

REPORT FOR THE FIH 47th CONGRESS FIH Disciplinary Commissioner

Gordon Nurse

April 2021

The FIH Disciplinary Commissioner's main tasks concern, inter alia:

1. alleged breaches of the FIH Statutes and Regulations
2. alleged breaches of Tournament Regulations
3. alleged breaches of the Anti-Doping Rules
4. complaints deriving from the elections procedure
5. investigations and matters referred under the FIH Integrity Code
6. any other disputes or matters referred by the FIH

CEO. The DC is responsible for:

1. investigating (similar to an examining magistrate), and calling for representations in writing (from the alleged offender or any other parties) in respect of any matter referred to him
2. where necessary arranging the date and venue of any hearings, although most matters are dealt with "on paper"
3. adjudicating (as the judge of first instance) and reporting his decisions in writing to the CEO, who in turn notifies the parties and is responsible for enforcement of any penalty or sanctions.
4. where necessary, and as may be required under the Statutes or any Regulations made pursuant to the Statutes, appointing 2 others to sit with him on any important matters, such as alleged breaches of the Anti-Doping Rules

There is an appeal available from the decisions of the DC to the Judicial Commission appointed under the Statutes (JC).

In addition, the DC from time to time advises upon and assists in drafting formal documents to be produced by FIH.

Summary of activities since the 2018 Congress

At the time of my last Report there was excitement about the forthcoming Pro-League, but the possibility of there being an increase in the number of Referrals to me arising from incidents in matches, and also increased competition with the build-up to the 2020 Olympics. Instead, we have had curtailed activity in the Pro League, and the Olympics remain to take place in a 'bubble' later this year.

Thus, where I would have expected a steady stream of Referrals following misconduct during FIH Events, there has only been one, where, in the circumstances, it was necessary for me to recuse myself. I am most grateful to Dr Stephan Netzle who dealt with this.

There was one Referral where the operation of the FIH Integrity Code had to be considered.

Although the paperwork was considerable, and very time-consuming, it was capable of being dealt with without an oral hearing, both by the Chair of the FIH Integrity Unit and me.

As for the Pro League, that did give rise to one unique situation concerning attendance by a competing country. This required me travelling for a hearing in Lausanne. The matter was, at the end of day, resolved without any findings having to be made. For the matches that did take place in the Pro League, I, with others, have made ourselves available to perform the functions of an Appeal Jury 'remotely'. Remote hearings are never ideal, but they can provide an efficient, not disproportionately expensive, and above all 'fair' way to resolve disciplinary matters. I am aware that much work was carried out by many in establishing the Pro League. From a personal point of view, this was the last opportunity I had to work with Martyn Gallivan before he retired. I wish to take this opportunity to pay a personal tribute to him, and thank him for his considerable assistance.

I have endeavoured to be available to the Legal team at the FIH Executive Office, who have always been very helpful to me, and a pleasure to work with. In addition to consideration of the Pro League Rules, during the period under review the Regulations that have had to be considered have included revised Sanctioned and Unsanctioned Events Regulations and Anti-Doping Regulations.

I am pleased to be able to play my small part within the hockey family, and am honoured to be able to continue in my role.

Gordon Nurse
19 April 2021