

Sport Resolutions is a London-based independent, not-for-profit, dispute resolution service for sport operating globally, offering arbitration, mediation, tribunal and expert opinion.

We also provide Pro Bono Legal Advice, Investigations and Reviews services as well as organising events to educate our stakeholders about conflict and dispute resolution in sport.

For more information please visit www.sportresolutions.com

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ABOUT THE CONFERENCE

Sport Resolutions is proud to present its seventh annual conference in association with Winston & Strawn LLP:

Setting the Pace in Debating Integrity

Sport Resolutions always aims to challenge and deal with big topical issues, and to discuss these openly across different points of view. The event has rapidly become one of the most reputable conferences in the sector and the size and depth of our audience are growing every year.

In line with our previous events, we will be discussing major topics in sport with esteemed panels of sport professionals and industry experts.

We have again secured a world-class line up of speakers to deliver a day of lively debate, analysis and insight, with moderation led by the much respected TV presenter Holly Hamilton.

We would like to give special thanks to our event sponsor Winston & Strawn LLP, who provide us with invaluable support. We trust that you will find the speakers and themes both stimulating and challenging. We look forward to having you at what we believe will be another special annual event for Sport Resolutions.

Please join the Conference conversation by using



#SportRes2022

Winston & Strawn is delighted to sponsor the Sport Resolutions Annual Conference 2022, an event we have sponsored for the last six years.

We are proud to be associated with this industry leading event and partner with a not-for-profit organisation committed to the highest standards of integrity and transparency in sport. Winston has a long history of forging strong relationships with athletes, player associations, and many other participants in the sports arena through, among other activities, our involvement in many landmark sports industry cases and our strong connection to athletes' rights and sports governance issues.

This sponsorship highlights our commitment to promoting the discussion and understanding of legal issues affecting sports, what causes sports disputes and how these disputes can best be resolved. We believe that the conference provides an excellent opportunity for sports and law professionals to consider alternative perspectives on some of the fundamental legal issues facing sports today.

We look forward to working with Sport Resolutions to make the 2022 event the most successful yet.

ABOUT THE CONFERENCE SPONSOR

Winston & Strawn's lawyers represent a wide range of those involved in both disputes and transactions in the sports industry. This includes player associations and professional athletes, as well as player classes in antitrust and other litigation, and coaches. Our comprehensive practice also advises sports ownership groups, event organisers, intellectual property licensees and licensors, media companies, sports agents, lenders and underwriters of team and sports facility debt, government entities, competing sports leagues, and sponsors.

Winston's assistance includes litigations and arbitrations, brand protection, intellectual property, sports-related financial and corporate transactions, marketing and promotions, privacy, sponsorships, and broadcast programming.

Winston & Strawn LLP is a global law firm with more than 900+ lawyers worldwide. The firm has one of the premier sports law practices in the world, recognised in the UK Legal 500 UK 2021 and 2022, and in U.S. News–Best Lawyers® as "Law Firm of the Year" for sports law in 2021 and 2022.

For further information visit: www.winston.com

WINSTON & STRAWN LLP





WINSTON & STRAWN IS PROUD TO SUPPORT

Sport Resolutions Annual Conference 2022

Winston has one of the premier sports law practices in the world. Our exceptional knowledge comes from decades of experience representing sports industry clients on the most prominent matters.

KEY AREAS

Sports disputes · athlete welfare and safeguarding · contract negotiations · collective bargaining agreements · doping allegations · sponsorships and promotions · funding · brand potential and intellectual property rights · sports related financial transactions · stadium financings

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PANEL SESSION
11:45–12:45 Mothers in Sport

Law Firm of the Year SPORTS LAW

U.S. NEWS-BEST LAWYERS, 2020-2022

"Strong understanding of sport while providing invaluable insight and learnings."

THE LEGAL 500 UK 2022

Ranked Tier 1 for Sport – "Notable for its strong litigation practice representing individual athletes, major players' associations, and sports franchises and leagues"

THE LEGAL 500 US 2022

SELECTED CLIENTS

British Athletes Commission (BAC) · Professional Footballers' Association (PFA) · National Football League Players Association (NFLPA) · United States Women's National Soccer Team (USWNT) · National Basketball Association Players Association (NBAPA) · Major League Baseball Players Association (MLBPA) · North American Soccer League (NASL)



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SESSION DETAILS



A review of the 2021 World Anti-Doping Code – has it had a positive impact?

The last few months have placed the spotlight on the 2021 World Anti-Doping Code and how it has been applied and interpreted by panels. Societal changes have brought in the new concept of substances of abuse, resulting in short periods of ineligibility and case resolution agreements eliminating the need for independent tribunals to consider violations involving marijuana and cocaine. Similarly, the Beijing Olympics piqued public interest in the concept of protected persons and whether the new rules are being consistently applied to all who are bound by the Code. The introduction of the International Standard for Results Management and Athletes' Anti-Doping Rights Act also set baseline minimum requirements for the adjudication of anti-doping matters, including often criticised areas such as timeframes for issuing decisions and hearing panel expertise. This panel discussion will explore the changes in the latest Code, these emerging concepts and resulting case law.

SESSION

Sportswashing, law and the politics of sport

Sportswashing is the deceptive, insincere and opportunistic appropriation of a sporting event or entity by a party with the objective of cleansing, misrepresenting or distracting from that party's public image. The party in question may be an individual or organised crime group seeking to launder their image and/or their money. The party may be a corporation seeking, through sponsorship of a sport, to legitimatise or enhance the credibility of a product or service that the wider public remains unaware or wary of (crypto-investment in sport). The party engaged in sports washing may be a sovereign state otherwise associated with political oppression and disregard for fundamental human rights.

Political and commercial manipulation of sporting events and the use of sport as a conduit for criminality are as old as organised sport itself. In the contemporary sense, sports washing, which can be seen as the exertion of soft geopolitical power but is the antithesis of sports diplomacy, poses a myriad of questions, legal and regulatory, for sports organisations and officials: how might compliance with international human rights law help moderate the relationship between sport and politics; specifically, how might embedding UN Guiding Principles on business

and human rights ensure that host-nation selections for global events such as the Olympics and World Cup do not repeat the mistakes of the past; do sports federations have the capacity to carry out the necessary due diligence on private equity or sponsorship-related funding of its clubs and leagues such that, if the true source and motivations of such funding relates to sports washing, it can be revealed and rejected; how do sports deal with politically and socially active athletes; and do sports bodies themselves have a duty to be politically and socially active?

Awarding a sports event to a particular country, subsequently attending or boycotting that event, systemic attempts to cheat in order to win at that event, or protesting on the podium at the event, can all be seen as political gestures. Equally, the biggest cost for a sports organisation that accepts funding from a particular state, sponsor or equity fund, may be the political ramifications.

This session will reflect on the relationship between sport and politics and explore whether the clear separation between them is utopian, fanciful or even desired.

SESSION 3

Mothers in sport

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When athletes' lives and training plans are tied into four-year Olympic cycles, those who choose to embark on a family planning journey often find that there are limited windows of opportunity to do so, and many hurdles still in the way. In addition to challenges that come with fertility and pregnancy, athletes also face potential loss of funding, ranking and sponsorship.

This panel discussion will explore the changes to women's bodies throughout athletes' family planning and return to competition journey, the protections (or lack thereof) in place for athletes wishing to start a family, and what sport organisations could be doing better to support athletes.





SESSION DETAILS



Legal implications of NFTs in sports

Non-fungible tokens (NFTs) have quickly become established as a new means of fan engagement in the sporting space, with various high-profile teams and organisations rolling out their own digital collectibles. NFTs are giving athletes, sports leagues and teams a whole new way to generate revenue from their loyal fan base.

NFTs for sports media will generate more than US\$2 billion in transactions in 2022, about double the figure for 2021, according to research from Deloitte.

Sports federations and clubs have scrambled to get in on NFTs. With NFT sales now running into billions, the market faces issues that touch on many areas of law - from copyright and intellectual property rights (IPRs) to anti-money laundering regulations and name-image-likeness (NIL). It is expected that platforms and rights creators will continue testing different ownership models to determine the optimal balance of fuelling consumer demand and maintaining IPRs that respect existing third-party rights over the underlying digital assets. For instance it has been reported that the Premier League and UEFA are taking legal advice over the use of images of their trophies in NFT digital assets being promoted by John Terry and other big names in English football.

In this session we will explain what NFTs are and the legal issues sporting organisations should be aware of before they enter the industry.



DSD and trans athletes: A review of genetics, biology and ethics and the impact on binary sex categories in sport

Separate sex categories in sport are justified due to fundamental biological differences between typical men and women, with well-understood genetics the ultimate reason. However, the dividing line between those categories has proved controversial as long as organised sporting competition has existed. The existence of athletes whose gender identity doesn't match their biological sex assigned at birth (trans athletes) challenges a simple categorisation of athletes into male and female categories, as well as usual notions of how the use of drugs that affect physical performance should be permitted. One key question is whether trans women (male sex assigned at birth, female gender identity) should be eligible to participate in the women's category in sport, considering the legitimate aims to simultaneously uphold fairness, safety and inclusion.

Athletes with Differences in Sex Development (DSDs), sometimes termed intersex or as people with variations in sex characteristics, arguably present an

even more complex challenge to the dividing line between male and female categories in sport. DSD is not a single condition, instead describing highly varied rare genetic characteristics that affect some aspect of sex development, and in some cases also characteristics relevant to sport performance. However, the evidence of that is scarce and highly controversial.

This session will describe the challenges posed by the existence of trans athletes and those with DSDs to the dividing line between sex categories in sport, and thus the fairness and safety of competition within those categories. Issues of medical ethics will also be raised. The type of further scientific research required to inform this debate, and on which to develop robust policy, will be identified.



Regulation and governance in esports

The esports industry has grown exponentially in recent years both in the UK context and internationally, from an engagement, participation and commercial perspective. According to Newzoo, esports will generate nearly \$1.38 billion in revenues globally by the end of 2022.

Commonwealth Games recently announced that it is introducing the inaugural Commonwealth Esports Championships to overlap with the end of the Games in Birmingham in August this year. Last year, before the Olympic Games started in Tokyo, the first Olympic Virtual Series was held. The International Olympic Committee recently appointed a senior manager to oversee esports and the Olympic Virtual Series will soon return.

This session aims to give an overview of how the professional layer of the UK and global esports industry is regulated and governed.

Throughout the past decade the industry has matured and evolved from a regulatory perspective, and the session will give a high-level overview of the regulatory landscape in 2022:

- How is esports regulated?
- Who regulates esports and does this differ by game title?
- Is there and should there be a governing body or bodies within esports?
- How does esports deal with integrity issues such as betting, doping, player welfare and exploitation, match-fixing and in-game cheating?

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SPEAKERS



Holly Hamilton @HollyHNews Presenter

Award-winning broadcaster Holly Hamilton can be found on BBC One, BBC Two and BBC News, where she is best-known as a presenter on BBC Breakfast & BBC Sport. Originally from Co. Down in Northern Ireland, she has spent over a decade working on some of the UK's biggest television networks.

As one of BBC Breakfast's most energetic presenters, Holly's career has taken her from the famous red sofa to the green grass courts of Wimbledon where she's been part of the BBC's coverage from the All England Club over the past two years, presented live from the red carpet of BBC Sports Personality of the Year and anchored BBC Sportsday from a number of exciting venues across the country.

Away from sport, Holly is the presenter for BBC holiday series, Getaways and is a familiar face across BBC Northern Ireland. In 2019, she fronted NI's Children in Need live show, hosted Open for Summer from The Open in Portrush alongside Colin Murray and became the first woman to host long running comedy panel series The Blame Game.

Despite her Irish roots, Holly Hamilton's career began in Scotland where she worked for Scottish Television (STV) for several years and was part of the original news broadcast team on the channel's flagship political programme Scotland Tonight. She also worked as News and Sport Editor for Downtown Radio and Cool FM where she was part of the Breakfast show voted Radio Show of the Year" (CIPR Awards).

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Ben Rutherford International Tennis Integrity Agency

Ben Rutherford is Senior Director, Legal, of the International Tennis Integrity Agency (ITIA). The ITIA is the legally-independent body established by the international governing bodies of tennis to promote, encourage and safeguard the integrity of professional tennis worldwide. Ben joined the ITIA in December 2020 and established the ITIA's legal department which he heads. Prior to joining the ITIA, Ben worked for 11 years for World Rugby, the international federation for rugby union, where he was Senior Legal Counsel & Integrity Unit Manager, setting up the integrity programme across the sport. Ben holds degrees in law, international studies and an MBA in Sports Administration. He is admitted as a barrister and solicitor in Australia and as a solicitor in England & Wales. Ben is a member of the IOC's Legal Expert Group on Competition Manipulation and was the legal member of WADA's Independent Observer Programme for the Rio 2016 Paralympic Games. In addition to his native English, Ben also speaks Spanish and Portuguese.



Christopher Quinlan QC @GuildhallLaw Guildhall Chambers

Christopher Quinlan QC is Head of the Guildhall's Sports Team and Crime Team and member of Farrar's Building, Temple. He is a sports, criminal, and regulatory law silk. He is an accomplished and very experienced trial advocate and Crown Court Recorder. He prosecutes and defends cases of the utmost gravity, including homicide and serious sexual allegations.

Christopher appears before and is a highly experienced chairman of numerous sport disciplinary bodies and panels. He is author of the British Horseracing Authority's 'Quinlan Review' and he is the World Rugby's independent Judicial Panel Chairman. He is also the Independent Chair of The Football Association's Judicial Panel. In 2020 he conducted a review to evaluate safeguarding provisions in UK Athletics. He is currently leading the Independent Complaints Process handling individual complaints made to British Gymnastics in the summer of 2020. He is a leading member of the Sports Bar in England and Wales.

Christopher is an experienced member of the Sport Resolutions administered National Anti-Doping Panel as well as Sport Resolutions' National Safeguarding Panel.



Dominique Leroux - Lacroix @IntTestAgency International Testing Agency

Canadian and Swiss Attorney-at-law, sports enthusiasm, University of McGill Law graduate, B.C.L./LL.B., member of the New York State Bar Association.

Dominique is currently Head of the Legal Affairs at the International Testing Agency since October 2018. Prior to that she was Head of the Legal Anti-Doping Services at the Union Cycliste Internationale for 7 years. Dominique has developed an in-depth knowledge of anti-doping and its legal framework and intricacies.



Jeffrey Benz

Jeffrey Benz, Esq., FCIArb, CEDS, is a dual-qualified English barrister and U.S. attorney as well as a sought-after ADR practitioner with JAMS based in London and Los Angeles. Following a career as a litigator with a large international law firm, Mr. Benz worked in-house at global sports, entertainment and technology entities, including in executive leadership positions. Since 2001, he has mediated and arbitrated several hundred complex, domestic and cross-border disputes.

Mr. Benz brings the high energy and unflagging persistence of a former competitive athlete to drive resolutions. As an arbitrator, he shapes the process with an eye for efficiency and fairness. Who's Who Legal: UK Bar shared, he is "widely recognised for his first-rate arbitration practice' and clients note he is 'in a class of his own' when it comes to complex sports disciplinary disputes." In 2016, the BBC noted that Mr. Benz is "widely regarded as amongst the most experienced judges" in world sport. He has been recognized as "Lawyer of the Year" for arbitration in Los Angeles and as one of the Best Lawyers in America (Best Lawyers, 2021, 2022). Mr. Benz was a member of the Court of Arbitration for Sport Ad Hoc Division at the 2022 Olympic Winter Games in Beijing.

International Internation Session 2 International Internat



David Grevemberg @SportandRights
Centre for Sport and Human Rights

David Grevemberg is the Chief Innovation and Partnerships Officer, a critical role in expanding the Centre for Sport and Human Rights (CSHR)'s drive to embed respect for human rights in sports organisations and events around the world. David works with the CSHR team to lead projects that drive positive change in sport, including education and training initiatives and overseeing development of major new initiatives.

David joined the Centre after 6 and a half years as Chief Executive of the Commonwealth Games Federation (CGF), the organisation responsible for the Commonwealth Games, Commonwealth Youth Games and many other initiatives that inspire Commonwealth athletes to drive the ambition and power of all Commonwealth citizens through sport.

Previously, David was Chief Executive of the Glasgow 2014 Commonwealth Games Organising Committee, with ultimate managerial responsibility for the organisation's successful preparation and staging of the Glasgow 2014 Commonwealth Games. He was the chief liaison with national and local government and many other stakeholders, and played a leadership role developing and innovating a variety of sport, commercial, cultural, community engagement, corporate social responsibility and legacy programmes.

Before that, David was the Executive Director of Sport and International Federation Relations at the International Paralympic Committee (IPC) headquartered in Bonn, Germany. A former competitive wrestler, during his career he has also served as a coach, athlete agent, team administrator, consultant and Board member.

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SPEAKERS





Cardelle Spangler @WinstonLaw Winston & Strawn LLP

Cardelle Spangler is the managing partner of Winston & Strawn LLP's Chicago office. Over her 20-year career as an employment litigator and advisor, Cardelle has concentrated her practice on employment relations litigation and counselling matters.

She has represented clients in complex class action, collective action, multi-plaintiff, and single plaintiff employment litigation. Cardelle has substantial trial experience before state and federal courts, as well as arbitrators. She has successfully defended collective action lawsuits brought under the Fair Labor Standards Act; class action lawsuits brought under ERISA alleging breaches of fiduciary duties against corporate and individual defendants; claims brought under ERISA for denial of benefits and discrimination; claims brought under various state and federal statutes for age, race, sex, color, religion, and disability discrimination and/or harassment; and common law and/or statutory claims for unfair competition, misappropriation of trade secrets, and various torts.

Cardelle has also conducted harassment and other investigations, drafted employment and independent contractor agreements, and conducted labor and employment training.



Sarah Gregorius @FIFPRO

Sarah Gregorius is FIFPRO's Director of Global Policy & Strategic Relations, Women's Football. Sarah joined FIFPRO in September of 2019 after enjoying a ten-year career as a international and professional footballer, playing 100 matches for the New Zealand Women's National Team and pursuing club football in Germany, England, and Japan. This experience, as well as years of experience as part of the NZ Professional Footballers' Association, gives her a strong grounding in the work and role of Unions in domestic and international football.



Baz Moffat @thewellhq

After achieving a first-class honours degree and a Masters, Baz Moffat jumped into the boat and rowed straight onto the Great Britain national team. Over an impressive career she won several medals, including a silver at the 2007 World Championships.

After Baz hung up her oars she launched a successful international coaching business. Specialising in pelvic health, Baz has helped hundreds of women – from pro athletes to new mums – tap greater health and happiness by understanding mind, body and the interplay of the two.

Baz looks back fondly at her sporting career but recognises a lack of female-specific coaching limited her potential. Now a prominent voice in the women's health movement, Baz wants to highlight and address the institutional gaps that stop women reaching their potential in sport and beyond.



Nekoda Smythe-Davis @nekodadavis_57

Team GB

Nekoda firstly is a mother to her beautiful daughter Ryia, who she sees as by far her biggest blessing. Prior to motherhood, she has been an elite Judo athlete for the last decade, of which her greatest achievements include: representing Great Britain at the Olympics (2016); winning Commonwealth Gold (2014); taking world bronze (2017) and world silver (2018). She stands as one of fifteen British Judo athletes to have ever achieved this. Prior to a concussion injury in 2019, she was on target to make the Tokyo Olympic games. She made the tough decision to forgo the Olympic race to put her health first and was blessed enough to fall pregnant with her baby girl who arrived a month after the Olympics commenced in 2021. She feels she won a different kind of medal the day her daughter was born! Now 7 months postpartum, her comeback is underway and she plans to be competing again by the end of 2022. In her free time she is also a student, ambassador, mentor and coach.



Alexandra Newman @uk_sport UK Sport

Alexandra Newman is currently the Standards Manager at UK Sport (UKS). In 2020, she joined UKS as a Sport Integrity Manager and provided casework management and programme co-ordination of the Sport Integrity function, including the management of the end-to-end Eligibility Policy process. She also managed several sport integrity issues, including but not limited to misconduct and disrepute, anti-doping, crimes and betting. Alexandra is one of the co-authors of the UKS Pregnancy Guidance for Sports Governing Bodies and Athletes, which was published in November 2021. Prior to joining UKS, Alexandra worked at UK Anti-Doping for nine years, most recently as the Performance Sport Education Manager where she led the development, delivery, implementation, and reporting of the Major Games Education programme to ensure core stakeholders met the requirements of the UK Clean Games Policy.

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Alex Kelham @LewisSilkin Lewis Silkin LLP

Alex is a Partner at Lewis Silkin LLP and leads the firm's Sports Business Group. She is a sports lawyer specialising in commercial and IP matters. Alex drafts and negotiates multi-million pound global sponsorship agreements and advises on all aspects of sports marketing, licensing and events. She also works with new and innovative tech platforms, particularly in areas where sport, entertainment and advertising meet. In this context she regularly advises on broadcast deals and advertising and media regulation. Alex increasingly supports clients on contractual and IP matters relating to NFTs, the metaverse and other tech trends. She is also an expert on ambush marketing and regularly advises on athlete image rights, brand protection and endorsement deals.

Alex knows the sports industry from multiple perspectives: she swam at an international level, worked in house in the London 2012 legal team, and is a non-executive director of British Swimming. She now advises athletes, clubs/teams and federations across a wide range of sports as well as agencies, sports tech businesses and sponsoring brands.

Alex is recognised in as a Leading Individual in Legal 500 and as a Ranked Lawyer in Chambers & Partners UK for Sport.





SPEAKERS

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Dr. Alun Williams @RugbyGeneStudy Manchester Metropolitan University

Alun Williams has research interests that originated in muscle physiology, nutrition, and occupational performance in the military, which then spread to the genetics underlying inter-individual variability in sport performance. He has a PhD from the University of Birmingham and works at Manchester Metropolitan University Institute of Sport where he heads sports genomics research, applying that to human performance, injury risk, and how that interfaces with eligibility criteria for sex categories in sport. Alun also has honorary positions at Swansea University and University College London. He has recently authored Expert Statements for the British Association of Sport and Exercise Sciences (BASES) on scientific aspects of the eligibility criteria for trans and DSD athletes in sport. He served as an Independent Expert Witness at CAS in 2019. He has published over 100 research articles on sport science and medicine (https://www.researchgate.net/profile/Alun-Williams-5). He also used to play semi-professional rugby union and now blames his very average genetics for not making a career out of it.





Andrew Nixon @SheridansSport Sheridans

Andrew heads up the sports and esports team at the entertainment and media firm Sheridans. Andrew and the team act for a wide range of stakeholders within the esports industry, including rights holders, agencies, leagues, teams, game developers and individual esports talent (players, streamers and influencers).

He has also spoken at various esports and sports conferences and events on esports, across a variety of issues, including esports regulation, player welfare, governance and the commercialisation of esports and content licensing, and sponsorship in esports.

Andrew's background is in traditional sports sector, acting for governing bodies, rights holders, sports data companies, sports clubs, sports agencies, sponsors and individual athletes.

Andrew's team at Sheridans is regarded as the leading esports practice in Europe, and it acts for the whole range of stakeholders within the industry, including the leading teams and players, as well as a number of the major leagues across multiple game titles. Andrew and his team have also advised on some of the most valuable and significant player transfers in the market.

Andrew is a member of the advisory board to the British Esports Association, and is well known to be a strong advocate of the importance of driving robust and strong governance and regulation with in the esports industry, including in relation to player welfare.

AGENDA





WISLAW Breakfast 08:15 - 09:00

Leo's Private Dining

Registration / Breakfast 09:00 - 09:30

The Wren Suite, Lower Ground, Floor -1

Welcome by Richard Harry 09:30 - 09:45

1st session 09:45 - 10:45

> A review of the 2021 World Anti-Doping Code – has it had a positive impact? (panel discussion)

10:45 - 11:15 2nd session

Sportswashing, law and the politics of sport

Coffee Break 11:15 - 11:45

3rd session 11:45 - 12:45

Mothers in sport (panel discussion)

Lunch & Networking 12:45 - 14:00

Leo's Restaurant, Floor 1

4th Session 14:00 - 14:30

Legal implications of NFTs in sport

14:30 - 15:15 5th Session

> DSD and trans athletes: A review of genetics, biology and ethics and the impact on binary sex categories in sport

6th Session 15:15 - 15:45

Regulation and governance in esports

Closing remarks by Audley Sheppard QC

Drinks reception 16:00 - 18:00







Sabine Rooftop Bar



