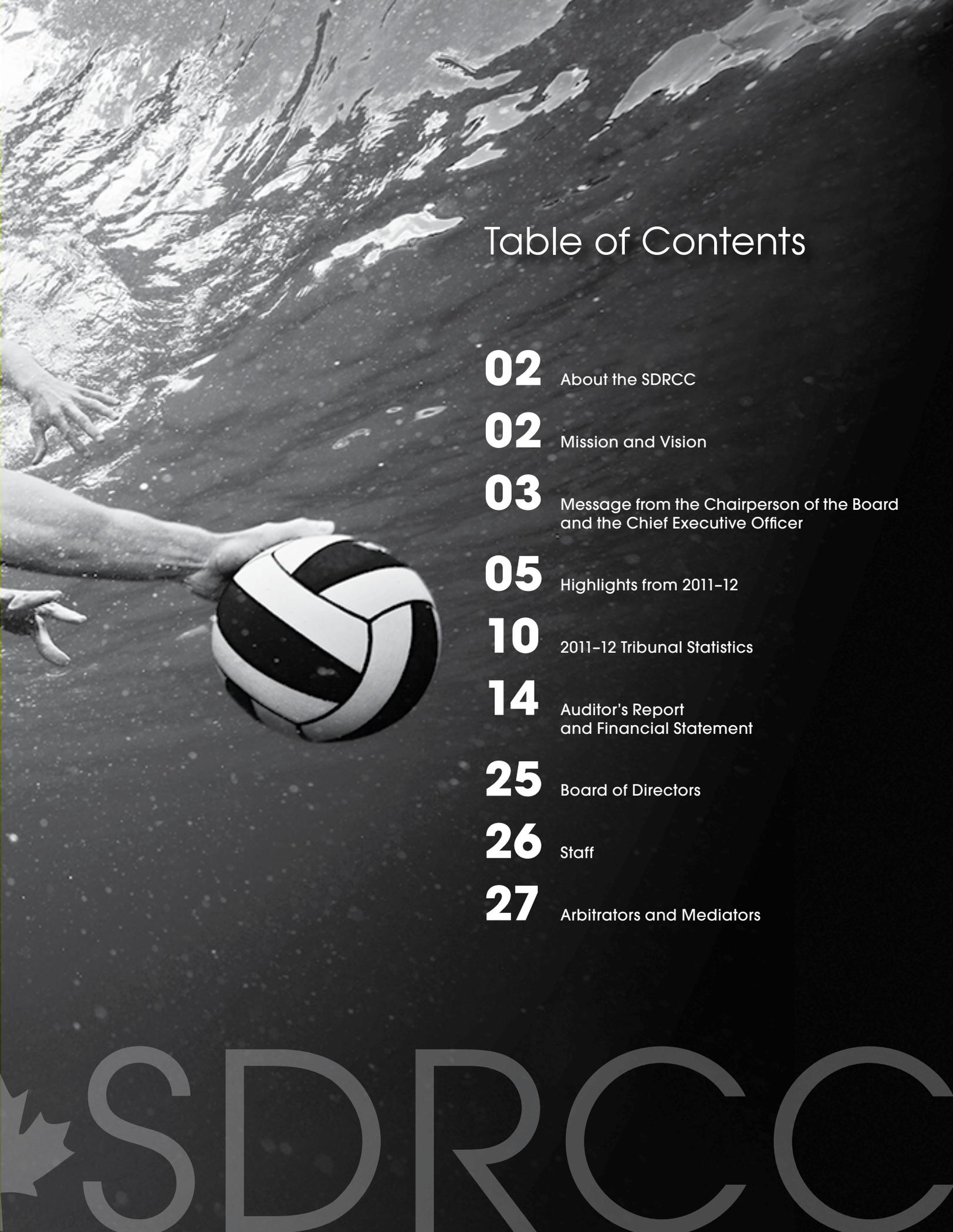
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## About the SDRCC

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 Board of Directors of the SDRCC (the “Board”) is composed of voluntary members and has the mandate to direct the SDRCC and oversee its activities. The members of the Board were appointed by the Minister of State (Sport).

This report reviews the operations and assesses the results of the activities of the SDRCC for the period from April 1, 2011 to March 31, 2012 (the “Period”).

### MISSION

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

### VISION FOR 2012–2016

The SDRCC is recognized, respected and accepted as a centre of excellence nationally, which uses resolution facilitation, mediation and arbitration processes to resolve conflicts in sport; and which provides education to all NSOs and MSOs with the goal of preventing disputes.

### ORGANIZATION HISTORY AND PROFILE

The SDRCC was established to offer the Canadian sport community the necessary tools to prevent conflicts and, when they are inevitable, to resolve them.

Following extensive consultations in the sport community and collaboration between several key sport organizations in Canada, the interim predecessor of the SDRCC, the ADRsportRED Program was launched in January 2002 to offer dispute resolution services to the sport community at the national level.

When the *Act to Promote Physical Activity and Sport* received Royal Assent in March 2003, the SDRCC was officially established as an independent organization with a mission to provide to the sport community a national alternative dispute resolution (ADR) service for sports-related disputes. The SDRCC officially began its operations in April 2004 and it assumed responsibility for hearing all doping cases in Canada starting in June 2004.

Today the SDRCC has five full-time staff members and a roster of 45 professional arbitrators and mediators who report to the twelve-member Board. On average, the SDRCC handles 45 cases per year, approximately half of which are doping cases. In addition to the activities of the Tribunal, the SDRCC Dispute Prevention Resource Centre provides members of the Canadian sport community with tools to help prevent and reduce the occurrence or severity of sports-related disputes.

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## Message from the Chairperson of the Board

The 2011–2012 fiscal year marked an important milestone for the SDRCC and sport in Canada as we celebrated 10 years of ADR in the Canadian sport system. ADR has indeed become an accepted, welcomed and respected process within our sport community.

On behalf of the Board and staff, I would like to thank all of those individuals who, from the very beginning, shared the vision of a more fair, timely and accessible sport system through dispute prevention and resolution. Our success is due to your hard work and unwavering commitment.

As we looked back to celebrate this milestone during our 2012 Arbitrator and Mediator Conference in Calgary, we also looked ahead to the future. During the Period, the Board and staff met for a strategic planning session which resulted in clear strategic priorities, a new strategic plan and a new committee structure to better support our priorities. We re-committed ourselves to providing excellent dispute resolution services and education to the Canadian sport system, and to sharing our expertise internationally.

In the coming months, a primary area of Board focus will be on succession planning, as myself and four other Board members will have served our maximum term in June of 2013. Members of the sport community will soon be invited to express their interest to the Minister through a call for applications.

As our Olympic and Paralympic teams are now heading to London, we wish our athletes all the best as they strive towards the podium.

At the SDRCC, we are proud of the work we do and the services we provide. I would personally like to thank the Board members for their leadership, dedication and knowledge. On their behalf, I would also like to thank our Executive Director and her team for their hard work and committed professionalism; the respect that you have earned nationally and internationally is well deserved.

We proudly submit this summary of our activities to our partners, supporters and the sport system.

**Carla Qualtrough,**  
Chairperson of the Board of Directors

## Message from the Chief Executive Officer

From an operational perspective, the 2011–2012 fiscal year was one of change and growth. Four new staff members were hired early in the Period, bringing our team size to five. This provided us with a unique opportunity to restructure our internal operations, enabling us to better meet the needs and expectations of the sport community and to increase the overall quality of our services.

The staff attended more events than ever in this Period to conduct workshops and promote our services. In doing so, we expanded the reach of our dispute prevention and resolution programs within the Canadian sport community.

An independent firm surveyed Canadian athletes, coaches, officials and sport administrators during the Period. We were proud to learn that respondents overwhelmingly described the SDRCC as professional, accessible, independent, timely, affordable and transparent. Results also confirmed the need for more education and better promotion of our services among specific cross-sections of our target clients.

The tribunal was very active during the Period with a total of 47 cases, including some cases related to team selection for the London 2012 Olympic Games. We recorded a slight decrease in doping cases and are pleased to report that nearly half of the non-doping cases resolved by the SDRCC were settled amicably by the parties.

Internationally, the SDRCC reinforced its position among the leaders in the field of sport ADR by developing new relationships with international organizations in order to further its strategic objectives.

To celebrate 10 years of excellence in sport ADR in Canada, this 2011–12 fiscal year could not have been any better. A warm thank you to everyone whose contribution made it all possible.

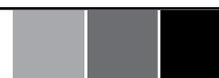
**Marie-Claude Asselin,**  
Executive Director and Chief Executive Officer

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The SDRCC would like to thank all those individuals and organizations that have contributed to the growth and success of sport ADR in Canada, most particularly the Government of Canada, through Canadian Heritage and Sport Canada, for its generous financial contribution and its continued support.





## Achieving Our Objectives:

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

Potential clients of the tribunal are briefed thoroughly by SDRCC staff on their dispute resolution options, including the advantages of mediation and resolution facilitation where appropriate. Resolution facilitation is also mandatory for parties requesting arbitration services. Through the website and the newsletter, the mediation and med/arb options are being widely promoted.

Of the 20 non-doping disputes resolved by the SDRCC in the 2011–12 fiscal year, 47% were settled by agreement through resolution facilitation or mediation. The SDRCC is of the opinion that such win-win outcomes aid in preserving and maintaining positive relationships between members of the sport community involved in these disputes, national sport organizations with their athletes, and also with their provincial constituents.

#### 1.2 Train all arbitrators and mediators, including in the use of the Case Management Portal

Several new training opportunities were offered to arbitrators and mediators over the Period.

The SDRCC Arbitrator and Mediator conference program, especially designed for SDRCC roster members, featured presentations and panel sessions by guest speakers, including several SDRCC clients and collaborators, and addressed several current themes and issues of relevance to the participants. Again this year, part of the conference was open to the public. The quality of the conference program allowed it to be recognized for continuing professional development credits by the law societies of British Columbia, Saskatchewan, Ontario, Quebec and New Brunswick.

A user-guide for the Case Management Portal (CMP) was developed to provide all users with quick and simple

instructions on its use. In addition, several arbitrators and mediators also benefitted from individual training sessions offered by SDRCC staff on the use of the web portal for conference call management.

A new continuing professional development program was implemented during the Period. The Observer Program offers SDRCC roster members first-hand exposure to sports-related dispute resolution proceedings providing them with an opportunity to observe their colleagues in action.

#### 1.3 Improve the level of expertise of the SDRCC by training staff and Board members

The hiring of four new employees in the spring of 2011 necessitated the delivery of a thorough orientation program in order to familiarize new staff with internal and external policies and procedures, including the Canadian Sport Dispute Resolution Code and the Canadian Anti-Doping Program. All SDRCC staff also pursued professional development activities individually, in such areas as human resource management, risk management, advanced database programming and French language courses. In addition, an education session on mediation for all staff members was conducted in March 2012.

#### 1.4 Further explore the fee-for-service model to serve a wider audience in the Canadian sport system

The SDRCC has further elaborated its fee-for-service offer to make its dispute prevention and resolution services available to more members of the Canadian sport community. These dispute resolution services include time-limited mediations, mini-hearings, and extended arbitrations. Dispute prevention services are offered mainly in the form of workshops, although the SDRCC was also hired during the Period to elaborate content on dispute prevention for the website of a regional sport organization.



## 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**

A leaflet intended for sports officials was developed and launched at the Sports Officials Canada conference in September 2011; another leaflet was published for coaches in partnership with Coaches of Canada in November 2011. Both publications address their rights and responsibilities in preventing disputes and provide information on the dispute prevention and resolution resources and services offered by the SDRCC.

An annual information session was held in May 2011 in collaboration with AthletesCAN for the Sport Solution managers and AthletesCAN staff members to familiarize them with the SDRCC services and dispute resolution processes so that they can better assist athletes in their preparation for eventual SDRCC proceedings.

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

The SDRCC staff increased its exposure to the Canadian sport community during the Period by attending more events, including the 2011 SPIN Summit and the 2012 CS4L Summit. The SDRCC also featured its awareness kiosk and distributed dispute prevention and resolution print materials at the 2011 AthletesCAN Forum and facilitated a workshop at the 2011 Sports Officials Canada conference.

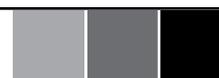
The SDRCC Newsletter, "In the Neutral Zone", is published three times per year and continues to be an invaluable source of information for sport administrators and other members of the sport community. During the Period it featured themes addressing the issue of conflicts of interest in sport organizations as well as the management of disputes at the NSO/MSO level from the perspective of both prevention and resolution.

The SDRCC staff contributed two articles to the Coaches PLAN magazine, in the Fall 2011 and Spring 2012 editions, to further promote dispute prevention through best practices among Canadian coaches.

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

The SDRCC began the development of an online orientation and training program for volunteers called to act as internal appeal panel members by sport organizations. The launch of this program is anticipated to take place in the next fiscal year.

During the fiscal year, the SDRCC engaged in a pilot project to propose a year-round internship program in collaboration with targeted Canadian universities offering co-op programs in relevant fields of studies. If the pilot project proves successful, the SDRCC would offer meaningful workplace experiences to future sports administrators and future lawyers with an interest in sport law. The program would help to increase their knowledge of dispute prevention strategies and their understanding of the benefits of alternative dispute resolution for 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**

The SDRCC Board met in June 2011 to renew its long-term strategic plan. As the Period marked the 10-year anniversary of ADR in Canadian sport, this meeting provided an opportunity to look back on what had been accomplished since the implementation of the ADRsportRED program and to look forward to the future of sport ADR in the country. As part of a larger governance review, the Board also conducted self-evaluation and set itself some performance goals to increase its effectiveness as an advisory Board with a defined operational role. The committee structure was redesigned and committee membership revisited to better support the new strategic objectives.

During the Period, the SDRCC consolidated its Gender Equity, its Disability, Equity and Access, and its Aboriginal People policies into an Equity and Access policy; it has also conducted revisions of its Employment and Workplace Policy and of its Complaint Process Policy.

The SDRCC Executive Committee also commenced a process to elaborate a comprehensive risk management system during the period. A private firm was contracted to assess and evaluate the risks associated with the operation of the SDRCC and to recommend a risk management system over the course of the next months.

#### **3.2 Adopt environmentally-friendly practices and incorporate the use of new technologies in the management of disputes**

The SDRCC continued to conduct business in a manner that is respectful of the environment. Particularly, the Case Management Portal (CMP) was fully integrated into the Tribunal process during the Period. The CMP has reduced the need for print materials by providing parties and panel members with on-line access to their SDRCC case files at anytime from anywhere, including all case-related materials

and an interactive calendar. Since the launch, feedback received from roster members and parties has been very positive. This SDRCC innovative system has even generated interest from other sports tribunals and has attracted attention from the academic community by being featured in a new textbook on online dispute resolution.

Several other initiatives involving the integration of new technologies greatly improved SDRCC's efficiency and increased its accessibility. For instance, the SDRCC website was enabled with innovative technology to improve access to its dispute prevention and resolution resources for Canadians with visual impairment, low literacy skills or learning disability. The office telephone system was also switched to a voice-over-IP system which resulted in an operational cost savings of approximately 47% for telecommunication services.

It should also be noted that compared to previous years, the SDRCC has reduced the volume of printed documents distributed at the arbitrator and mediator conference by 51% by encouraging participants to opt to receive the conference materials electronically.

#### **3.3 Conduct a baseline assessment of all performance indicators found in the new results-based management and accountability framework**

A consultant was hired to conduct an independent survey research to evaluate the SDRCC's performance and to facilitate the implementation of the SDRCC results-based management and accountability framework. In addition to enabling the establishment of a baseline measure for performance indicators to monitor improvement over time, the results of the research will serve to align our strategies with the needs of our clients and stakeholders and to better assess the effectiveness of current services and programs.



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

During the Period, the SDRCC Ordinary Tribunal received 20 new disputes dealing with issues such as team selection, athlete carding, discipline, governance matters and the Doping Tribunal managed 27 asserted anti-doping violations. Two of these disputes related to team selection for the London 2012 Olympic Games. The new cases originated from 20 different sports, and only six sports were involved in 4 or more cases during the Period.

Eight of the 20 non-doping cases were resolved by arbitration, seven by consent settlement, and four requests were withdrawn by the claimants or terminated by parties before they were resolved. The average delay for an arbitral award to be rendered in non-doping cases was 33 days; the average duration of non-doping cases resolved by settlement agreement was 64 days.

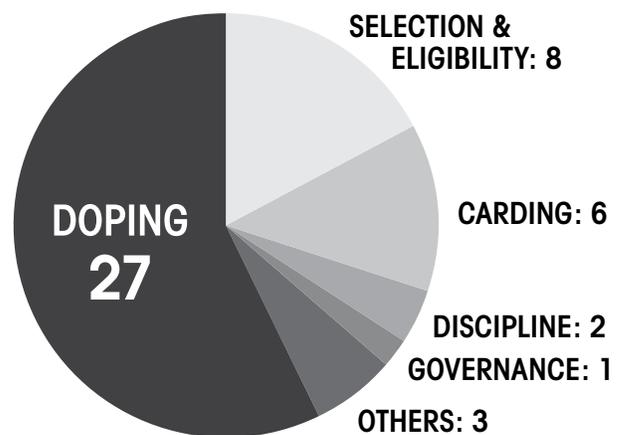
Of the 27 doping cases, 20 were resolved by the athletes waiving their right to a hearing and accepting the sanction proposed by the Canadian Centre for Ethics in Sport; five cases were determined by an arbitral decision; one was withdrawn; and one is pending the completion of the arbitration process. The average time for resolution of doping cases was 29 days.

All sports-related disputes submitted to the SDRCC during the Period were managed in a fair and efficient manner. During the Period, one complaint was filed against a roster member. In this instance, an independent investigator was appointed to review the complaint and declared it to be unsubstantiated.

The SDRCC *Pro Bono* program completed its first full year of service during the Period. The program was established to provide unrepresented parties with limited financial means access to free legal advice and services to assist them with their case before the SDRCC. Legal representatives on the SDRCC Pro Bono list were involved in at least 6 cases during the Period, and in at least 32 cases in total since the inception of the program in October 2010. Since then also, partial statistics obtained by the SDRCC revealed that parties to SDRCC proceedings have saved over \$211,200 on legal services through the use of the *Pro Bono* Program.

### TYPE OF DISPUTE

The types of disputes brought to the SDRCC were as follows:

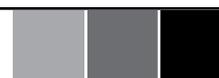


### DISPUTES PER SPORT

Multiple requests were submitted from the following sports:

SPORT	NUMBER OF CASES
Football	9
Canoe-Kayak	5
Cycling	4
Fencing	4
Soccer	4
Taekwondo	4
Badminton	2
Rugby	2
Speed Skating	2

Sports from which only one dispute was submitted were: Athletics, Cross-Country Ski, Gymnastics, Karate, Lacrosse, Triathlon, Weightlifting, Wheelchair Athletics, Wheelchair Basketball, Wheelchair Rugby, and Wrestling.



### **3.5 Draw on relevant expertise from around the world and work on international partnerships in sport dispute resolution to further improve its services to the Canadian sport community**

The SDRCC strengthened its relationship with the Japan Sports Arbitration Agency (JSAA) by hosting one of JSAA's staff members as intern in the summer of 2011. Fully funded by the Government of Japan, this internship provided the opportunity to share knowledge and expertise in sport ADR and facilitated the advancement of several SDRCC projects.

The SDRCC developed a partnership with the LawAccord Convention during the Period and engaged in discussions with other international bodies. Existing relationships with the UK and New Zealand were maintained.

### **3.6 Ensure that the SDRCC policies comply with the Act, its by-laws and any agreements to which the SDRCC is a party**

The 2010–2011 SDRCC Annual Report was delivered to the Minister of State (Sport) in July 2011 and the SDRCC Annual Public meeting was held in Ottawa on September 14, 2011.

As required by Section 32 of the Act, the SDRCC corporate plan for the 2012–2013 fiscal year was submitted to the Minister of State (Sport) on March 1, 2012. The plan indicated that the SDRCC would: i) continue to provide innovative and professional sport dispute prevention and resolution services; (ii) provide quality education programs to strengthen the capacity of decision-makers and participants in the Canadian sport system to develop and implement sound policies aimed at reducing the risk of disputes; (iii) strengthen existing partnerships and create new ones to share expertise, best practices and maximize the impact of shared resources; (iv) extend access to SDRCC prevention and awareness resources to grassroots level organizations in Canada; (v) increase the profile of SDRCC internationally; and (vi) practice transparent and responsible management and governance. The corporate plan presented a budget that included expenditures of \$1,000,000. The projected expenditures include: \$160,000 for administration, \$40,000 for official languages, \$289,500 for operations, and \$510,500 for human resources.

A contracted 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 and Finance Committee of the SDRCC on **June 28, 2012**. The Auditor's Report was approved by the Board of Directors of the SDRCC on **July 18, 2012**. The Auditor's Report, presented on page 14 of this report, states that the policies of the SDRCC are in accordance with Canadian generally accepted accounting principles and that the SDRCC is considered economically dependent upon government funding for its financial operations.

Sport Canada's contribution to the SDRCC for the Period was **\$933,900**. Before the year-end, the SDRCC returned to Sport Canada a projected surplus of **\$13,404**. The approved financial statements show that related expenses amounted to a total of **\$859,305**, broken down as follows:

- **\$205,833** for administration, including office, governance, and communication;
- **\$23,977** for official languages requirements, including the cost of translation for the SDRCC documents and rulings;
- **\$244,453** for operations and programming, including the administration of cases, training for mediators and arbitrators, education, and prevention; and
- **\$385,042** for human resources, including professional services as well as salaries and benefits for the SDRCC staff.

The SDRCC also generated **\$5,999** in independent revenues for the Period.

An excess contribution in the amount of \$52,132 for the Period has been returned to Sport Canada.

Accordingly, during the Period, the SDRCC complied with all of its legislative and contractual obligations.

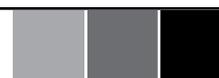
## 2011–2012 STATISTICS ON CASES

### SPORT DISPUTE RESOLUTION CENTRE OF CANADA

#### **SYNOPSIS OF CASES BEFORE THE ORDINARY TRIBUNAL** (from April 1, 2011 to March 31, 2012)

File Number Division Type of request	Sport	Type of dispute	Member filing the request	Arbitrator or Mediator	Length of proceeding	Solution	Legal representative
SDRCC 11-0148 Ordinary Division Med/Arb	Karate	Eligibility	Coach	David Bennett	108 days (April 26 to August 12, 2011)	Consent Settlement	Jordan Goldblatt (Coach) Steven Indig (NSO)
SDRCC 11-0149 Ordinary Division Med/Arb	Badminton	Carding	Athlete	Stephen L. Drymer	50 days (May 25 to July 14, 2011)	Appeal Denied	Jeffrey J. Palamar (Affected Party)
SDRCC 11-0150 Ordinary Division Arbitration	Canoe-Kayak	Carding	Athlete	François Tremblay (Jurisdictional)	336 days* (June 9, 2011 to May 10, 2012)	Jurisdictional award annulled in civil court	Johanne Imbeau & Alain Préfontaine (Sport Canada) Éric Beauchesne (Athlete)
SDRCC 11-0151 Ordinary Division Med/Arb	Rugby	Discipline	PSO	Stephen L. Drymer	139 days (June 29 to November 15, 2011)	Appeal allowed	
SDRCC 11-0152 Ordinary Division Arbitration	Fencing	Selection	Athlete		7 days (July 5 to July 12, 2011)	Consent Settlement	Michaël Bardagi (Athlete)
SDRCC 11-0153 Ordinary Division Arbitration	Canoe-Kayak	Selection	Athlete	Graeme Mew	5 days (July 15 to July 20, 2011)	Appeal denied	
SDRCC 11-0154 Ordinary Division Mediation	Cross Country Ski	Discipline	Athlete	Ian R. MacDonald	42 days (July 22 to September 2, 2011)	Consent Settlement	David McKinnon (Athlete)
SDRCC 11-0155 Ordinary Division Arbitration	Soccer	Contract	Coach	Allan J. Stitt	95 days (August 19 to November 22, 2011)	Consent Settlement	
SDRCC 11-0156 Ordinary Division Arbitration	Soccer	Contract	Coach	Allan J. Stitt	92 days (August 22 to November 22, 2011)	Consent Settlement	Peter Lawless (Coach)
SDRCC 11-0157 Ordinary Division Arbitration	Fencing	Selection	Athlete	Richard H. McLaren	4 days (September 30 to October 4, 2011)	Request withdrawn	Gerald Shields (Athlete) Michael Bardagi (Affected Party)
SDRCC 11-0158 Ordinary Division Med/Arb	Fencing	Selection	Athlete	Michel G. Picher	3 days (October 21 to October 24, 2011)	Appeal denied	
SDRCC 11-0159 Ordinary Division Med/Arb	Fencing	Selection	Athlete	Michel G. Picher	3 days (October 21 to October 24, 2011)	Appeal allowed	Michaël Bardagi (Athlete)

\* Case SDRCC 11-0150 not considered in resolution time average given the civil court proceedings undertaken by Sport Canada.



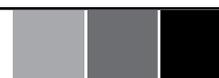
File Number Division Type of request	Sport	Type of dispute	Member filing the request	Arbitrator or Mediator	Length of proceeding	Solution	Legal representative
SDRCC 11-0160 Ordinary Division Arbitration	Canoe-Kayak	Carding	Athlete	Larry Banack	27 days (November 15 to December 12, 2011)	Appeal allowed	
SDRCC 11-0161 Ordinary Division Mediation	Taekwondo	Governance	NSO & PSO	Graeme Mew	154 days (December 7, 2011 to May 9, 2012)	Mediation terminated	
SDRCC 11-0162 Ordinary Division Arbitration	Canoe-Kayak	Carding	Athlete	Paul Denis Godin	52 days (December 23, 2011 to February 13, 2012)	Consent Settlement	Paul Conlin (Athletes), Nancy Brooks & Dustin Kenall (Affected Parties) Harold Van Winsen (NSO)
SDRCC 11-0163 Ordinary Division Arbitration	Canoe-Kayak	Carding	Athlete	Paul Denis Godin	52 days (December 23, 2011 to February 13, 2012)	Consent Settlement	Paul Conlin (Athletes), Nancy Brooks & Dustin Kenall (Affected Parties) Harold Van Winsen (NSO)
SDRCC 12-0164 Ordinary Division Arbitration	Taekwondo	Selection	Athlete	Richard W.Pound	8 days January 3 to January 11, 2012)	Appeal denied	
SDRCC 12-0165 Ordinary Division Mediation	Wheelchair Basketball	Other	NSO, Athlete, Coach	Gordon E. Peterson	130 days (January 9 to May 18, 2012)	Request withdrawn	Steven Indig (Coach) James Bunting & Chantelle Spagnola (Athlete)
SDRCC 12-0166 Arbitration Ordinary Division	Badminton	Carding	Athlete	John H. Welbourn (Jurisdictional)	113 days (January 16 to May 8, 2012)	Request withdrawn	Alain Préfontaine (Sport Canada), David J Spears (Athlete)
SDRCC 12-0167 Ordinary Division Med/Arb	Gymnastics	Selection	Athlete	Ross C. Dumoulin	28 days (January 27 to February 24, 2012)	Appeal denied	Stephen J. Maddex (Athlete) Karine Joizil & Marc-André G. Fabien (Affected Parties)

## 2011–2012 STATISTICS ON CASES

### SPORT DISPUTE RESOLUTION CENTRE OF CANADA

#### **SYNOPSIS OF CASES BEFORE THE DOPING TRIBUNAL** (from April 1, 2011 to March 31, 2012)

File Number Division Type of request	Sport	Member asserted	Arbitrator	Length of proceeding	Solution	Legal representative
DT 11-0146 Doping Tribunal Arbitration	Taekwondo	Athlete	Patrice M. Brunet	140 days (March 29, 2011 to August 16, 2011)	Sanction: 2-Year Ineligibility	Yann Bernard (CCES)
SDRCC DT 11-0148 Doping Tribunal Arbitration	Football	Athlete		8 days (April 21, 2011 to April 29, 2011)	Waiver	Louis Mazurette (Athlete)
SDRCC DT 11-0149 Doping Tribunal Arbitration	Speed Skating	Athlete		5 days (April 21, 2011 to April 26, 2011)	Waiver	
SDRCC DT 11-0150 Doping Tribunal Arbitration	Wheelchair Rugby	Athlete		3 days (July 6 to July 9, 2011)	Waiver	
SDRCC DT 11-0151 Doping Tribunal Arbitration	Athletics	Athlete		36 days (August 4 to September 9, 2011)	Waiver	David Lech (CCES)
SDRCC DT 11-0152 Doping Tribunal Arbitration	Wheelchair Basketball	Athlete		56 days (August 12 to October 7, 2011)	Request withdrawn	David Lech (CCES)
SDRCC DT 11-0153 Doping Tribunal Arbitration	Cycling	Athlete		46 days (August 29 to October 14, 2011)	Waiver	Marie-Pascale Lessard & Claire Brassard (Athlete), Yann Bernard & Fabrice Vil (CCES)
SDRCC DT 11-0154 Doping Tribunal Arbitration	Wheelchair Athletics	Athlete		5 days (August 26 to August 31, 2011)	Waiver	Fabrice Vil (CCES)
SDRCC DT 11-0155 Doping Tribunal Arbitration	Rugby	Athlete		18 days (September 26 to October 14, 2011)	Waiver	Rod Holloway (Athlete) David Lech (CCES)
SDRCC DT 11-0156 Doping Tribunal Arbitration	Triathlon	Athlete		0 days (September 16, 2011)	Waiver	
SDRCC DT 11-0157 Doping Tribunal Arbitration	Football	Athlete		28 days (September 21 to October 19, 2011)	Waiver	Michael Tai Nguyen (Athlete) Yann Bernard (CCES) Benoit Girardin (University)
SDRCC DT 11-0158 Doping Tribunal Arbitration	Football	Athlete		16 days (October 17 to November 2, 2011)	Waiver	David Lech (CCES)
SDRCC DT 11-0159 Doping Tribunal Arbitration	Football	Athlete	L. Yves Fortier	110 days (October 27, 2011 to February 14, 2012)	Waiver	Bernard Larose (Athlete) Yann Bernard (CCES) Benoit Girardin (University)
SDRCC DT 11-0160 Doping Tribunal Arbitration	Cycling	Athlete		28 days (October 20 to November 17, 2011)	Waiver	



<b>File Number Division Type of request</b>	<b>Sport</b>	<b>Member asserted</b>	<b>Arbitrator</b>	<b>Length of proceeding</b>	<b>Solution</b>	<b>Legal representative</b>
SDRCC DT 11-0161 Doping Tribunal Arbitration	Cycling	Athlete	Ross C. Dumoulin	64 days (November 9, 2011 to January 12, 2012)	Sanction: 2-Year Ineligibility	Yann Bernard (CCES)
SDRCC DT 11-0162 Doping Tribunal Arbitration	Taekwondo	Athlete Support Personnel	François Tremblay	86 days (October 25, 2011 to January 19, 2012)	Sanction: 5-Year Ineligibility	Yann Bernard & Fabrice VII (CCES)
SDRCC DT 11-0163 Doping Tribunal Arbitration	Football	Athlete		3 days (November 11 to November 14, 2011)	Waiver	
SDRCC DT 11-0164 Doping Tribunal Arbitration	Football	Athlete		6 days (November 18 to November 24, 2011)	Waiver	David Lech (CCES)
SDRCC DT 11-0165 Doping Tribunal Arbitration	Soccer	Athlete	John P. Sanderson	53 days (December 5, 2011 to January 27, 2012)	Sanction: 2-Month Ineligibility	Morgan Martin (Athlete) David Lech & Peter Lawless (CCES)
SDRCC DT 11-0166 Doping Tribunal Arbitration	Soccer	Athlete		6 days (December 7 to December 13, 2011)	Waiver	
SDRCC DT 11-0167 Doping Tribunal Arbitration	Football	Athlete		4 days (December 9 to December 13, 2011)	Waiver	
SDRCC DT 12-0168 Doping Tribunal Arbitration	Football	Athlete		54 days (January 20 to March 14, 2012)	Waiver	Annie Bourgeois (CCES)
SDRCC DT 12-0169 Doping Tribunal Arbitration	Wrestling	Athlete		0 days (January 31, 2012)	Waiver	
SDRCC DT 12-0170 Doping Tribunal Arbitration	Football	Athlete	John P. Sanderson	(March 13, 2012)	In Progress	Stephen Jackson & Michael Klein (Athlete) Alexandre Maltas (CCES)
SDRCC DT 12-0171 Doping Tribunal Arbitration	Lacrosse	Athlete	Carol Roberts	90 days (February 22 to May 22, 2012)	Sanction: 4-Year Ineligibility	David Lech (CCES)
SDRCC DT 12-0172 Doping Tribunal Arbitration	Speed Skating	Athlete		15 days (February 22 to March 8, 2012)	Waiver	Yann Bernard (CCES)
SDRCC DT 12-0173 Doping Tribunal Arbitration	Weightlifting	Athlete		12 days (March 15 to March 27, 2012)	Waiver	



# AUDITORS' REPORT FOR THE 2011-2012 FISCAL YEAR

**Sport Dispute Resolution Centre of Canada**  
**Financial Statements**  
For the year ended March 31, 2012

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## Independent Auditor's Report

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To the Directors of  
Sport Dispute Resolution Centre of Canada

We have audited the accompanying financial statements of Sport Dispute Resolution Centre of Canada, which comprise the statement of financial position as at March 31, 2012, and the statements of revenue and expenditures, changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian generally accepted accounting principles, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

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 comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



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## Independent Auditor's Report

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### Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Sport Dispute Resolution Centre of Canada as at March 31, 2012, and the results of its operations and its cash flows for the year then ended, in accordance with Canadian generally accepted accounting principles.

*BDO Canada LLP / S.R.L. / S.E.N.C.R.L.* <sup>1</sup>

Chartered Accountants

Montréal, Québec  
July 18, 2012

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<sup>1</sup> CPA auditor, CA permit No. A106501

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

March 31	2012	2011
<b>Assets</b>		
<b>Current</b>		
Cash	\$ 195,444	\$ 61,997
Accounts receivable	199	291
Contribution receivable, due on demand and non-interest bearing (Note 4)	-	32,669
Sales taxes receivable	49,121	45,884
Prepaid expenses	12,267	12,314
	257,031	153,155
<b>Capital assets</b> (Note 3)	25,098	16,039
	\$ 282,129	\$ 169,194
<b>Liabilities and Net Assets</b>		
<b>Current</b>		
Accounts payable and accrued liabilities	\$ 167,320	\$ 121,575
Contribution payable, payable on demand and non-interest bearing (Note 4)	52,132	-
	219,452	121,575
<b>Net assets</b>		
Invested in capital assets	25,098	16,039
Unrestricted	37,579	31,580
	62,677	47,619
	\$ 282,129	\$ 169,194

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 Revenue and Expenditures

For the year ended March 31	2012	2011
<b>Revenue</b>		
Contribution (Note 4)	\$ 920,496	\$ 861,750
Other revenue	5,999	11,142
Reimbursement of excess contribution (Note 4)	(52,132)	(10,431)
	<b>874,363</b>	<b>862,461</b>
<b>Expenditures</b>		
General and administrative		
Professional fees	68,362	48,423
Rent	45,689	40,926
Traveling expenses	27,258	23,985
Promotion and communications	12,997	20,989
Office expenses	12,331	14,557
Meeting	9,271	10,096
Insurance	9,073	8,702
Meals and entertainment	7,754	5,507
Telephone and telecommunications	6,433	10,302
Amortization	5,690	4,377
Bank charges and interest	975	928
	<b>205,833</b>	<b>188,792</b>
Human resources		
Salaries and benefits	369,766	284,283
Training	14,043	8,777
Professional fees	1,233	6,879
	<b>385,042</b>	<b>299,939</b>
Official languages		
Translation of decisions	13,160	28,865
Translation of documents	10,817	6,550
	<b>23,977</b>	<b>35,415</b>
Operations		
Case fees	143,146	211,242
Training of arbitrators and mediators	62,569	65,279
Education expenses	38,738	53,034
	<b>244,453</b>	<b>329,555</b>
<b>Excess of revenue over expenditures for the year (Note 4)</b>	<b>\$ 15,058</b>	<b>\$ 8,760</b>

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

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

<b>For the year ended March 31</b>	<b>2012</b>			<b>2011</b>
	<b>Invested in Capital Assets</b>	<b>Unrestricted</b>	<b>Total</b>	<b>Total</b>
<b>Balance, beginning of year</b>	\$ 16,039	\$ 31,580	\$ 47,619	\$ 38,859
<b>Excess of revenue over expenditures for the year</b>	(5,690)	20,748	15,058	8,760
<b>Investment in capital assets</b>	14,749	(14,749)	-	-
<b>Balance, end of year</b>	\$ 25,098	\$ 37,579	\$ 62,677	\$ 47,619

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>2012</b>	<b>2011</b>
<b>Cash flows from operating activities</b>		
Excess of revenue over expenditures for the year	\$ 15,058	\$ 8,760
Item not involving cash		
Amortization of capital assets	5,690	4,377
	<b>20,748</b>	<b>13,137</b>
Changes in non-cash working capital balances		
Accounts receivable	92	1,745
Contribution receivable	32,669	(32,669)
Sales taxes receivable	(3,237)	(29,881)
Prepaid expenses	47	(1,356)
Accounts payable and accrued liabilities	45,745	17,869
Contribution payable	52,132	(151,430)
	<b>148,196</b>	<b>(182,585)</b>
<b>Cash flows from investing activity</b>		
Purchase of capital assets	(14,749)	(1,995)
<b>Increase (decrease) in cash during the year</b>	<b>133,447</b>	<b>(184,580)</b>
<b>Cash, beginning of year</b>	<b>61,997</b>	<b>246,577</b>
<b>Cash, end of year</b>	<b>\$ 195,444</b>	<b>\$ 61,997</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, 2012

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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:

**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, accounts receivable, 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.

**Fair Value of Financial Assets and Liabilities** The following financial assets and liabilities; cash, accounts receivable, contribution receivable and accounts payable are measured at carrying value since it approximates fair value due to the short-term nature of these financial instruments.

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

**March 31, 2012**

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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 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.

#### *Loans and Receivable*

This category includes accounts receivable. These assets are non-derivative financial assets resulting from the delivery of cash or other assets by a lender to a borrower in return for a promise to repay on a specified date or dates, or on demand. They are initially recognized at fair value and subsequently carried at amortized cost, using the effective interest rate method, less any provision for impairment.

#### *Other Financial Liabilities*

This category includes the accounts payable and 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

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

**March 31, 2012**

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### 3. Capital Assets

	2012		2011	
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Office equipment	\$ 46,653	\$ 34,226	\$ 12,427	\$ 11,589
Computer equipment	34,559	21,888	12,671	4,450
	\$ 81,212	\$ 56,114	\$ 25,098	\$ 16,039

### 4. Government Contributions

During the year, the organization was granted \$920,496 (2011 - \$861,750) in financial assistance from Sport Canada. The entire amount has been included in revenue. As at March 31, 2012, there is a net balance payable (receivable) to (from) Sport Canada of \$52,132 (2011 - (\$32,669)) which has been recorded in the financial statements.

The reimbursement of excess contribution consists of the following:

	2012		2011	
Excess of revenue over expenditures for the year	\$ 15,058	\$ 8,760		
Reimbursement of excess contribution	52,132	10,431		
Revenue before adjustment for contribution	67,190	19,191		
Other revenue	(5,999)	(11,142)		
Amortization	5,690	4,377		
Capital assets acquisitions for the year	(14,749)	(1,995)		
Reimbursement of excess contribution	52,132	10,431		
Contribution receivable at year-end	-	(43,100)		
Net contribution payable (receivable)	\$ 52,132	\$ (32,669)		

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

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

**March 31, 2012**

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### 5. Commitments

The organization has an operating lease for its premises expiring on November 30, 2017.

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

2013	\$	50,437
2014		53,091
2015		53,091
2016		53,091
2017		53,091
Thereafter		<u>35,394</u>
	\$	<u>298,195</u>

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### 6. 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.

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.

There was no change in the capital management since the previous year.

The organization is subject to an externally imposed capital requirement as disclosed in Note 4.

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## Board of Directors

The Board of Directors of the SDRCC is appointed by the Minister of State (Sport). It reflects regional and cultural diversity, and is representative of the Canadian sports system. The SDRCC Board must include a minimum of three athletes, a coach, a representative of a National Sport Organization and a representative of a Major Games Organization. Collectively, they demonstrate significant knowledge of the Canadian sport system, the nature of disputes that may arise, and expertise in alternate dispute resolution and the maintenance of an alternate dispute resolution system.

### **BOARD OF DIRECTORS AND COMMITTEE MEMBERSHIP** (as of March 31, 2012)

**CARLA QUALTROUGH** (Richmond, BC)  
Chairperson of the Board  
Chairperson, Executive Committee  
*(The Chairperson is an ex-officio member of all committees except the Audit Committee)*

**LUC ARSENEAU** (Dieppe, NB)  
Communication & Technology Committee  
Human Resources Committee

**ANNE BENEDETTI** (Toronto, ON)  
Chairperson, International Committee  
Executive Committee  
ADR Services Committee

**ALEXANDRE CHARBONNEAU** (Québec, QC)  
Chairman, Human Resources Committee  
Communication & Technology Committee

**FRANK FOWLIE** (Richmond, BC)  
Chairman, Communication & Technology Committee  
ADR Services Committee  
International Committee

**MIRAY CHESKES GRANOVSKY** (Toronto, ON)  
Chairperson, Complaints Committee  
ADR Services Committee  
Communication & Technology Committee  
International Committee

**CLAYTON MILLER** (Kelowna, BC)  
Chairman, Audit & Finance Committee  
Executive Committee  
ADR Services Committee

**AIMABLE NDEJURU** (Montréal, QC)  
Complaints Committee  
Human Resources Committee

**JOHN REID** (Ottawa, ON)  
Chairman, ADR Services Committee  
Audit & Finance Committee

**ALLAN J. SATTIN** (Calgary, AB)  
Executive Committee  
Audit & Finance Committee  
Human Resources Committee

**MICHAEL A. SMITH** (Ottawa, ON)  
Executive Committee  
ADR Services Committee  
International Committee

**JUDITH ANN TUTTY** (Mississauga, ON)  
Communication & Technology Committee  
Complaints Committee  
International Committee

**MARIE-CLAUDE ASSELIN** (Saint-Hubert, QC)  
Executive Director and CEO  
*(The Executive Director is an ex-officio member of the Board and all committees)*

Board Members' biographies are available on the SDRCC website:

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



## Staff

The SDRCC has five full-time permanent staff members including the Executive Director and CEO, Marie-Claude Asselin:

**LIANE MENDELSON**

Administrative Assistant  
*(Since May 24, 2011)*

**FRANCINE BLACK**

Case Manager  
*(Since May 30, 2011)*

**TANYA GATES**

Operations Manager  
*(Since June 13, 2011)*

**JULIE STRONACH**

Education and Communications Coordinator  
*(Since June 15, 2011)*

**Bookkeeper:**

Danielle Comeau (consultant) was contracted as bookkeeper for the Period.

**Auditor:**

The firm BDO Dunwoody, Chartered Accountants, was appointed by the Board of Directors as the independent auditor for the 2011–2012 Period.

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## Arbitrators and Mediators

Arbitrators and Mediators until December 31, 2013 by province:

### **ALBERTA**

Vanessa Gray (Mediator)  
Roger Gunn (Mediator)  
Ian R. MacDonald (Mediator)  
Deborah L. Sword (Mediator)  
John Harrison Welbourn (Arbitrator)

### **BRITISH-COLUMBIA**

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

### **MANITOBA**

James W. Hedley (Arbitrator)

### **NORTHWEST TERRITORIES**

Cayley Jane Thomas (Mediator/Arbitrator)

### **NOVA SCOTIA**

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

### **ONTARIO**

Greg Ambrozic (Mediator)  
Larry Banack (Arbitrator)  
Roger Beaudry (Mediator)  
David Bennett (Mediator)  
David I. Bristow (Mediator/Arbitrator)  
Rick Brooks (Mediator)  
Jane H. Devlin (Mediator/Arbitrator)  
Ross C. Dumoulin (Arbitrator)  
Hugh L. Fraser (Arbitrator)  
Steven C. Gaon (Mediator)  
Paul Denis Godin (Mediator)  
Kathleen J. Kelly (Mediator)  
Andrew D. McDougall (Arbitrator)  
Richard H. McLaren (Arbitrator)  
Graeme Mew (Mediator/Arbitrator)  
Gordon E. Peterson (Mediator/Arbitrator)  
Michel G. Picher (Mediator/Arbitrator)  
Anne Sone (Mediator)  
Allan Stitt (Mediator/Arbitrator)  
George W. Taylor (Mediator)

### **QUEBEC**

Dominique F. Bourcheix (Mediator)  
Patrice M. Brunet (Arbitrator)  
Robert Décary (Arbitrator)  
Stephen L. Drymer (Mediator/Arbitrator)  
Julie Duranceau (Mediator)  
L. Yves Fortier (Arbitrator)  
The Honourable Paule Gauthier (Mediator/Arbitrator)  
The Honourable Marc Lalonde (Mediator)  
Richard W. Pound (Arbitrator)  
Bernard A. Roy (Arbitrator)  
Janie Soublière (Arbitrator)  
François Tremblay (Arbitrator)

CRDSCO



USCITA DI EMERGENZA

# SDRCCO



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

**SPORT DISPUTE RESOLUTION CENTRE OF CANADA**

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Heritage

