



## The Birth of *Just Sport Ireland* Inspired by the Canadian Model

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The Federation of Irish Sports (FIS) was established as a trade representative body by the national sport governing bodies in Ireland. At the time of its establishment in 2002, only a couple of Irish sports had dispute resolution processes that were fully independent of the governing body and many disputes ended up in the court system, with associated delays and costs. Doping hearings were under the remit of the Irish Sports Council, but no one body had jurisdiction over other disputes.

Just Sport Ireland (JSI) was formed by the FIS with the goal of providing a robust dispute resolution system that would be cost accessible to athletes and administrators. In considering the best approach to handle sports disputes, two principles were established early. Any cases to be considered would first have to exhaust the internal resolution system within that sport. Secondly, the system would allow for appeal to the international Court of Arbitration for Sport (CAS) in Lausanne, Switzerland. There was considerable debate over this second principle and eventually it was agreed that such appeals to CAS would be optional to each individual sport.

In 2009, Sport & Recreation New Zealand commissioned an assessment of current dispute resolution needs in the sport and recreation sector. The report includes a comparison of five sports tribunals (Sports Tribunal of New Zealand, SDRCC, JSI, Sport Resolutions in the UK, and State Sport Dispute Centre in South Australia), on various aspects such as the eligibility, scope, jurisdiction and structure, information, cost, pre-requisites and volume of business. The report can be found here: <http://bit.ly/xl2nHM>

In determining the best model for JSI, consideration was given to a possible alliance with the Irish Branch of the Chartered Institute of Arbitrators; an apparently attractive solution, particularly as the Institute was referenced in the Arbitration Act of Ireland, which would provide statutory footing to the fledgling organization. Research conducted at that time also showed that Canada, New Zealand and UK had already developed systems that could provide a basis for Ireland. Canada's system was particularly appealing as a model because of its emphasis on mediation complemented with arbitration, and because of the support it received from the legal profession.

The end result is that Ireland has, since 2007, a system that offers fair, expeditious and cost-effective sport dispute resolution similar to the Sport Dispute Resolution Centre of Canada, with the major exception that JSI does not deal with doping issues.

For more information on Just Sport Ireland, including its mediation and arbitration rules and its decisions, you can visit its website at [www.justsport.ie](http://www.justsport.ie) ■