



Sport Solution: Offering Guidance and Assistance to Athletes

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When Canadian high performance amateur athletes have sport-related legal issues, they have a resource in an AthletesCAN program called Sport Solution.

Created in 1996 and managed by two University of Western Ontario law students, Sport Solution offers guidance and assistance to athletes to find solutions concerning national sport organization (NSO) procedures, appeals and arbitration, athlete agreements, team selection, athlete assistance funding, discipline, harassment, doping violations and whereabouts forms, among others. As Sport Solution managers are not lawyers, when a situation arises in which legal advice is required, athletes are referred to the list of legal representatives that have made themselves available through the SDRCC website.

With the 2008 Beijing Games just around the corner, Sport Solution would like to highlight three key items that Olympic/Paralympic athletes should be aware of: expressing political opinions, team selection and doping.

There has been much publicity over China's human rights record and the possibility of an Olympic/Paralympic boycott. While everyone is entitled to their opinions, athletes need to be careful when it comes to expressing theirs while at the Games. Athletes are bound by the International Olympic Committee's (IOC) Charter or the International Paralympic Committee's (IPC) Charter, which state that no kind of demonstration or political, religious or racial propaganda are permitted in any Olympic/Paralympic sites, venues or other areas and may not appear on persons, on sportswear, accessories or, more generally, on any article of clothing or equipment whatsoever worn or used by the athletes or other participants in the Games.

To complicate matters, the IOC and IPC have not specifically defined what forms of expression are considered a demonstration or propaganda. Therefore, it is in an athlete's best interest to seek clarification from the Canadian Olympic Committee (COC) or IOC and/or the Canadian Paralympic Committee (CPC) or IPC before associating themselves with any forms of expression which may be deemed controversial. Despite the lack of a specific definition for propaganda, there appears to be a strict interpretation evidenced by the IOC's recent decision to ban bracelets with the words "For a Better World" from the Games.

Team selection can be a contentious issue which can result in athletes questioning whether the appropriate decision was made. While the Olympic and Paralympic team selection processes leave athletes little time to appeal a decision before rosters are submitted to the IOC/IPC, this should not deter an athlete from exercising their right to an appeal. Where an athlete believes that a selection did not follow the named guidelines or believes the decision to be improper for



any other reasons, they are encouraged to take the appropriate steps to question the decision. If an athlete's appeal is successful, the COC/CPC will do everything in their power to ensure that the appropriate athlete is placed on the team in time for the Games.

While it is always important for athletes to be conscientious of any products they consume, it is particularly important in the upcoming months, prior to and at the Games. First, athletes should familiarize themselves with the banned substances as specified in the World Anti-Doping Code. Second, athletes should check the labels on any supplements or medications to ensure that they do not accidentally consume any of the banned substances, especially when products are purchased outside of Canada. Finally, if an athlete is notified of an anti-doping rule violation at the Games, they are encouraged to contact Olympic Ombudsperson Sophie De Koninck or Paralympic Ombudsperson Jeff Palamar. The athlete also retains the right to obtain independent legal counsel or contact Sport Solution while at the Games.

If you have any questions on these or other issues, please contact Sport Solution Managers Steven Teal and David Reynolds at 1-888-434-8883 or by e-mail at law.sportsolution@uwo.ca.