

CASE STUDY 1:
Mediating a performance dispute between athlete, coach and Performance Director

Dispute Background	A dispute between a world class athlete and coach which was undermining team harmony at national and international competitions and was in danger of escalating to formal litigation. The dispute was consuming a significant amount of time and energy of the Performance Director, whose best intended interventions were further flaming the dispute.
The Parties	The athlete, coach and Performance Director of an Olympic sport.
Service Provided by Sport Resolutions	Sport Resolutions' Dispute Resolution Manager appointed a leading Mediator from Sport Resolutions panel and liaised with the coach, athlete and performance director to gain consent to mediate through Sport Resolutions. Significant input was required by Sport Resolutions to explain the mediation process and to gain the confidence of all parties, which resulted in drawing up and signing of a mediation agreement. Initial telephone contact was made between the mediator and the parties to clarify the issues and explain the process. A full day mediation followed at a neutral venue which consisted of a series of joint and individual meetings. All this was organised by Sport Resolutions. Total time recorded by Sport Resolutions was 24 hours.
Cost to the Parties	A total bill of £1200 which was settled by the NGB. A similar service would have cost the NGB up to £5000 to purchase on the commercial market.
Outcome achieved	The dispute was settled within 16 weeks from first Sport Resolutions contact to final settlement. The athlete, coach and Performance Director signed a confidential, binding settlement agreement which allowed both the athlete and coach to continue in the sport. The settlement agreement included a joint statement to say that the matter was now closed, a series of agreements about future behaviour and conduct and provided an agreed informal mechanism for resolving any drift from the agreement .
Benefits	<p>Hours of valuable Performance Director time saved and re-focussed on sporting goals.</p> <p>A world class athlete and world class coach continue in the sport</p> <p>Litigation avoided with the consequent legal costs and impact on the athlete, coach and NGB.</p>

CASE STUDY 2

Arbitrating a serious conduct dispute between a NGB and two athletes

Dispute Background	A dispute between an NGB and two athletes who had received lengthy bans for serious misconduct. The athletes, who were legally represented, were challenging the procedure followed by the NGB and the subsequent sanctions. To avoid the expense, delay, management time and unpredictability of going to court, the Parties agreed to arbitration through Sport Resolutions. Without referral to Sport Resolutions high court proceedings would have commenced.
The Parties	The NGB and the two athletes. All legally represented.
Service Provided by Sport Resolutions	Sport Resolutions' Dispute Resolution Manager drew up a shortlist and profiles of five arbitrators from Sport Resolutions panel of Arbitrators. The Parties reached agreement on appointing a leading commercial arbitrator with significant sports experience. Sport Resolutions drew up a draft arbitration agreement and arranged a telephone case conference to finalise matters of jurisdiction and to set a timetable for exchange of statements and a date for the arbitration hearing. Sport Resolutions confirmed the arbitrator's directions in writing with the parties and kept the process to time. Sport Resolutions also significantly reduced the cost to the Parties by providing neutral procedural guidance and facilitating all communication between the parties, which significantly reduced costs. Sport Resolutions then arranged and clerked the arbitration hearing and managed the fair and timely distribution of the final written decision. Total time recorded by Sport Resolutions was 54 hours.
Cost to the Parties	A total bill of £3400, split three ways between the parties at £1133 each. A similar service would have cost closer to £10,000 on the commercial market.
Outcome achieved	The dispute was settled in 16 weeks from first contact with Sport Resolutions to distribution of the final decision. The arbitrator handed down a final binding decision which upheld the athletes' lengthy ban. All parties felt the process had been extremely fair and reported a very positive experience. The defendant's legal representatives were especially complimentary about the speed, cost and quality of the process.
Benefits	<p>In his written decision the arbitrator was critical of the NGBs original procedure for hearing the case. He stated that the NGB was fortunate to have avoided a large legal bill by the athletes' agreeing to resolve the dispute through Sport Resolutions' arbitration procedure.</p> <p>By avoiding court proceedings the NGB and athletes were estimated to have saved £30,000 in legal costs, in addition to savings in management time.</p> <p>The risks of the athletes successfully appealing the arbitration decision are very small.</p>