

A NATIONAL SPORTS TRIBUNAL

The Review of Australia's Sports Integrity Arrangements recommends establishing an independent National Sports Tribunal to offer timely, transparent, cost-effective and consistent sports dispute resolution.

WHY IS THIS IMPORTANT?

The Review identified inconsistencies in dispute resolution arrangements across the sports sector and a need for a clear, consistent and cost effective forum for all sports – including small and emerging sports that do not have their own internal arbitration facility.

The Review examined similar models overseas, including in the United Kingdom, New Zealand, Canada and Japan, and determined that establishing an entity such as the proposed National Sports Tribunal would enhance the credibility of sport in Australia, and deliver a cost effective dispute resolution procedure.

KEY RECOMMENDATIONS:

FLEXIBILITY FOR SPORTING ORGANISATIONS AND ATHLETES

The Review recommends an Anti-Doping Division, a General Division and an Appeals Division be established with flexible use of each provided to sports at all levels.

The Review recommends that the Anti-Doping Division be the default body for hearing anti-doping rule violation matters, with the option for sports with internal tribunal processes to apply to the National Sports Integrity Commission to opt-out. It recommends the General Division operate under an opt-in system for general sports integrity disputes, with full tribunal and mediation services available to all sports as required.

The tribunal model recommended by the Review also retains and respects consistency with existing requirements of the World Anti-Doping Code.

IMPROVED ACCESS AND OUTCOMES

The Review considers that the Tribunal would improve current arrangements through:

- Cost-effective processes for sports and participants
- Timely and efficient procedures
- Transparency
- Access to specialist arbitrators.

STATUTORY PROCEDURAL POWERS

The Review recommends that the Tribunal exercise powers of private arbitration underpinned by legislation. The Review recommends that the Tribunal be vested with powers currently unavailable to the Swiss Court of Arbitration for Sport (CAS) or sports' internal tribunals, including the power to compel third-party witness testimony where appropriate.

* This fact sheet represents a summary of the Review's Key Findings and Recommendations, and does not reflect a Commonwealth Government position at this time.