

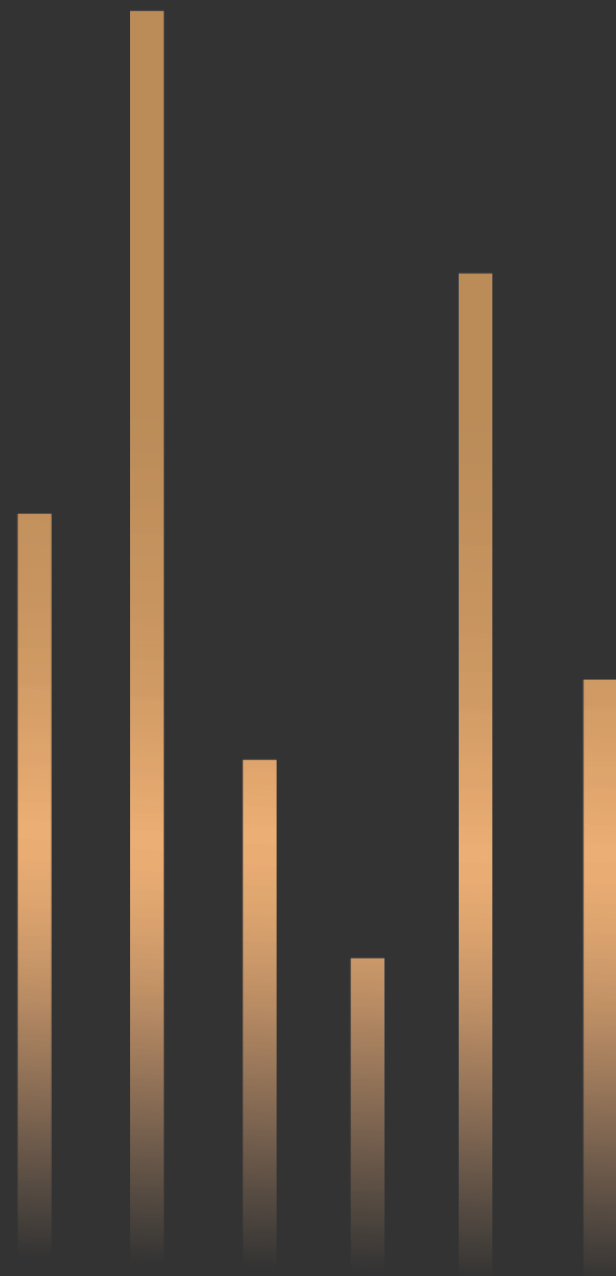


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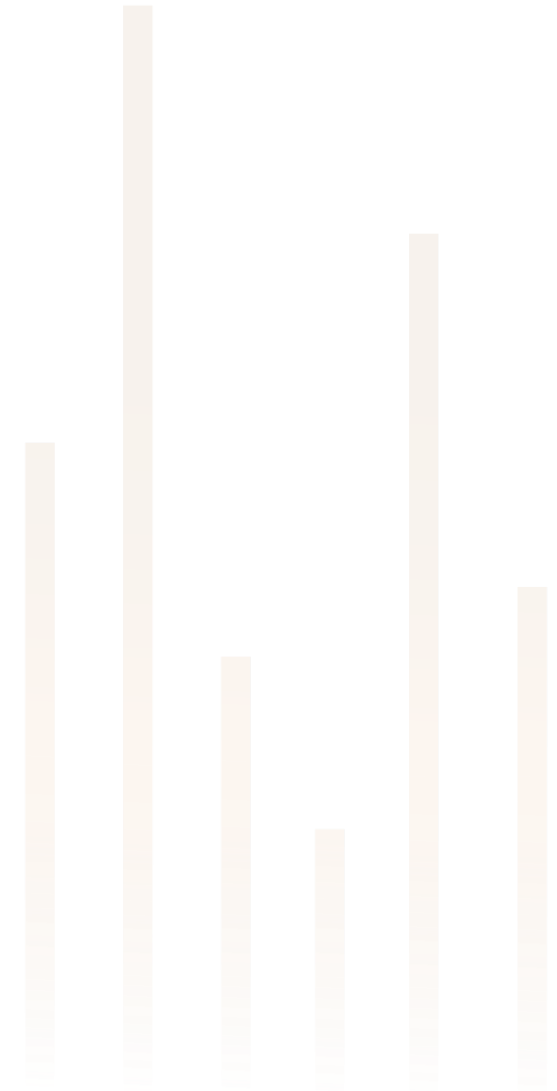
National Sports Tribunal

John Boulton – CEO



TWELVE MONTHS OF OPERATION – SUMMARY OF DISPUTES

TOTAL	1	11
	ACTIVE	FINALISED
MEDIATION		3*
General Division		
- Intra-sport		1
- Disciplinary		1*
- Bullying/Harassment		1
CONCILIATION	1	3
General Division		
- Bullying/Harassment		1
- Other	1	1
- Disciplinary		1
CASE APPRAISAL		1
General Division		
- Intra-sport		1
ARBITRATION		3
General Division		
- Bullying/Harassment		1
- Disciplinary		1
Anti-Doping Division		
- First instance		1
APPEALS		1
- Other		1



TWELVE MONTHS OF OPERATION – SUMMARY OF ENQUIRIES

Type dispute	Level (Club/State/National)	NST Forms provided	Reason for not proceeding
Anti-doping	National	N	No contact beyond initial*
Intrasport	Club	N	No agreement from NSO
Disciplinary	State	N	No contact beyond initial*
Other	Club	N	Not valid matter type
Bullying/Harassment	State	N	No agreement from NSO
Bullying/Harassment	State	Y	No agreement from other Party
Bullying/Harassment	State	Y	No agreement from other Party
Bullying/Harassment	State	Y	No agreement from other Party
Other (investigation)	Unknown	N	Not valid matter type
Other (Covid concerns)	National	N	No contact beyond initial*
Intrasport	Club	N	No agreement from NSO
Disciplinary	Club	N	No agreement from NSO
Bullying/Harassment	National	N	No contact beyond initial*
Selection	National	N	No agreement from NSO
Intrasport	Club	N	Not in jurisdiction
Disciplinary	Club	N	No contact beyond initial*
Classification	National	N	Not valid matter type
Other (issue with SportAus)	National	N	Not valid matter type
Other	National	Y	No agreement from NSO
Other	Club	N	Not valid matter type
Eligibility	Club	N	No contact beyond initial*
Bullying/Harassment	Club	N	No contact beyond initial*
Bullying/Harassment	Club	N	No contact beyond initial*
Bullying/Harassment	Club	N	No agreement from NSO
Unknown	Unknown	N	No contact beyond initial*
Bullying/Harassment	Unknown	N	No contact beyond initial*
Anti-doping	National	N	No contact beyond initial*
Intrasport	State	N	No agreement from NSO
Unknown	3	11	No agreement from NSO/other Party
Club Level Matters	11	11	No contact beyond initial*
State Level Matters	6	6	Not valid matter type/not in jurisdiction
National Level Matters	8	28**	TOTAL enquiries that did not proceed

* It is presumed in some cases (but not confirmed) that 'No contact beyond initial' was a result of a lack of agreement from an NSO or other Party

** There remain a number of active enquiries that may not proceed but are not captured here

TWELVE MONTHS OF OPERATION – LESSONS LEARNT

These early matters have provided the opportunity to test our practises and procedure, and identify opportunities for improvement in the NST's service design and delivery.

'Lessons learnt' include:

- Managing unrepresented parties who have required additional assistance to navigate NST processes
- Defining/refining issues – in the absence of formal pleadings, the Preliminary Conference is of vital importance
- Delivering virtual dispute resolution; in both arbitration and mediation/conciliation/case appraisal
- Hearing processes – balancing the statutory requirements of “as little formality and technicality as a proper consideration of the matters before the Tribunal permit” (section 40 of the Act)
- Jurisdictional challenges – disputes can be complex, and at times, difficult to categorise; also managing disputes at a lower level of the sport needs better refinement
- Need to reinforce our independence, including that we are not a division of SIA
- Disputes within a sporting body are rife (e.g. State v National)
- Preventing costs from being a barrier, whilst managing a certain amount of cost recovery

CURRENT PROJECTS

SERVICE DESIGN

- Review in late 2020 of NST service design and delivery to improve accessibility in communication and application processes

REVIEW OF NST RULE 2020 AND PRACTICE AND PROCEDURE DETERMINATION 2020

- Reflect the extension of pilot
- Consider an expansion of the NST jurisdiction
- Clarity on jurisdiction to accept disputes which occur below NSO level

RECOGNITION IN SPORT RULES

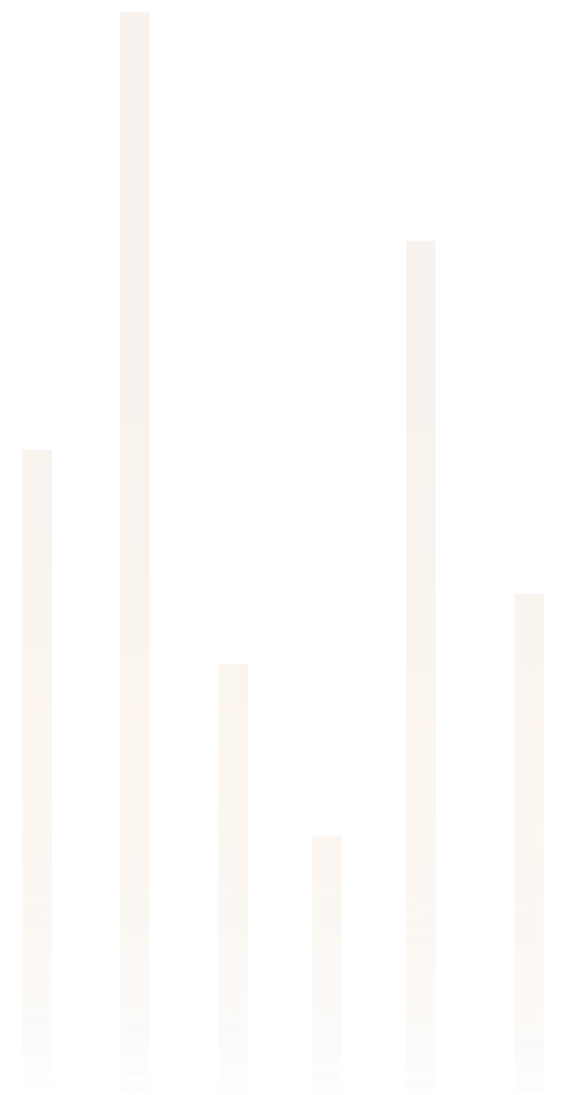
- Focus on Anti-Doping Policy, Selection Appeals Policy and Complaints, Disputes and Discipline Policy embedment

SECOND TRANCHE MEMBERS

- Broadening skill set and capability, adding further dispute resolution experience and diversity in geographical location
- Coverage for additional 12 months of operation to 18 March 2023

RESTORATIVE ENGAGEMENT

- Identifying and repairing harm to individuals and relationships



FURTHER INFORMATION

www.nationalsportstribunal.gov.au

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