



**SPORT INTEGRITY
AUSTRALIA**



NATIONAL INTEGRITY FRAMEWORK

COMPLAINTS PROCESS: ALTERNATIVE DISPUTE RESOLUTION

Sport Integrity Australia's independent complaints process helps keep Australian sport safe and fair. While some Complaints require a decision by Sport Integrity Australia to reach an outcome, others may be solved through other methods, known as Alternative Dispute Resolution. Read on to find out what Alternative Dispute Resolution is and how it works.

What is Alternative Dispute Resolution?

Alternative Dispute Resolution is a way of finalising a Complaint without a formal sanction. In Alternative Dispute Resolution, the Complaint is referred to a third party who helps to resolve the dispute between the parties.

Types of Alternative Dispute Resolution

Mediation

Mediation is when an independent third party (a mediator) helps those involved work constructively to develop solutions to resolve their differences. Usually this involves facilitated discussions between those involved.

For further information about mediation see the [National Sports Tribunal website](#).



Conciliation

Conciliation is when an independent third party (a conciliator), usually someone with knowledge of the legal or technical issues, helps those involved resolve their dispute. The conciliator will facilitate conversations, taking a more active role than in mediation.

For further information about conciliation see the [National Sports Tribunal website](#).

Case Appraisal

Case Appraisal is when a National Sports Tribunal member gives a non-binding opinion on the likely outcome of arbitration if it was heard before the tribunal. This can help parties reach an understanding about their dispute and begin to take steps to resolve it.

For further information about case appraisal see the [National Sports Tribunal website](#).



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What are some of the benefits of Alternative Dispute Resolution?

- It may help everyone involved preserve relationships by resolving the Complaint in a timely and constructive manner.
- It gives parties more control over potential outcomes.
- It can be less stressful than a formal complaints process, where parties may be required to provide sworn statements, attend a formal interview, or appear at a tribunal.
- Anything said during Alternative Dispute Resolution does not need to be recorded or reported back to the sport, beyond confirming whether the Complaint was successfully resolved or not.

When can a Complaint be referred to Alternative Dispute Resolution?

Sport Integrity Australia may refer those involved in a Complaint to go through an Alternative Dispute Resolution process at any time. This would occur if Sport Integrity Australia believes a dispute can be resolved without the need for a formal finding.

Any party to the Complaint, including the sport, may also request that Sport Integrity Australia considers a referral for Alternative Dispute Resolution at any time during the complaints process.

Who handles Alternative Dispute Resolution?

Depending on the matter, the Alternative Dispute Resolution process could be facilitated by the sport, the National Sports Tribunal, or an independent third-party provider.

Who pays for Alternative Dispute Resolution?

If a Complaint is referred to Alternative Dispute Resolution by Sport Integrity Australia, the National Sporting Organisation will be responsible for the costs associated with the process.

What happens if Alternative Dispute Resolution fails to resolve the complaint?

Alternative Dispute Resolution can fail if either party fails to come to an agreement to resolve the Complaint. As Alternative Dispute Resolution is not mandatory, this would also happen if a party involved chooses not to take part in Alternative Dispute Resolution.

If a Complaint is unable to be finalised through Alternative Dispute Resolution, it will be referred back to Sport Integrity Australia to consider further action through the complaints process.

More Information

For more information about Alternative Dispute Resolution see the [National Sports Tribunal website](#).

For more general information about conciliation and mediation see the [Resolution Institute's website](#), or the [Attorney-General's website](#).