

**IN THE MATTER OF PROCEEDINGS BROUGHT BY THE INTERNATIONAL TENNIS
INTEGRITY AGENCY UNDER THE 2024 TENNIS ANTI-DOPING PROGRAMME**

Before:

Mr. Michael Heron, KC (Chair)

BETWEEN:

INTERNATIONAL TENNIS INTEGRITY AGENCY

Anti-Doping Organisation

and

LLEYTON HEWITT

Respondent

DECISION OF THE INDEPENDENT PANEL

A. Introduction

1. The International Tennis Integrity agency (the “**ITIA**”) was established by the International Tennis Federation, the global governing body for the sport of tennis and a signatory to the World Anti-Doping Code, as a delegated third party under the code. The ITIA is responsible for the management and administration of the Tennis Anti-Doping Programme (the “**TADP**”) which sets out Code-compliant anti-doping rules applicable to Players, Player Support Personnel, and other Persons.

2. The Davis Cup is the official team championship in men's tennis, held annually and owned by the International Tennis Federation ("**ITF**"). As the global governing body of tennis, the ITF is responsible for maintaining and enforcing the rules of the sport, overseeing international team competitions, promoting the global growth of tennis, and protecting the integrity of the game through its anti-doping and anti-corruption programs.
3. The Davis Cup culminates in the 'Davis Cup Finals' or 'Davis Cup Final 8', a knockout stage beginning with the quarter-finals. This stage features eight national teams: seven that qualify by winning their ties in the qualifiers second round, and one team granted a wildcard entry by the ITF. These teams compete in a single-elimination format, with the quarter-final winners progressing to the semi-finals, and the semi-final winners advancing to the final to determine the Davis Cup champion. The 2024 Davis Cup Finals were held in Málaga, Spain, from 19 to 24 November 2024 (the "**Event**").
4. On 23 November 2024, the Davis Cup semi-final between Italy and Australia took place. The Australian team was captained by Mr. Lleyton Hewitt, the Respondent, who has been team captain since 2016. The Australian Team Members nominated for the 2024 Davis Cup Finals included Player 1, Player 2, Player 3, and Player 4, along with team captain Mr. Hewitt and [REDACTED] Witness 1.
5. In the [REDACTED] match of the semi-final tie, Player 1 represented Australia against Italy's Player 5. Player 1, [REDACTED], lost the match to Player 5, which resulted in Italy winning the tie 2-0 and progressing to the Davis Cup Final, whilst Australia's campaign came to an end. The losing team were selected for Anti-Doping Testing.
6. The events forming the subject matter of this case occurred immediately after the conclusion of the match between Player 1 and Player 5, as the players and team personnel were exiting the court area via the tunnel leading to the locker room facilities. As the Australian team departed following their defeat, an incident occurred involving Mr. Hewitt and Witness 2, the Doping Control official (the "**Chaperone**"), which gave rise to the present proceedings.

B. Factual Background

7. The only available video footage of the incident, approximately 42 seconds long and of lower quality than official broadcast video, was taken by Witness 2's wife from the opposite side of the stadium, looking toward the players' tunnel from behind the location where the incident occurred. The footage begins at the end of the match, showing Player 1 packing his tennis bag with Mr. Hewitt standing beside him. Behind Player 1, the players' tunnel is visible and crowded with players and officials. Approximately 12 seconds into the video, Player 1 places his bag over his shoulder and begins walking down the tunnel, with Mr. Hewitt following a few steps behind. As they proceed, they pass the Italian players, exchange handshakes, and continue down the tunnel.
8. At this stage, as seen in still images taken from the available video footage, there are at least 17 individuals present in and around the tunnel area, including Mr. Hewitt, Player 1, and Witness 2, as well as others such as ITIA witnesses Witness 3, an anti-doping chaperone, and Witness 4, [REDACTED]. Player 1 continues to walk down the tunnel followed by Mr. Hewitt. Witness 2, who was assigned to chaperone Player 1, is on the right-hand side of the tunnel.
9. As Player 1 moves to the end of the tunnel, Witness 2 moves to follow behind him (moving from the right-hand side towards the centre of the tunnel, at the 22 second mark of the video). At the same time, Mr. Hewitt continues down the tunnel but moves towards the centre to avoid Witness 4 who is positioned in front of him. At about this point Witness 2 and Mr. Hewitt appear to converge. Both men are following Player 1 down the tunnel but coming from different angles and appear to move into each other (whether there is contact between them is the subject of dispute) and then move apart (the "**Incident**").
10. Just as Player 1 is leaving the tunnel on the left-hand side, Witness 2 appears to attempt to follow him and leans towards Mr. Hewitt again (Video approximately 24 second mark). At that point Mr. Hewitt pushes Witness 2 with his right hand and forces Witness 2 to the left-hand side of the tunnel. It is this push or "*fend off*" that is said to be the "*offensive conduct*".

11. Mr. Hewitt continues out of the tunnel on the left-hand side, and then proceeds to the Australian locker room, down the corridor, out of sight of the video. Witness 2 is seen to exit the tunnel on the right-hand side and also proceeds to the Australian locker room to chaperone Player 1. Player 1 is spoken to by Witness 2 inside the Australian locker room and Mr. Hewitt says he speaks to Witness 2 briefly about the Incident in the same area. Neither exchange is captured on the video footage.

C. The Charge and Procedural History

12. By way of a letter dated 6 January 2025, issued by the ITIA pursuant to Article 7.15 of the TADP, Mr. Hewitt was charged with an “*other disciplinary offence*”, as follows:

*“That, as particularised below, in breach of TADP Article 7.15.1.1 [Mr. Hewitt] engaged in offensive conduct towards a Doping Control official or other Person involved in Doping Control (specifically, Witness 2 (the **Chaperone**)) that does not rise to the level of Tampering (the **Charge**).”*

13. Article 7.15 of the TADP is set out below:

“7.15 Other disciplinary offences

7.15.1 Where a Player or other Person:

7.15.1.1 *engages in offensive conduct towards a Doping Control official or other Person involved in Doping Control that does not rise to the level of Tampering;*

7.15.1.2 *refuses or fails to cooperate in full with the ITIA and/or other Anti-Doping Organisations investigating Anti-Doping Rule Violations;*

7.15.1.3 *refuses or fails without compelling justification to comply with any provision of this Programme, where such refusal or failure does not fall within any of the Anti-Doping Rule Violations defined in Article 2; and/or*

7.15.1.4 if they are a Player Support Person, Uses or Possesses a Prohibited Substance or Prohibited Method without valid justification;

the Player or other Person will not be deemed to have committed an Anti-Doping Rule Violation and they will not be subject to any of the Consequences set out in Articles 9 and 10. However, disciplinary proceedings may be brought against them before the Independent Tribunal in accordance with Article 8 or resolved without a hearing under Article 7.14. If the Independent Tribunal finds the misconduct alleged to be proven to its comfortable satisfaction, or if the Player or other Person admits the violation and does not request a hearing to determine the Consequences, the Independent Tribunal or (as applicable) the ITIA may impose upon the Player or other Person such sanctions as it sees fit (which may include a period during which the Player or other Person will not be eligible to participate in the sport). The decision of the Independent Tribunal under this provision may be appealed by the ITIA or the Player or other Person concerned to the Court of Arbitration for Sport (Appeals Division), in accordance with the Code of Sports-related Arbitration. Any agreed decision issued under this Article 7.15 in conjunction with Article 7.14 is not subject to appeal.”

14. Mr. Hewitt was interviewed by the ITIA on 13 December 2024 in the presence of Mr. Garry Winter, his solicitor. During that interview Mr Hewitt explained his actions on the day.
15. Mr. Hewitt denied the Charge, and the matter was referred to the Independent Panel for determination. In accordance with Article 8.1 and Article 8.1.1 of the TADP, such matters will be submitted for determination by an Independent Tribunal constituted under the Procedural Rules Governing Proceedings Before an Independent Tribunal. Accordingly, the Independent Tribunal is properly seized of jurisdiction to determine the Charge and any related issues, including, if the Charge is upheld, the imposition of any Consequences.
16. I was appointed on 8 January 2025 by the Chairperson of the Independent Panel to Chair the Independent Tribunal to hear and determine the present matter.
17. A preliminary meeting was held on 13 January 2025 with directions given and followed in writing. Pursuant to applications made by the ITIA and on behalf of Mr. Hewitt under

Article 8.3.2.1 of the Tennis Anti-Doping Programme TADP, I was appointed as the sole member of the Independent Tribunal to hear the case.

18. The ITIA and Mr. Hewitt are referred to collectively as the “**Parties**”.
19. Further timetabling and other directions were issued on 23 January 2025 and 5 March 2025.
20. The directions of 5 March 2025 included identification of the issues of fact and law for the hearing, quoted as follows:
 1. “**Factual dispute:** *The precise events and therefore factual basis underlying the charge. The ITIA is to prove each element of the charge (offensive behaviour towards a person involved in Doping Control) to the comfortable satisfaction of the Tribunal. There is a factual contest on which witnesses Witness 2, Witness 4, Witness 3 and perhaps others (including Mr. Hewitt) will be called.*
 2. **Interpretation issue:** *Interpretation of Article 7.15.1.1 – whether Tennis Anti-Doping Programme (TADP) is breached if the Person is unaware that the individual contacted was a person involved in Doping Control.*
 - a. *The ITIA submits there is no requirement of knowledge or /awareness of whether the person was involved in Doping Control – it is a strict liability provision (irrespective of this the ITIA submits Mr. Hewitt did know); (para 17(d) ITIA Subs).*
 - b. *Mr. Hewitt submits there is such a requirement which derives from the wording of Article 7.15.1.1 and in particular the word “towards” which implies awareness (para 16.5 Brief). Mr. Hewitt submits he was not aware.*
 3. **Knowledge element:** *If knowledge/awareness is an element of Article 7.15.1.1, have the ITIA proved such knowledge/awareness on the part of Mr. Hewitt. This is a factual question on which witnesses may give evidence (to the extent they are able).”*
21. At the hearing on 21 July 2025, there emerged a subsidiary issue within the “interpretation issue”, which is the extent to which self-defence is available as a defence under Article 7.15.1.1 of the TADP. I will call this the “self-defence issue”.

22. The directions of 5 March 2025 included a provision that a hybrid hearing would be held with witnesses attending by video conference (where convenient) and counsel, Mr. Hewitt and the Independent Tribunal attending in person in Sydney, Australia.
23. Further directions regarding evidential issues and disclosure were given on 30 June 2025, and a further preliminary meeting was held after the second hearing date on 15 July 2025 (noted below).
24. In summary, the parties contested many procedural and evidential issues, which in part led to a more protracted process than originally expected.
25. Evidence and submissions were heard over four (4) hearing dates, being:
- a. **Monday 2 June 2025**, video conference – ITIA opening submissions and oral evidence of Witness 2;
 - b. **Tuesday 15 July 2025**, video conference – oral evidence of Witness 5 and additional preliminary meeting;
 - c. **Monday 21 July 2025**, Sydney and video conference – oral evidence of Witness 6, Witness 4, Witness 3 (evidence of Witness 7, Witness 8, Witness 9 and Witness 10 was admitted by consent and their written statements formed part of the evidence);
 - d. **Tuesday 22 July 2025**, Sydney and video conference – Mr. Hewitt opening submissions, oral evidence of Mr. Hewitt and Witness 1 and closing submissions for the ITIA and Mr. Hewitt.
26. The following individuals, representing the Parties, attended the hearing either in person or via video conference over the course of the four (4) hearing dates:

For the ITIA

- a. Mr. Adam Casselden, External Counsel
- b. Mr. Ben Rutherford, ITIA Senior Director, Legal
- c. Ms. Katy Stirling, ITIA Senior Legal Counsel

- d. Mr. Liam Bourke, ITIA Case Manager
- e. Ms. Nicole Sapstead, ITIA Senior Director Anti-Doping
- f. Mr. Stuart Miller, ITF Independent Observer

For Mr. Hewitt

- a. Mr. Lleyton Hewitt, Respondent
- b. Mr. Tom Duggan KC, Senior Counsel
- c. Mr. Sam McDonough, Counsel
- d. Mr. Gerry Winter, Solicitor
- e. Ms. Bella Baggio, Solicitor

27. The evidence of Witness 2, Witness 4 and Witness 3 was in Spanish, translated into English via a third-party translation service.

D. The ITIA's case

28. As to jurisdiction, the ITF established that the Davis Cup Regulations 2024 (the “**Event Rules**”) governed participation in the 2024 Davis Cup Finals. Mr. Hewitt is bound by the TADP under Article 1.2.6 and section 2 of the Event Rules, as he participated in Covered Events, including the Event where he acted as the Australian team captain. As the Event Rules incorporate the TADP, Mr. Hewitt falls within its scope. Ultimately, there was no challenge to the application of the TADP or to the applicability of Article 7.15 of the TADP.
29. As to the factual issue, the ITIA relied upon the video footage and the oral evidence of Witness 2, Witness 4, Witness 3 and Witness 5. The ITIA's case was that Mr. Hewitt's admitted push of the Chaperone, Witness 2, was “*offensive conduct*” under Article 7.15.1.1 of the TADP. Witness 2 was an “other person” as specified.
30. As to the interpretation issue, the ITIA submitted it was a strict or absolute liability offence (the commission of the act itself was the only requirement for the ITIA to prove to the comfortable satisfaction of the Independent Tribunal). The use of the word “*towards*” in Article 7.15.1.1 of the TADP was intended to signify the relationship between the behaviour and the other Person. There was no need to prove that Mr. Hewitt knew that

Witness 2 was a Doping Control official or other Person involved in Doping Control. The ITIA submitted in closing that self-defence has no bearing in relation to this offence (because it was strict or absolute liability, and self-defence was not available in law or on the facts).

(i) Witness 2

31. Witness 2 gave a written statement on 29 November 2024 (translated into English). He stated that at the end of the semi-final match he was allocated to act as the chaperone of Player 1. He was told to notify the player at the end of the match. He said he was waiting for the player at the court exit corridor and approached him to inform him that he had been selected for Doping Control.
32. He said, *“while I approached and was informing the player for notification, the captain of the Australian Team, Mr. Lleyton HEWITT pushed me violently to the right without even asking what was my purpose”*. Witness 2 said he was *“identified”* as a chaperone by wearing the identification badge and by his letter of authority. Witness 2 said he regained his position at the exit and finally he was able to notify the player verbally and then in writing. Witness 2 said there were no physical consequences after the push, despite the violence of the push.
33. In oral evidence, Witness 2 confirmed the accuracy of his written statement dated 29 November 2024, which he said he had drafted following instructions to report any unusual incidents during Doping Control procedures.
34. Witness 2 explained that he was a volunteer with limited prior experience, having previously only acted as a chaperone at the 2023 Davis Cup finals. He described his duties, attire, and the confidentiality obligations he had signed, though he expressed unease about the proceedings affecting his personal and professional life.
35. It was fair to describe Witness 2 as reluctant to be involved in the hearing.
36. During cross-examination by Mr. Duggan at the hearing, Witness 2 was questioned extensively about the circumstances of the Incident on 23 November 2024.

37. Witness 2 stated he was positioned on the right side of the tunnel to avoid obstructing players, while Mr. Hewitt and others were on the left side. He acknowledged that he was waiting for the player but did not keep continuous visual contact with him.
38. In cross-examination, Witness 2 stated that the video recording of the incident was taken by his wife from the public seating area. He acknowledged the timing and manner of the Doping Control notification for Player 1 occurred behind the backboard after the player had left the court, not immediately in or at the tunnel exit. Witness 2's written statement was therefore not correct regarding the timing and location of the Doping Control notification.
39. He denied approaching Mr. Hewitt or having physical contact before Mr. Hewitt pushed him. He stated he does not remember every single movement he made but denied stepping towards or bumping into Mr. Hewitt.
40. Witness 2 maintained that he was pushed unexpectedly and did not initiate contact or obstruction.
41. Witness 2 confirmed that after the push, he touched the wall to steady himself and then exited on the right side to continue following the player. He also explained that some photographs of his attire were taken days after the incident for record-keeping purposes.
42. Witness 2 accepted that other chaperones were present, including Witness 2's brother Javier, on the other side of the tunnel. Witness 2 stated that he was not specifically instructed where to stand and chose his position to avoid blocking player movement.
43. Witness 2 denied any verbal interaction with Mr. Hewitt inside the locker room and refuted claims that Mr. Hewitt told him not to make contact with the official captain.

(ii) Witness 4

44. Witness 4 gave a written statement on 30 December 2024 which was translated into English. He stated that he was employed as a [REDACTED] for the company that was contracted by the ITF for the 2024 Davis Cup Finals. He was the [REDACTED] on site. His background was working for the Spanish army, event management and security.

45. One of his specific duties was to watch the players leave the court and escort them to the locker room.
46. He stated he observed the Incident involving Mr. Hewitt and the Chaperone in the tunnel. He was around one (1) metre away. He made his statement from his recollection without review of the video footage.
47. He stated that Mr. Hewitt showed no sign of any prior bad or hostile reaction (before the Incident). He said he had a clear and unobstructed view and that he did not see Mr. Hewitt being hit or tripped by anyone. He said he was certain the Chaperone did not touch or enter into contact with Mr. Hewitt.
48. He stated that he saw Mr. Hewitt push the Chaperone abruptly and the push caused the Chaperone to stumble and crash into a wall. He said the Chaperone did not fall to the ground and he considered the force of the push to be a nine (9) on a scale of one (1) to ten (10). He was surprised and shocked by the Incident. He said the Chaperone was wearing accreditation and carrying a notepad and pen.
49. Witness 4 followed Mr. Hewitt and the Chaperone into the locker room of the Australian team. After the Incident, he told the Chaperone to report the Incident to his manager.
50. In cross-examination, Witness 4 was shown the video footage which demonstrated that he was not looking in the direction of Mr. Hewitt or the Chaperone at the earlier key time. He was shown to be incorrect as to where the players left the tunnel and where the Doping Control notification took place.

(iii) Witness 3

51. Witness 3 made a written statement on 12 December 2024.
52. He stated he was waiting in the tunnel to notify players to escort them for Doping Control. He was looking for Player 3 who was his allocated player. He was turning around to check where Player 3 was located and saw him on the team bench. At a point he was looking in the direction of the Incident, he observed Mr. Hewitt push Witness 2, who he said did not interact with Mr. Hewitt at any time earlier. He said the only interaction until

this moment was Witness 2 notifying the player about Doping Control, placing himself behind the player right afterwards.

53. Both the ITIA and Mr. Hewitt's Counsel agreed that the Doping Control notification did not occur at that stage.
54. Witness 3 stated that Mr. Hewitt pushed Witness 2 with the intention of separating him from the player, Player 1.
55. Witness 3 regarded the evidential process with bemusement and hostility. He was not willing to engage with the inconsistencies in his statement or the possibility that he may not have been looking in another direction at the critical moment due to his other obligations.

(iv) Witness 5

56. Witness 5 is a very experienced tennis official, currently employed as [REDACTED]. He gave evidence that he was the [REDACTED] at the 2024 Davis Cup Finals.
57. In his written statement, he stated that he advised the Australian team captain and their [REDACTED] that all members of the Australian team would be tested for this tie, shortly before the match.
58. In his oral evidence, Witness 5 altered his written statement. He stated he informed the Australian [REDACTED] only (Witness 1), in the locker room, about 10 minutes before the match. He said that she yelled out to the team that there would be testing. He said that Mr. Hewitt was at the back of the locker room which was about 11 metres long. He accepted in cross-examination that he could not ascertain whether or not Mr. Hewitt heard what Witness 1 had said.
59. Mr. Duggan put to Witness 5 that this Doping Control notification did not occur, and he was confusing it with the previous tie involving Australia and the USA. Witness 5 denied that.

(v) **Witness 6**

60. Witness 6 is an eminent Australian Professor of Surgery with more than 35 years of experience as a consultant. He gave evidence in response to Mr. Hewitt's claim at interview on 13 December 2024 that he was "bumped" into by Witness 2 before the Incident and that that had caused him more pain than usual because of [REDACTED] on 2 October 2024. Witness 6 commented on the likely recovery time from [REDACTED].
61. Witness 6 gave two reports. The first, dated 6 April 2025, can be summarised as:
- a. Full return to normal activity is expected after two (2) weeks for [REDACTED] and four (4) weeks for [REDACTED].
 - b. By six (6) weeks, the vast majority of patients are expected to be in minimal pain, not require any pain relief, and not experience any restriction of their movements.
 - c. Based on video footage showing Mr. Hewitt participating in a Davis Cup tie two days before the incident (the tie with the USA), where he is seen engaging in dynamic celebrations and embraces with his team, Witness 6 reports that Mr. Hewitt's movements "*suggest a very complete recovery*".
 - d. Witness 6 opines that Mr. Hewitt's alleged "*heightened sensitivity regarding contact* [REDACTED]" and "*greater protectionism around any contact or potential contact to his body*" would be highly unusual at the applicable stage of recovery and do not appear to be borne out by the video evidence.
62. Witness 6's supplementary report dated 17 April 2025 followed receipt of the report of Witness 9. Witness 6 confirmed his earlier opinions and observations but noted that he does not know the symptoms that Mr. Hewitt was experiencing at the time of the Incident. He stated that there would be greater meaning if there was a medical assessment at around the time of the Incident (confirming the symptoms).
63. In his oral evidence, Witness 6 confirmed his opinions and confirmed his view that it was likely that Mr. Hewitt had made a complete recovery in light of the video footage

showing his activity two (2) days earlier. He accepted in cross-examination that every patient is different, and that he could not rule out the possibility of Mr. Hewitt having the concerns and symptoms that were described by him.

I. Other Evidence

64. The ITIA submitted further statements from Witness 7 and Witness 8 which related to the availability of any other television or CCTV footage of the Incident (Witness 7) and any incidents of unaccredited individuals being in the players' tunnel (Witness 8). The evidence was to the effect that despite inquiries, there was no additional footage, nor were there any other incidents involving non-accredited personnel being in or near the players' tunnel. Ultimately, this evidence was not material to the central issues in the case.

II. The ITIA's Submissions

65. Mr. Casselden relied on the earlier written briefs of the ITIA, filed on 24 January 2025 and 7 April 2025, which submitted that Article 7.15.1.1 of the TADP was in clear terms and that its coverage of Mr. Hewitt's conduct towards Witness 2 was uncontroversial. The ITIA maintained its original position that Article 7.15.1.1 of the TADP is a Strict Liability provision that requires no element of knowledge that the other Person is involved in Doping Control. The ITIA submits that the word "*towards*" in the Article should take its ordinary meaning and denote one of:
- a. Movement in the direction of someone or something;
 - b. Relation to something or someone;
 - c. Position near to, just before, or around a time or place;
 - d. Purpose for buying or achieving something.
66. The ITIA primarily relied on Court of Arbitration for Sport ("**CAS**") authorities including *Raducan v. IOC* (CAS OG 00/011), supporting the objective interpretation starting with the wording of the rule in question (noting this is Swiss law); *McNeal v. World Athletics* (CAS 2021/A/7983) noting that subjective elements ought only be imported where specific words such as "*intentional*" appear in the rule itself; and *Aloyan v. IOC* (CAS 2017/A/4927)

which again reinforced the need for objective analysis, starting with the wording in context.

67. The ITIA submitted that English law governs the TADP pursuant to Article 1.1.5, and that applying any of the established approaches to statutory interpretation (literal rule, golden rule, or mischief rule) leads to the same "*clear and unambiguous outcome*", namely that Article 7.15.1.1 of the TADP is a Strict Liability provision.
68. The ITIA argued that the Strict Liability provision ensures effective protection of the Doping Control process, as requiring awareness would:
 - a. Create an unworkable regime where individuals could escape liability by claiming ignorance;
 - b. Undermine the protective purpose of the provision;
 - c. Allow for wilful blindness and avoidance of liability.
69. The ITIA challenged the Respondent's reliance on the *Armitage*, *Lowe* and *Snodgrass* decisions stating those decisions involved different rule provisions under different sporting bodies (Rugby Football Union Rule 5.12, The Football Association Rule E3(1)) rather than Article 7.15.1.1 of the TADP.
70. The ITIA noted that the tribunal in *Armitage* "*found at paragraph 10 of its decision that the charged person did not see any accreditation and was not aware that the person he brushed past was the Doping Control Officer*" yet still found a breach, directly contradicting the Respondent's awareness requirement argument.
71. The ITIA maintained an alternative position that even if awareness were required (which they denied), Mr. Hewitt was, or in the alternative ought to have been, aware that Witness 2 was a person involved in Doping Control.
72. The ITIA clarified that the relevant standard of proof for this disciplinary case is Article 7.15.1 of the TADP, requiring proof to the Independent Tribunal's "*comfortable satisfaction*" rather than Article 3.1.1 of the TADP which applies to Anti-Doping Rule Violations.

73. In respect of the factual issue, Mr. Casselden submitted that the Independent Tribunal should not accept Mr. Hewitt's version of events. Witness 2, Witness 4 and Witness 3, it was submitted, were consistent and unmoved in cross-examination as to the push and that there was no contact before the push. Mr. Casselden submitted each was honest and without motivation to lie. Whilst there were inconsistencies amongst their accounts, and variation from their statements, they were fundamentally consistent on the key issue, which was there was an unprovoked and forceful push to Witness 2 which caused him to touch the wall but not fall.
74. Mr. Casselden submitted that the video footage does not provide support for Mr. Hewitt's account that he was "*slammed in the back*" by Witness 2. The video footage shows no such action or reaction by Mr. Hewitt. If that had occurred, Mr. Hewitt would be seen to move forward abruptly and that is not evident on the video footage.
75. Mr. Casselden submitted Mr. Hewitt has invented the earlier contact from Witness 2 to excuse his push and has added the medical evidence to embellish it.
76. The ITIA submitted that there is no basis for Mr. Hewitt to think anyone other than authorised personnel were in the tunnel and that if he was struck with such force, why did he not complain about it immediately. He noted Mr. Hewitt did nothing about it and did not make any formal complaint.
77. Mr. Casselden submitted that the medical evidence and video footage suggest a complete recovery from the [REDACTED] and that the reliance on this is a reconstruction and not believable.
78. The ITIA's primary case is that the push by Mr. Hewitt was not defensive at all. But even if it was defensive, it could not be excused under a notion of self-defence, because it was disproportionate to what had occurred or was likely to. Mr. Casselden submitted that the requirements of self-defence were not met here, even if it was available (which was denied). He submitted that *Núñez et al. v CONMEBOL (TAS 2024/A/10904)*¹ at

¹ TAS 2024/A/10904 Darwin Gabriel Núñez Ribeiro, Ronald Federico Araujo Da Silva, José María Giménez De Vargas, Rodrigo Betancur Colman, Mathías Olivera Miramontes & Asociación Uruguaya de Fútbol c. CONMEBOL, Award of 13 May 2025. https://www.tas-cas.org/fileadmin/user_upload/Laudo_Final_10904_for_publication.pdf

paragraphs 103 and 104 accurately defines the bounds of self-defence as an affirmative defence.

79. Mr. Casselden accepted that if self-defence was available under Article 7.15.1 of the TADP, then the ITIA needed to persuade the Independent Tribunal to its comfortable satisfaction that it did not apply.
80. As to those boundaries, Mr. Casselden submitted that the decision in *Núñez [et al.] v. CONMEBOL* (TAS 2024/A/10904) was helpful. The decision stated:

“Free translation of the Arbitral Panel

1. Self-defense can be an affirmative defense, but only if it is carried out in a proper manner. During the act of defending himself, a person may not use force greater than is necessary to stop an immediate attack on him. Engaging in an aggressive and violent fight is much more than an act of stopping an attack and cannot qualify as self-defense.

104. We have then that legitimate defense as an exemption from responsibility applies when through a legally reprehensible action an illegitimate and imminent aggression against oneself or a third party is repelled, as long as rational force is used to repel the aggression.”

E. Mr. Hewitt’s Case

81. Mr. Hewitt’s case was consistent with his position at interview and in his written brief.
82. Mr. Hewitt gave evidence and confirmed the contents of his written interview, subject to some minor amendments and clarifications which were not material. He maintained that the push or “*fend off*” was in response to Witness 2 bumping into his right shoulder/back region causing him pain and the push was in anticipation of Witness 2 bumping into him again.
83. Mr. Hewitt stated at interview on 13 December 2024:
- a. *“It was literally just turning to my right and using an open hand to push a person away.”*
 - b. *“...to get someone away from me and give myself distance.”*

- c. *"I got hit in the back...and then I turned to defend myself to the right."*
- d. *"So I was following...following Player 1 and then as I've...following him all of a sudden I get bumped strongly in my back right shoulder, which then I turn to defend myself and fend a person off."*
- e. *"I got hit in the back...so obviously not bracing for someone to hit you or whatever. I felt that in my abdomen. And then I turned to defend myself to the right."*
- f. *"It didn't feel like... it wasn't a hand. This was either a shoulder or something.I had to brace, which hurt my stomach muscles having to contract. And that's when I turned around and it literally happened in a couple of seconds."*
- g. *"So straightaway was protecting myself but also protecting Player 1 if someone came because they were behind me. Because I had no idea why anyone would hit me that hard."*
- h. *"Pushing somebody away to get away from me because I've just been slammed in the back."*

84. At interview Mr. Hewitt speculated that the person bumping into him may have been a fan or other unauthorised person in the tunnel wishing to cause him harm. That line of thinking did not appear to be pursued in his evidence and was demonstrated by the ITIA as very unlikely.
85. He was cross-examined robustly by Mr. Casselden, who put to him that his account was invented and that he was lying to excuse his actions on the day. Mr. Hewitt maintained that was not so and responded that he was clear at interview that this was in self-defence, not excessive and responding to the potential for another contact from Witness 2. He maintained he had no knowledge of who Witness 2 was, as he was not able to see his identification or paperwork.
86. Mr. Hewitt was consistent and clear in his account that this was an act of self-defence, in response to his being "*bumped*" and then about to be "*bumped again*".

(i) **Witness 1**

87. Witness 1 was the [REDACTED] of the Australian Davis Cup team at the Event. She gave evidence to the effect that Witness 5 did not notify her of Anti-Doping Testing before the first match of the tie between Australia and Italy commenced. She was clear in cross-examination that he did not do so and that she would have remembered that. In

addition, she stated that she would not shout out to the players that there is testing today if the notification occurred in the way suggested, because this is a critical time before the match, and she would not suggest that there might be testing because that would suggest to the team that they might not win (Mr. Hewitt confirmed that in his evidence).

(ii) Witness 9

88. Witness 9's evidence was admitted by consent. Witness 9 was a surgeon, who saw Mr Hewitt for treatment of an [REDACTED] in Mr Hewitt on 1 October 2024. Witness 9 provided details of [REDACTED] on 2 October 2024 and the recovery of Mr. Hewitt from that. Witness 9 stated the procedure was uncomplicated and on follow-up consultation on 15 October 2024, his recovery was progressing well. Witness 9 stated that it is not uncommon to experience mild discomfort or a pulling sensation for several months following such a procedure.

(iii) Witness 10

89. Witness 10 was Mr. Hewitt's Physio at the Davis Cup Finals and confirmed he was treating Mr. Hewitt including for the symptoms resulting from [REDACTED]. He confirmed that Mr. Hewitt reported and exhibited symptoms including tenderness, pain on movement, and general discomfort. Despite treatment, Mr. Hewitt continued to experience tenderness and pain which Witness 10 observed during his daily assessments and physiotherapy sessions. This accords with the sort of evidence which Witness 6 referred to as being helpful.

I. Mr. Hewitt's Submissions

90. The primary submission for Mr. Hewitt was that Article 7.15.1.1 of the TADP requires subjective awareness that the person was involved in Doping Control as an essential element of the offence. Mr. Hewitt maintained he was not aware and could not be aware because Witness 2 was never identified to him or visible to him until right at the time of contact. Mr. Hewitt stated that he was not informed, either before the match against Italy, or at any other point, that the Australian team would be subject to Doping Control. Mr Hewitt's submission was that Witness 5 must have been mistaken about notifying the Australian team when he spoke to Witness 1. Witness 1 was on the other hand

categorical and compelling that such an event did not occur in respect to the match against Italy.

91. It was argued on behalf of Mr. Hewitt that *“the wording of Article 7.15.1.1 specifically requires the Respondent to know that the person whom they are alleged to have engaged in offensive conduct towards is a person involved in Doping Control. Critical to this determination is the word ‘towards’ which must imply that the Respondent is aware that the Person is involved in Doping Control at the time of or immediately prior to the alleged conduct.”*
92. Mr. Duggan submitted in closing arguments during the hearing, that the conduct in question is described as conduct which does not rise to the level of Tampering, and as such should be considered as of the same ilk as Tampering, therefore importing the requirements that there must be some level of intention or knowledge (as in the *McNeal v. World Athletics CAS 2021/A/7983* case).
93. Mr. Duggan submitted that the key inquiry for the Independent Tribunal was whether Mr. Hewitt had engaged in offensive conduct in light of his evidence as to what had occurred. Mr. Duggan submitted that Mr. Hewitt’s actions were proportionate and reasonable, he fended the Chaperone away in a form of self-defence (which in turn could not be offensive as long as it was reasonable and proportionate).
94. Mr. Duggan submitted that the ITIA had failed to consider the context and that in light of Mr. Hewitt’s explanation, it was a reasonable response to push Witness 2 away to prevent another “bump” or contact. Mr. Duggan submitted that Mr. Hewitt’s credibility was unblemished and that his behaviour was beyond reproach in terms of this kind of conduct.
95. Mr. Duggan took the Independent Tribunal through the video evidence frame by frame to demonstrate certain key points:
 - a. First, Mr. Hewitt could not be expected to know Witness 2 was involved in Anti-Doping Testing, given the lack of notice, his position and the lack of any spoken Doping Control notification;
 - b. Second, that key witnesses for the ITIA were inconsistent, exaggerated the Incident and were not able to observe the earlier events before the push. In

particular, Witness 4 was clearly facing the wrong direction at the key time as could be seen from the video footage, just before the first bump occurred. Witness 4 exaggerated the force of the push to a nine (9) out of 10 which was clearly incorrect. He submitted that Witness 3 was distracted, as he accepted, at times, when looking out for his player.

- c. Third, Witness 2 was a reluctant witness whose written statement was clearly inaccurate in certain respects. It is accepted that he did not notify Player 1 in the tunnel and appears not to have been in the right position to do so properly. Witness 2 was on the wrong side and the video showed his brother reaching across to tap him to remind him to follow Player 1.

- 96. Mr. Duggan submitted that in light of the poor-quality video footage and the weaknesses in the eye-witness accounts, the Independent Tribunal could not be satisfied that this was not reasonable and proportionate self-defence, and therefore not offensive behaviour.
- 97. Mr. Duggan submitted that in light of the many people who were and could have been in the tunnel, it would not have occurred to Mr. Hewitt that Witness 2 must have been a Person involved in Doping Control. The still image from the video footage shows approximately 17 people in the vicinity, some of whom were not identifiable, suggesting that it was not a completely controlled environment.
- 98. Mr. Duggan submitted that the Independent Tribunal ought to consider why Mr. Hewitt would react to Witness 2 in the way he did, if there was no contact from him before the Incident. He submitted *“why would he push him out of the blue without any prior interaction?”*
- 99. Overall, Mr. Hewitt’s case was that whilst he regretted the Incident, it was understandable and excusable because of the way in which it had occurred. His actions were reasonable and proportionate in the circumstances he believed them to be. He did not know Witness 2 was a Person involved in Doping Control, nor did he realise what he was trying to do when he bumped into him. Mr. Duggan submitted that in those circumstances the Independent Tribunal could not be comfortably satisfied that this was a case of “offensive conduct”.

F. Discussion and Findings

I. The Interpretation Issue

100. The proper approach to interpreting Article 7.15.1.1 of the TADP must follow established principles of statutory construction. As noted in *Aloyan v. IOC (CAS 2017/A/4927)*, interpretation “*has to be rather objective and should always start with the wording of the rule, which falls to be interpreted. The adjudicating body – in this instance the Panel - will have to consider the meaning of the rule, looking at the language used, and the appropriate grammar and syntax.*”
101. English law governs the TADP pursuant to Article 1.1.5 of the TADP. Whether applying the literal rule, golden rule, or mischief rule of statutory interpretation, the analysis must begin with the plain language of the provision.
102. Article 7.15.1.1 of the TADP provides for sanctions for “*offensive conduct towards a Doping Control official or other Person involved in Doping Control [...]*.” The first question is whether this language imports a requirement for subjective awareness of the Person's role.
103. The Independent Tribunal does not accept the Respondent's argument that the word “*towards*” necessarily implies awareness. The ordinary meaning of “*towards*”, as established by the Cambridge Dictionary definition² cited by the ITIA, encompasses directional, relational, positional and purposive meanings, none of which require subjective awareness of the recipient's status or role.
104. The word “*towards*” describes the direction or target of behaviour, not the actor's mental state regarding that target's characteristics. One can engage in behaviour “*towards*” another person without being aware of that person's professional role, status, or function.
105. Article 7.15.1.1 of the TADP is part of a regulatory framework designed to protect the integrity of Doping Control processes. The nature and purpose of this provision support a Strict Liability interpretation for several reasons:

² Cambridge University Press. (n.d.). Towards. In Cambridge Dictionary. Retrieved July 30, 2025, from <https://dictionary.cambridge.org/dictionary/english/towards>

- a. Protection of Doping Control Process: The fundamental purpose of Article 7.15.1.1 of the TADP is to ensure that Persons involved in Doping Control can perform their duties without interference, intimidation or offensive conduct. This protective purpose would be undermined if liability depended upon the actor's knowledge of the Doping Control official's role.
- b. Practical Implementation: If subjective awareness were required, it would create an unworkable regime where individuals could escape liability by claiming ignorance of a Doping Control official's role, and the ITIA would be required to prove to the comfortable satisfaction that the role was known by the relevant participant. Doping Control officials often work in plain clothes or with minimal identification to avoid drawing attention to testing procedures. They may approach athletes in various contexts - post-match, during training, or in team areas.
- c. Regulatory Context: The provision sits within a comprehensive Anti-Doping framework designed to protect the integrity of sport. Strict Liability provisions are common in such regulatory contexts to ensure effective enforcement and deterrence.
- d. McNeal v. World Athletics: The CAS decision in *McNeal v. World Athletics* (CAS 2021/A/7983) provides authority supporting the ITIA's position. Significantly, Article 7.15.1.1 of the TADP contains no language requiring knowledge, intention or fault. Unlike provisions that expressly require "intentional" conduct, Article 7.15.1.1 of the TADP is drafted in absolute terms without mental element qualifiers. The *McNeal v. World Athletics* reasoning is applicable: where a sporting rule does not expressly include subjective mental elements through words like "intentional", "knowingly", or "deliberately", the provision should be interpreted as one of Strict liability.
- e. The inclusion of the words "*without compelling justification [...]*" in Article 7.15.1.3 of the TADP is another indication that the prohibition of "*offensive conduct*" is a Strict Liability one.
- f. The Respondent's reliance on the *Armitage*, *Lowe* and *Snodgrass* decisions does not assist. As the ITIA correctly notes, these decisions involved different rule

provisions under different sporting bodies. Indeed, the tribunal in *Armitage* found that the charged person did not see any accreditation and was not aware that the person he brushed past was the Doping Control official yet the Tribunal still found a breach.

106. The interpretation issue, in the Independent Tribunal's view, is clearly answered by these factors. The ITIA are not required to prove that Mr. Hewitt knew that Witness 2 was involved in Doping Control, nor does it need to prove that Mr. Hewitt ought to have known. It suffices that Mr. Hewitt engaged in offensive conduct towards the Chaperone.

II. The Factual Issue

107. The ITIA put its case on the basis that Mr. Hewitt's push of Witness 2 was unprovoked and, at least initially, borne of anger or irritation from the loss against Italy. The ITIA submitted and put to Mr. Hewitt that the preceding contact from Witness 2 (denied by him and not seen by other witnesses) was a fiction, developed to excuse the inexcusable.
108. The Independent Tribunal is not satisfied that the ITIA is correct. The Independent Tribunal's view is that the ITIA has adopted the evidence of Witness 2, Witness 4 and Witness 3 without adequate scrutiny of the events leading up to the push. Mr. Hewitt maintained that Witness 2 had made contact with him and was heading towards him again. There is support for that in the video footage. Witness 4 and Witness 3 were not clear-sighted or accurate in their evidence as to the events leading up to the push. Witness 2 denied any contact at all, but the video footage shows that the convergence of the two (2) men was inevitable given where they were heading. The question as to why Mr. Hewitt would react in the way he did leads naturally to the conclusion that something occurred as he said. I will come back to the question of what, if any, force could have been involved in that initial contact, because that is relevant to the proportionality and reasonableness of the response.
109. For the Independent Tribunal to conclude that Mr. Hewitt had completely constructed his account and that there was no contact at all from Witness 2, the Independent Tribunal would need to prefer the evidence of Witness 2 to Mr. Hewitt and rely on Witness 4 and Witness 3 notwithstanding the difficulties with their evidence which has already been discussed. The Independent Tribunal would need to find that Mr. Hewitt was lying at

interview and lying in evidence at the hearing. I am not satisfied that was the case. Mr. Hewitt's account was consistent from interview to evidence that there was contact from Witness 2, that he did not know who he was, and that he reacted to that contact in defence of a potential further contact. The Independent Tribunal cannot reject that account in light of all the evidence, in particular the video footage.

110. My findings of fact therefore are that there was convergence and contact from Witness 2 to Mr. Hewitt as inferred from the video evidence and evidenced by Mr. Hewitt. I find that Witness 2 then separated from Mr. Hewitt and that there was a further convergence (demonstrated on the video and still photographs in particular with the direction Witness 2 was heading and the tilt of his head) and the push occurred. That means I am not comfortably satisfied that the ITIA's primary case is established as a matter of fact.
111. This conclusion, however, does not dispose of the case. Witness 2 and the witnesses, Witness 4 and Witness 3 were clear about the push, the video footage demonstrates it, and Mr. Hewitt accepted it had occurred.
112. The factual and legal question remains as to whether that is "*offensive conduct*" towards the Chaperone, and if so, is there a defence to that available to Mr. Hewitt.
113. Drawing on dictionary definitions³ and a range of commentary, I conclude that in this context, the word "*offensive*" encompasses behaviour that would cause a reasonable person to feel anger, upset, distress, or outrage. It requires more than mere displeasure and must be assessed contextually, with particular consideration for the professional setting and the Doping Control official's role. The test is objective (reasonable person standard) rather than purely subjective, and takes account of community standards and the specific circumstances in which the conduct occurs.
114. In the context considered here, I am comfortably satisfied that a strong or forceful push of a chaperone would (and did) cause a reasonable person to feel anger, upset, distress or outrage. Witness 2, Witness 4 and Witness 3 were testament to that. Their anger and upset was evident, but I consider they were affected by their connections with Witness 2

³ Cambridge University Press. (n.d.). Offensive. In Cambridge Dictionary. Retrieved July 30, 2025, from <https://dictionary.cambridge.org/dictionary/english/offensive>.

and concern for him (understandably) and I do not think they had the benefit of the full context.

115. Without provocation or self-defence, there can be no doubt that such conduct, in this context, would cause a reasonable person to feel angry or upset or outraged.

116. In the circumstances the Independent Tribunal is comfortably satisfied that on face value, such conduct was “*offensive conduct*” towards the Chaperone.

III. Self-defence

117. This issue falls to be determined in two parts. First, whether there is a general defence of self-defence which applies to the conduct prohibited under Article 7.15.1.1 of the TADP. The second is whether conduct that falls within the ordinary understanding of self-defence cannot be offensive conduct for the purposes of the relevant Article.

118. The ITIA submits there is no general defence of self-defence under the TADP, nor of Article 7.15.1.1 of the TADP. Mr. Hewitt submits there is and relies upon *Núñez [et al.] v. CONMEBOL*.

IV. The Núñez Decision

119. In *Núñez [et al.] v. CONMEBOL*, the CAS panel established a framework for self-defence in sporting disciplinary cases. In doing so, the CAS panel referred to *Kjetil Knutsen / FK Bodø/Glimt v. UEFA (CAS 2022/A/8941)*, a disciplinary matter that, in turn, cited *Mitchell Whitmore v. International Skating Union (ISU) (CAS 2016/A/4558)*, which held:

"1. Self-defense can be an affirmative defense, but only if carried out in an appropriate way. During the course of defending himself, a person cannot use force greater than that, which is required to stop an immediate attack on him. Engaging in an aggressive and violent fight is much more than an act of stopping an attack and cannot qualify as self-defense."

120. The CAS panel in *Núñez [et al.] v. CONMEBOL* identified that legitimate defence applies when:

- a. Illegitimate and imminent aggression is present against oneself or a third party;

- b. Proportional force is used - not greater than necessary to stop the attack;
- c. Defensive purpose - conduct must be to repel aggression, not engage in confrontation;
- d. Immediacy - must be in direct response to an immediate threat.

121. In *Núñez [et al.] v. CONMEBOL* the defence failed on the facts but was held to be available in a disciplinary context as a general defence.
122. For reasons already discussed as to the Interpretation issue (above), the Independent Tribunal is not satisfied that such a general defence is available to Article 7.15.1.1 of the TADP. The Strict Liability nature of the prohibition, the Anti-Doping context generally, and the absence of the “compelling justification” language (as in the Article 7.15.1.3) suggest that a general defence of self-defence is unlikely to be available. Such a general defence would be contrary to the interpretation principles already discussed and inconsistent with allowing a “compelling justification” excuse in one area, but not in this particular article.
123. The narrower question and the second part of the self-defence question is, therefore, whether genuine self-defensive behaviour, which meets the criteria articulated in *Núñez [et al.] v. CONMEBOL*, can be considered “*offensive conduct*”.
124. The ITIA submits that such a conclusion would be counter-intuitive, having ruled that the offence is Strict Liability and that a general defence is excluded. That is a fair point.
125. Mr. Duggan submits it must be inherent in the definition of “*offensive*” (discussed above) that an objective assessment of actions taken, which were defensive, reasonable, proportionate and immediate, could not rise to the level of “*offensive*” in all the circumstances.
126. In the Independent Tribunal’s view, that must be correct.
127. A reasonable person would not be angered, upset or outraged at conduct which met the self-defence requirements articulated. On an objective assessment, the reasonable person would conclude that such a defensive, proportionate and non-excessive response was justified and therefore not “*offensive*”.

128. This is consistent with the English law position, which recognises self-defence as applicable in civil and criminal contexts⁴ and provides substantially similar parameters as outlined in *Núñez [et al.] v. CONMEBOL*. The defence also extends to apply to circumstances that the defendant reasonably but mistakenly believes were the case (in English law).
129. It would seem too harsh a conclusion to say that conduct which fairly and reasonably was in self-defence (within the bounds described above), would not be able to be excluded, by the context, from its prima facie offensiveness.
130. In this case, Mr. Hewitt reacts to his belief that Witness 2 is going to make contact with him (again), and he pushes him away. In my view, the question of whether the conduct was genuinely in self-defence, falls to be considered as part of whether it was offensive at all.
131. The difficulty for Mr. Hewitt is that the strong or forceful push, as the Independent Tribunal finds it was, appears in all the circumstances to be excessive or disproportionate, even taking into account all the circumstances that he believed at the time. The evidence of Witness 2 and Witness 3 and the video footage suggests the push was at least forceful (enough to push him to the other side, against the wall, but not off his feet). Whilst Witness 4 exaggerated the force involved, each of the witnesses were clear that it was forceful.
132. A reasonable reaction to a person bumping into you and looking like they might be doing it again (if that is your belief), is not to forcefully push them away, but rather to avoid them or block them or question them. A reasonable person would regard a forceful push away as going too far. It goes beyond defensive and is disproportionate or excessive.
133. Mr. Hewitt's evidence that the "*bump*" or contact was significant and painful is not supported by other evidence. The video footage does not show any particular consequence of any contact, as the ITIA submitted. The contact from Witness 2 could not have been so significant as to justify such a strong response, even with the medical condition Mr. Hewitt was carrying (which I accept could have continued to trouble him).

⁴ R v Ashley [2008] UKHL 65 (House of Lords) <https://publications.parliament.uk/pa/ld200708/ldjudgmt/jd080423/ashley.pdf>.

134. His reaction was too strong, in the context, perhaps because of the irritation of being “*bumped*” or for whatever reason.
135. In all the circumstances, and in light of the earlier findings, the Independent Tribunal is comfortably satisfied that the push did not meet the requirements of self-defence and therefore remained “*offensive conduct*” towards the Chaperone.
136. In finding this, the Independent Tribunal notes that it has not accepted the primary case of the ITIA and it has accepted Mr. Hewitt’s explanation of why this conduct occurred. It is the disproportionality and unreasonableness of Mr. Hewitt’s response that the Independent Tribunal finds, which means the conduct is “*offensive*” and not reasonable and proportionate self-defence.
137. The Charge against Mr. Hewitt is proven to the extent stated.

G. Penalty and Costs

138. Penalty and costs submissions ought to follow and be calibrated according to the Independent Tribunal’s findings. The Independent Tribunal invites the ITIA to submit brief penalty submissions by 12 August 2025 and Mr. Hewitt to respond by 19 August 2025.
139. Unless an oral hearing is requested, the Independent Tribunal will determine the penalty on the papers.

H. Right of Appeal

140. Each of the Parties has the right to appeal this Decision to the Court of Arbitration for Sport, located at Palais de Beaulieu Av. Des Bergières 10, CH-1004 Lausanne, Switzerland (procedures@tas-cas.org), in accordance with the Code of Sports-related Arbitration.



Michael Heron, KC

On behalf of the Independent Panel

1 August 2025

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