



## REPORT FOR THE FIH 48<sup>th</sup> CONGRESS

### FIH Disciplinary Commissioner

Gordon Nurse

November 2022

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 47<sup>th</sup> Congress

Since my last Report the world has been moving out of the restrictions that had been in place due to the Covid-19 Pandemic. The matters that have been referred to me as DC have been varied, but more spasmodic than would have been expected in more normal circumstances.

The number and frequency of international tournaments has gradually increased, but the primary tournament, the Olympic Games, anticipated at the time of my last Report, took place with very restrictive arrangements. I was not able to attend the Games in Tokyo, but I did have to consider two disciplinary Referrals arising from the tournament. The procedure that had to be adopted immediately following the incidents in Tokyo had to be varied because of the requirement in Japan that any individual who had completed participation in the Games was required to leave Japan within 48 hours.



Since the Olympic Games tournament I have had no disciplinary Referrals, whereas, had there been regular international tournaments taking place, I would have expected a steady stream of Referrals

However, and indirectly as a consequence of events that occurred after the Olympic Games in 2021, in early 2022 I was required, because of a request by the FIH Governance Panel to the Chief Executive Officer that it be referred to me, to investigate a Complaint by a National Association concerning reaction to the publication, in early October 2021, of the FIH Hockey Star Awards. This resulted in me issuing a timetable for the gathering of evidence that took several weeks. I produced my Report in May 2022. I am pleased to say that I was subsequently informed that an amicable settlement had been agreed between the National Associations involved, so that no further action was required by me. The process was long and time-consuming, but I hope that all concerned feel that, at the end of the day, it was both sufficiently thorough and constructive, and that the hockey family can now move on without further recriminations.

I have endeavoured always to be available to the Legal team at the FIH Executive Office, who are very helpful to me. I am aware that, especially during 'Covid', I have been in one sense very isolated, but nevertheless I am made to feel, and do feel, part of the 'Team' whose responsibility it is to govern our sport. I hope that in the coming months I will have the opportunity to meet 'in person' more officials and members of the FIH Team.

I am pleased to be able to play my small part.

Gordon Nurse

6 October 2022