

### Principle 1: Right to a Fair Hearing

A fair hearing is one that allows all parties an opportunity to be heard.

An extension of this principle means that parties have:

- sufficient prior notice of the hearing, including sufficient information to understand what interests or privileges may be adversely affected by the procedure;
- a right to attend the hearing;
- access to the full information to be relied upon by the decision maker, including all documentary evidence and oral testimonies. This also implies that the panel should not hear one side or discuss the case with a party in the absence of another party;
- an opportunity to prepare and to present evidence, to contradict statements that are prejudicial to their case, and to reply to arguments presented by the other parties, including the right to cross-examine all witnesses;
- a right to a timely hearing, so that undue delays do not affect the capacity of parties to respond to the appeal or implement the final decision, once rendered;
- a right to legal representation;
- a decision maker who applies and interprets the sport organization's relevant policies, rules and practices to arrive at a decision;
- a decision rendered by the individual(s) who heard the appeal; and
- a decision with reasons based on the evidence heard at the appeal, and not simply on assumption or suspicion.

### Principle 2: Rule against Bias

The rule against bias is based on the principle that a decision maker must be impartial and unbiased.

In order to respect the rule against bias, the decision makers must:

- be impartial, or not have an interest in the outcome of the decision;
- not favor one party over another;
- be free from attitudinal bias, a tendency to subconsciously be selective in interpreting evidence so that it reinforces your current beliefs;
- keep an open mind about the range of possible outcomes; and
- withdraw from the decision-making role if, at any point in time during the appeal process, there is any doubt about their ability to be unbiased.

**NOTE:** This document is provided for information purposes only and is not intended as legal advice.