**Introduction**

This document is intended to provide information on Just Sport Ireland (JSI) and to encourage sporting bodies to incorporate JSI into their Disciplinary rules, Constitution, Memos and Arts or Agreements. Sporting bodies that already have provision for JSI may also wish to further extend its remit to sponsorship/athlete agreements.

**What is JSI?**

Just Sport Ireland is an independent Alternative Dispute Resolution (ADR) service for Irish Sport offering both a mediation and arbitration facility. The Irish Sports Council has indicated that they ‘will require all sports to be signed up to a dispute resolution mechanism. It aims to complete this process within this strategic period (i.e. by end 2014)’ and they ‘will work with the Federation of Irish Sport to further develop Just Sport Ireland as the preferred approach to dispute resolution.’

**What will/could it do for you?**

A simple ADR clause entered into the rules of an NGB would help ensure that disputes don’t end up in the High Court. This will reduce cost and protect from reputational damage caused by adverse publicity.

**What are the advantages of mediation and arbitration with JSI over court proceedings?**

- **Confidentiality** - unlike court proceedings which are conducted in public
- **Less Expensive** - with fee levels that reflect the resources available to sporting organisations
- **Quicker** - with response times to suit the nature of sporting disputes
- **Less formal and harmful to relationships than litigation**
- **All JSI arbitrators and mediators have some interest or knowledge of sport**

**What type of disputes can be dealt with by JSI?**

All disputes arising in a sporting context except for doping disputes and employment issues including:

- Selection Disputes
- Registration Issues
- Inter National Governing Body, Branch, Club Disputes
- Disputes arising under a sponsorship agreement
- Disputes relating to the administration of discipline in sport

**Can the decision of a JSI Arbitration Panel be appealed?**

- A decision of a JSI Arbitration Panel may be appealed to the Court of Arbitration for Sport in Lausanne if the rules of the sporting organisation involved in the appeal allow for such an appeal. Otherwise, the decision handed down by the JSI Arbitrator is final and binding

**How much does arbitration and mediation with JSI cost?**

- There is currently no joining/annual fee for JSI
- €150 to initiate Mediation with JSI
- €250 to file a Notice of Appeal (Arbitration)
- A guide of €1,000 per party, per day plus VAT and outlay can be provided however it is dependent on the nature and complexity of the case and can vary
## Comparing the High Court and Just Sport Ireland

<table>
<thead>
<tr>
<th>Issue</th>
<th>High Court Case</th>
<th>Just Sport Ireland Case</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeframe of dispute</td>
<td>2-6 years</td>
<td>1-6 months</td>
</tr>
<tr>
<td>Possible Legal Costs</td>
<td>€20,000–€500,000</td>
<td>€0–€10,000</td>
</tr>
<tr>
<td>JSI Costs</td>
<td>n/a</td>
<td>€1,000–€2,000</td>
</tr>
<tr>
<td>Confidentiality</td>
<td>Public Court hearing</td>
<td>Private hearing</td>
</tr>
<tr>
<td></td>
<td>National Media coverage</td>
<td>Ruling kept private, unless agreed</td>
</tr>
<tr>
<td>Less formal</td>
<td>1-20 days in High Court</td>
<td>1 day in private Arbitration hearing</td>
</tr>
</tbody>
</table>

## Where to insert a JSI Clause?

<table>
<thead>
<tr>
<th>Issue for JSI to resolve</th>
<th>Where to insert clause</th>
<th>Sample Wording (can vary, please consult JSI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordinary mediation/arbitration (e.g. between an NGB and affiliate/club etc.)</td>
<td>Constitution, Rules or Memo and Arts</td>
<td>Ordinary Mediation / Arbitration: All other disputes arising out of or in connection with this Constitution shall be referred to Just Sport Ireland for resolution by mediation in accordance with the Just Sport Ireland Mediation Rules. If the dispute remains unresolved at the conclusion of the mediation process, the dispute shall be referred to Just Sport Ireland for final and binding arbitration in accordance with the Just Sport Ireland Arbitration Rules</td>
</tr>
<tr>
<td>Disciplinary matter, appeal arbitration with CAS provision (e.g. in case of disputed suspension of athlete/player)</td>
<td>Constitution, Rules or Memo and Arts</td>
<td>Appeal Arbitration with CAS appeal Discipline: All decisions issued by the Association may be appealed exclusively by referral to Just Sport Ireland, within 14 days from receipt of such decision, for binding arbitration in accordance with the Just Sport Ireland Arbitration Rules. The arbitral award issued by JSI may be appealed exclusively by referral to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, within 21 days from receipt of such arbitral award, for final and binding arbitration in accordance with the CAS Code of Sports-related Arbitration</td>
</tr>
<tr>
<td>Disciplinary matter, appeal arbitration (e.g. in case of disputed suspension of athlete/player)</td>
<td>Disciplinary Regulations</td>
<td>Appeal Arbitration Appeals: All decisions issued by the Tribunal may be appealed exclusively by referral to Just Sport Ireland, within 14 days from receipt of such decision, for final and binding arbitration in accordance with the Just Sport Ireland Arbitration Rules</td>
</tr>
<tr>
<td>Commercial dispute (e.g. over breach of contract, licencing, etc.)</td>
<td>Sponsorship Contract/ Athlete Agreement</td>
<td>Mediation / Arbitration: All unresolved disputes arising out of or in connection with this contract shall be referred to Just Sport Ireland for resolution by mediation in accordance with the Just Sport Ireland Mediation Rules. If the dispute remains unresolved at the conclusion of the mediation process, the dispute shall be referred to Just Sport Ireland for final and binding arbitration in accordance with the Just Sport Ireland Arbitration Rules</td>
</tr>
<tr>
<td>Athlete dispute (e.g. over payments, breach of agreement etc.)</td>
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<td></td>
</tr>
</tbody>
</table>

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