

<b>Existing Version 2.3 – 05/12/2017</b>	<b>Draft Version 12</b> New text is highlighted yellow Amended text is highlighted Green	<b>Clean Draft Version 12</b>
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<p>to act for or on behalf of the WSF, including without limitation WSF staff, consultants, agents and advisors;</p> <p>b. "Regional Federation Officials" and "National Federation Officials", meaning all members of the board and/or executive bodies, committees and commissions of Regional and National Federations and others who act, or are entitled to act, for or on behalf of a Regional and National Federations, including without limitation, staff, consultants, agents and advisors;</p> <p>c. "Participants" meaning all Athletes, Athlete Support Personnel, competition officials, officials, managers, referees or other members of any squash delegation who is or has been registered to attend or participate in an event that comes under the auspices of the WSF.</p> <p>d. 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Every person in the WSF Family submits to the exclusive jurisdiction of the WSF Ethics Commission convened under the Code to hear and determine violations and to the exclusive jurisdiction of the Court of Arbitration for Sport (CAS) to determine any appeal from a WSF decision following a recommendation from the WSF Ethics Commission.</p> <p>5. This version of the Code shall come into force on [Publish Date] ("Commencement Date") and apply to all violations of the Code committed on or after the Commencement Date.</p> <p>6. With respect to any proceeding pending as at the Commencement Date under the previous WSF Code of Ethics, or proceedings brought after the Commencement Date where the facts giving rise to them occurred prior to the Commencement Date, the Proceedings shall be governed by the substantive provisions of the WSF Code of Ethics and other applicable WSF Rules and Regulations in effect at the time of the alleged facts, unless the WSF Ethics Commission hearing the proceeding determines that the principle of "lex mitior" applies under the circumstances of the Proceeding. All such Proceedings shall be conducted in accordance with the Procedural Rules under the Code.</p> <p>7. Persons subject to the Code shall immediately report any breach of the Code to the WSF Ethics &amp; Compliance Officer.</p> <p>8. Persons subject to the Code who attempt, or agree with another person, to act in a manner that would constitute or culminate in the commission of a violation of the Code shall be treated as if a violation has been committed, whether or not such attempt or agreement in fact resulted in such violation. However, there shall be no violation where the person who is subject to the Code renounces his/her attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement.</p>	<p>to act for or on behalf of the WSF, including without limitation WSF staff, consultants, agents and advisors;</p> <p>b. 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## **A FUNDAMENTAL PRINCIPLES**

### **Article 1**

The WSF Family shall undertake to disseminate the culture of ethics, integrity, equality, solidarity, good governance and neutrality within their respective areas of competence and to serve as role models.

Persons subject to the code shall:

- 1.3** Maintain harmonious relations with state authorities, while respecting the principle of autonomy as set out in the Olympic Charter;
- 1.4** Respect the international conventions on protecting human rights insofar as they apply to WSF activities and which ensure in particular:
- respect for human dignity;
  - rejection of discrimination of any kind on whatever grounds, be it race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status;
  - rejection of all forms of harassment and abuse, be it physical, professional or sexual, and any physical or mental injuries.
- 1.5** Ensure the participants' conditions of safety, well-being and medical care favourable to their physical and mental equilibrium.

## **B INTEGRITY OF CONDUCT**

### **Article 2**

The WSF Family must use due care and diligence in fulfilling their mission. At all times, they must act with the highest degree of integrity, and particularly when taking decisions, they must act with impartiality, objectivity, independence and professionalism.

They must refrain from any act involving fraud or corruption. They must not act in a manner likely to tarnish the reputation of the WSF or squash.

### **Article 3**

The WSF Family or their representatives must not, directly or indirectly, solicit, accept or offer any form of remuneration or commission, nor any concealed benefit or service of any nature, connected with the WSF, WSF Championships or squash.

### **Article 4**

Only tokens of consideration or friendship of nominal value, in accordance with prevailing local customs, may be given or accepted by the WSF Family or third parties. Such tokens may not lead to the impartiality and integrity of the WSF Family being called into question.

9. Persons subject to the Code who knowingly assist, fail to report or are otherwise complicit in any act or omission that constitutes or culminates in the commission of a violation of the Code shall themselves be treated as having committed a violation of the Code.

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- 1.2** Respect the principle of universality and political neutrality of the Olympic Movement;
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Any other form of token, object or benefit constitutes a gift which may not be accepted, but must be passed on to the organisation of which the beneficiary is a member.

#### **Article 5**

For hospitality shown to the WSF Family, as well as those accompanying them, a sense of measure must be respected.

#### **Article 6**

The WSF Family must refrain from placing themselves in any conflict of interests, and must respect the WSF Rules Concerning Conflicts of Interests (Appendix 1).

### **C INTEGRITY OF COMPETITIONS**

#### **Article 7**

The WSF Family shall commit to combat all forms of cheating and shall continue to undertake all the necessary measures to ensure the integrity of sports competitions.

#### **Article 8**

The WSF Family must respect the provisions of the World Anti-Doping Code, the WSF Anti-Doping Rules (Appendix 2) and the WSF Rules for the Prevention of the Manipulation of Competitions (Appendix 3).

#### **Article 9**

All forms of participation in, or support for betting related to events under the auspices of the WSF, and all forms of promotion of betting related to WSF World Championships are prohibited.

#### **Article 10**

Participants in WSF World Championships or events under the auspices of the WSF must not, by any manner whatsoever, manipulate the course or result of a competition, or any part thereof, in a manner contrary to sporting ethics, infringe the principle of fair play or show unsporting conduct.

### **D GOOD GOVERNANCE AND RESOURCES**

#### **Article 11**

[The Basic Universal Principles of Good Governance of the Olympic & Sports Movement](#), in particular transparency, responsibility and accountability, must be respected by the WSF Family.

#### **Article 12**

The resources of the WSF Family must be used only for squash purposes.

#### **Article 13**

**13.1** The income and expenditure of the WSF must be recorded in its accounts in accordance with generally accepted accounting principles. An independent auditor will check these accounts.

**13.2** In cases where the WSF gives financial support to members of the WSF Family:

- a. the use of these resources for squash purposes must be clearly demonstrated in the accounts;
- b. the accounts of the WSF Family may be subjected to auditing by an expert designated by the WSF Executive Board.

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#### **Article 14**

The WSF Family recognise the significant contribution that broadcasters, sponsors, partners and other supporters make to the development and prestige of squash and its events throughout the world.

However, broadcasters, sponsors, partners and other supporters must not interfere in the running of the WSF.

## **E CANDIDATURES**

### **Article 15**

The WSF Family shall respect the integrity of any candidature procedure initiated by the WSF Executive Board, in order to allow equal access to the promotion of each candidature and the refusal of any risk of conflict of interests.

Candidates for elected WSF positions shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the Rules Concerning Candidacy for WSF Office and the Conduct of Elections (Appendix 4).

### **Article 16**

Members wishing to host a WSF World Championships shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the Rules of Conduct Applicable to Members and Candidate Cities Wishing to Host World Championships (Appendix 5) competitions and other International Competitions organised by the WSF.

## **F CONFIDENTIALITY**

### **Article 17**

The principle of confidentiality shall be strictly respected by the WSF Ethics Commission in all its activities.

It must also be strictly respected by any person concerned by the activities of the WSF Ethics Commission.

## **G REPORTING OBLIGATION**

### **Article 18**

The WSF Family shall inform the WSF Ethics & Compliance Officer, in the strictest confidentiality and by using the appropriate mechanisms, in particular the [WSF Ethics & Compliance Hotline](#), of any information related to a violation of the WSF Code of Ethics, with a view to possible referral to the WSF Ethics Commission.

Any disclosure of information must not be for personal gain or benefit, nor be undertaken maliciously to damage the reputation of any person or organisation.

## **H IMPLEMENTATION**

### **Article 19**

The Principles in the Code shall be enforced in accordance with its provisions and in accordance with the provisions of the Rules and Regulations referred to in it.

The WSF Family recognise the significant contribution that broadcasters, sponsors, partners and other supporters make to the development and prestige of squash and its events throughout the world.

In order to preserve the integrity and neutrality of the various candidature procedures, the support and promotion of any of the candidatures by broadcasters, sponsors, partners and other supporters must be in a form consistent with the rules of sport and the principles defined in the Olympic Charter and this code.

However, The broadcasters, sponsors, partners and other supporters must not interfere in the running of the WSF nor interfere in the organisation of the sport including its Rules and Regulations.

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The WSF Family shall inform the WSF Ethics & Compliance Officer, in the strictest confidentiality and by using the appropriate mechanisms, in particular the [WSF Ethics & Compliance Hotline](#), of any information related to a violation of the WSF Code of Ethics, with a view to possible referral to the WSF Ethics Commission.

Any disclosure of information must not be for personal gain or benefit, nor be undertaken maliciously to damage the reputation of any person or organisation.

## **H IMPLEMENTATION**

### **Article 19**

The Principles in the Code shall be enforced in accordance with its provisions and in accordance with the provisions of the Rules and Regulations referred to in it.

The WSF Family recognise the significant contribution that broadcasters, sponsors, partners and other supporters make to the development and prestige of squash and its events throughout the world.

In order to preserve the integrity and neutrality of the various candidature procedures, the support and promotion of any of the candidatures by broadcasters, sponsors, partners and other supporters must be in a form consistent with the rules of sport and the principles defined in the Olympic Charter and this code.

The broadcasters, sponsors, partners and other supporters must not interfere in the running of the WSF nor interfere in the organisation of the sport including its Rules and Regulations.

## **E CANDIDATURES**

### **Article 15**

The WSF Family shall respect the integrity of any candidature process, including during its invitation, decision making and communication phase, initiated by the WSF Executive Board, in order to allow equal access to the promotion of each candidature and the refusal of any risk of conflict of interests.

Candidates for elected WSF positions shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the Rules Concerning Candidacy for WSF Office and the Conduct of Elections (Appendix 4).

### **Article 16**

Members wishing to host a WSF World Championships shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the Rules of Conduct Applicable to Members and Candidate Cities Wishing to Host World Championships (Appendix 5) competitions and other International Competitions organised by the WSF.

## **F CONFIDENTIALITY**

### **Article 17**

The principle of confidentiality shall be strictly respected by the WSF Ethics Commission in all its activities.

It must also be strictly respected by any person concerned by the activities of the WSF Ethics Commission.

## **G REPORTING OBLIGATION**

### **Article 18**

The WSF Family shall inform the WSF Ethics & Compliance Officer, in the strictest confidentiality and by using the appropriate mechanisms, in particular the [WSF Ethics & Compliance Hotline](#), of any information related to a violation of the WSF Code of Ethics, with a view to possible referral to the WSF Ethics Commission.

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## **H IMPLEMENTATION**

### **Article 19**

The Principles in the Code shall be enforced in accordance with its provisions and in accordance with the provisions of the Rules and Regulations referred to in it.

<p>The Ethics &amp; Compliance Officer shall be appointed by the membership of the Ethics Commission.</p> <p>The Ethics &amp; Compliance Officer shall not have held a position within the WSF (elected or Commission) for any period during the thirty-six (36) months prior to his/her appointment.</p> <p>The Ethics &amp; Compliance Officer shall report directly to the Ethics Commission.</p> <p>The role of the Ethics &amp; Compliance Officer shall be detailed in the Procedural Rules of the Ethics Commission (Appendix 7 of the WSF Code of Ethics).</p> <p><b>Rules Concerning Conflicts of Interest</b></p> <p><b>Article 1 Scope of application</b> These Rules apply to the WSF Family as defined by the WSF Code of Ethics preamble.</p> <p><b>Article 2 Definition</b></p> <p><b>2.1</b> In the context of the provisions of these Rules, a distinction is made between the situation of a “potential conflict of interests” and the case of a “conflict of interests”. Only conflicts of interests are prohibited.</p> <p><b>2.2</b> A situation of a potential conflict of interests arises when the opinion or decision of a person, acting alone or within an organisation, in the framework of the activities of the physical or legal persons defined in article 1 above, may be reasonably considered as liable to be influenced by relations that the aforementioned person has, has had or is on the point of having with another person or organisation that would be affected by the person’s opinion or decision.</p> <p><b>2.3</b> A case of conflict of interest is constituted when any person who, having abstained from declaring a situation of a potential conflict of interests, expresses an opinion or takes a decision in the circumstances described in the above paragraph 2.</p> <p><b>Article 3 Types of interests to take into consideration</b> In assessing the situations described in article 2 above, direct as well as indirect interests must be taken into account. This also includes the interests of a third person (parent, spouse, relation or dependent).</p> <p>In the following non-exhaustive list of examples, the circumstances in which a conflict of interest could arise are:</p> <ul style="list-style-type: none"> <li>– personal and/or material involvement (salary, shareholding, various benefits) with suppliers of the WSF party concerned;</li> <li>– personal and/or material involvement with sponsors, broadcasters, various contracting parties;</li> <li>– personal and/or material involvement with an organisation liable to benefit from the assistance of the WSF party concerned (including subsidy, agreement or election).</li> </ul>	<p>The Ethics &amp; Compliance Officer shall be appointed by the membership of the Ethics Commission.</p> <p>The Ethics &amp; Compliance Officer shall not have held a position within the WSF (elected or Commission) for any period during the thirty-six (36) months prior to his/her appointment. <b>The Ethics &amp; Compliance Officer should not be a WSF staff member and must be independent, and free from any conflict of interest.</b></p> <p>The Ethics &amp; Compliance Officer shall report directly to the Ethics Commission.</p> <p>The role of the Ethics &amp; Compliance Officer shall be detailed in the Procedural Rules of the Ethics Commission (Appendix 7 of the WSF Code of Ethics).</p> <p><b>I SANCTIONS</b></p> <p><b>Article 20</b> Any person in the WSF Family who fails to comply with the Code May be sanctioned in accordance with the provisions of Appendix 7 to this Code.</p> <p><b>Rules Concerning Conflicts of Interest (Appendix 1)</b></p> <p><b>Article 1 Scope of application</b> These Rules apply to the WSF Family as defined by the WSF Code of Ethics preamble.</p> <p><b>Article 2 Definition</b></p> <p><b>2.1</b> In the context of the provisions of these Rules, a distinction is made between the situation of a “potential conflict of interests” and the case of a “conflict of interests”. 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**Article 4 Resolution of possible conflicts of interests**

**4.1** It is the personal responsibility of each person to avoid any case of conflict of interest.

**4.2** Faced with a situation of a potential conflict of interest, the person concerned must refrain from expressing an opinion, from making or participating in making a decision or accepting any form of benefit whatsoever. However, if the person wishes to continue to act or if the person is uncertain as to the steps to take, the person must inform the WSF Ethics & Compliance Officer of the situation, who then takes the steps foreseen below.

**4.3** The WSF Ethics & Compliance Officer is responsible for advising persons, at their request, in a situation of a potential conflict of interest.

The person concerned is then offered a solution from the following options:

- registering the declaration without any particular measure;
- removal of the person involved from part or all of the action or from the decision of the WSF party at the root of the conflict;
- relinquishment of the management of the external interest causing the conflict;
- any complementary measures.

**4.4** The person concerned then takes the steps that he/she considers appropriate.

**4.5** The information given and the whole process will be kept confidential.

**Article 5 Undeclared or actual conflicts of interests**

In the event that a person neglects to declare a situation of a potential conflict of interest, and/or is in an actual conflict of interest situation, the WSF Ethics & Compliance Officer may refer the case to the WSF Ethics Commission in accordance with the conditions set out in its Rules of Procedure.

The WSF Ethics Commission proposes to the WSF Executive Board one of the measures provided in article 4.3.

**Article 6 Specific provisions**

When submitting a nomination to a position on the WSF Executive Board, a candidate must declare any risks of conflicts of interest to the WSF Ethics & Compliance Officer. The attention of the candidate may be drawn to any potential conflicts of interest identified. This does not exempt the candidate concerned from making subsequent declarations pursuant to article 4.

**WSF Anti-Doping Rules**

[Click Here](#)

**Rules for the Prevention of the Manipulation of Competitions**

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**WSF Anti-Doping Rules (Appendix 2)**

[Click Here](#)

**Rules for the Prevention of the Manipulation of Competitions (Appendix 3)**

**PREAMBLE**

a. Acknowledging the danger to the integrity of squash from the manipulation of competitions the WSF Family restates its commitment to safeguarding the integrity of squash, including the protection of clean athletes and competitions.

**Article 4 Resolution of possible conflicts of interests**

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a. Acknowledging the danger to the integrity of squash from the manipulation of competitions the WSF Family restates its commitment to safeguarding the integrity of squash, including the protection of clean athletes and competitions.

<p><b>Article 1 Definitions</b></p> <p><b>1.1</b> "Benefit" means the direct or indirect receipt or provision of money or the equivalent such as, but not limited to, bribes, gains, gifts and other advantages including, without limitation, winnings and/or potential winnings as a result of a wager; the foregoing shall not include official prize money, appearance fees or payments to be made under sponsorship or other contracts;</p> <p><b>1.2</b> "Competition" means any sports competition, tournament, match or event, organised in accordance with the rules of the WSF or its affiliated organisations, or, where appropriate, in accordance with the rules of any other competent sports organisation;</p> <p><b>1.3</b> "Inside Information" means information relating to any competition that a person possesses by virtue of his or her position in relation to a sport or competition, excluding any information already published or common knowledge, easily accessible to interested members of the public or disclosed in accordance with the rules and regulations governing the relevant Competition;</p> <p><b>1.4</b> "Participant" means any natural or legal person belonging to one of the following categories:</p> <p>a. "athlete" means any person or group of persons, participating in sports competitions;</p> <p>b. "athlete support personnel" means any coach, trainer, manager, agent, team staff, team official, medical or paramedical personnel working with or treating athletes participating in or preparing for sports competitions, and all other persons working with the athletes;</p> <p>c. "official" means any person who is the owner of, a shareholder in, an executive or a staff member of the entities which organise and/or promote sports competitions, as well as referees, jury members and any other accredited persons. The term also covers the executives and staff of the WSF, or where appropriate, other competent sports organisations or clubs that recognises the competition.</p> <p><b>1.5</b> "Sports Betting, Bet or Betting" means any wager of a stake of monetary value in the expectation of a prize of monetary value, subject to a future and uncertain occurrence related to a sports competition.</p> <p><b>Article 2 Violations</b></p>	<p>b. Due to the complex nature of this threat, the WSF Family recognises that it cannot tackle this threat alone and hence cooperation with public authorities, in particular law enforcement and sport betting entities, is crucial;</p> <p>The purpose of these Rules is to provide the WSF Family with harmonised regulations to protect all competitions from the risk of manipulation. These Rules establish regulations that are in compliance with the Convention on the Manipulation of Sports Competitions (the Macolin Convention)</p> <p>c. In the framework of its jurisdiction the WSF established these Rules for the Prevention of the Manipulation of Competitions, hereinafter the Rules;</p> <p>d. The WSF Family bound by the WSF Code of Ethics declare their commitment to support the integrity of sport and fight against the manipulation of competitions by adhering to the standards set out in these Rules. The WSF Family are committed to taking all appropriate steps within their powers to incorporate these Rules by reference, or to implement regulations consistent with or more stringent than these Rules.</p> <p><b>Article 1 Definitions</b></p> <p><b>1.1</b> "Benefit" means the direct or indirect receipt or provision of money or the equivalent such as, but not limited to, bribes, gains, gifts and other advantages including, without limitation, winnings and/or potential winnings as a result of a wager; the foregoing shall not include official prize money, appearance fees or payments to be made under sponsorship or other contracts;</p> <p><b>1.2</b> "Competition" means any sports competition, tournament, match or event, organised in accordance with the rules of the WSF or its affiliated organisations, or, where appropriate, in accordance with the rules of any other competent sports organisation;</p> <p><b>1.3</b> "Inside Information" means information relating to any competition that a person possesses by virtue of his or her position in relation to a sport or competition, excluding any information already published or common knowledge, easily accessible to interested members of the public or disclosed in accordance with the rules and regulations governing the relevant Competition;</p> <p><b>1.4</b> "Participant" means any natural or legal person belonging to one of the following categories:</p> <p>a. "athlete" means any person or group of persons, participating in sports competitions;</p> <p>b. "athlete support personnel" means any coach, trainer, manager, agent, team staff, team official, medical or paramedical personnel working with or treating athletes participating in or preparing for sports competitions, and all other persons working with the athletes;</p> <p>c. "official" means any person who is the owner of, a shareholder in, an executive or a staff member of the entities which organise and/or promote sports competitions, as well as referees, jury members and any other accredited persons. 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The following conduct as defined in this Article constitutes a violation of this Code:

- 2.1** Betting  
Betting in relation either:  
a. to a Competition in which the Participant is directly participating; or  
b. to the Participant's sport; or  
c. to any event of a multisport Competition in which he/she is a participant.
- 2.2** Manipulation of sports competitions  
An intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a sports competition in order to remove all or part of the unpredictable nature of the sports competition with a view to obtaining an undue Benefit for oneself or for others.
- 2.3** Corrupt conduct  
Providing, requesting, receiving, seeking, or accepting a Benefit related to the manipulation of a competition or any other form of corruption.
- 2.4** Inside information  
a. Using Inside Information for the purposes of Betting, any form of manipulation of sports competitions or any other corrupt purposes whether by the Participant or via another person and/or entity.  
b. Disclosing Inside Information to any person and/or entity, with or without Benefit, where the Participant knew or should have known that such disclosure might lead to the information being used for the purposes of Betting, any form of manipulation of competitions or any other corrupt purposes.  
c. Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.
- 2.5** Failure to report  
a. Failing to report to the WSF or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any approaches or invitations received by the Participant to engage in conduct or incidents that could amount to a violation of this Code.  
b. Failing to report to the WSF or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any incident, fact or matter that comes to the attention of the Participant (or of which they ought to have been reasonably aware) including approaches or invitations that have been received by another Participant to engage in conduct that could amount to a violation of this Code.
- 2.6** Failure to cooperate  
a. Failing to cooperate with any investigation carried out by the WSF in relation to a possible breach of this Code, including, without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by the WSF as part of such investigation.  
b. Obstructing or delaying any investigation that may be carried out by the WSF in relation to a possible violation of this Code, including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.
- 2.7** Application of Articles 2.1 to 2.6  
For the determination of whether a violation has been committed, the following are not relevant:  
a. Whether or not the Participant is participating in the Competition concerned;  
b. Whether or not the outcome of the Competition on which the Bet was made or intended to be made;

The following conduct as defined in this Article constitutes a violation of **these Rules**:

- 2.1** Betting  
Betting in relation either:  
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a. Failing to cooperate with any investigation carried out by the WSF in relation to a possible breach of **these Rules**, including, without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by the WSF as part of such investigation.  
b. Obstructing or delaying any investigation that may be carried out by the WSF in relation to a possible violation of **these Rules** including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.
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- 2.5** Failure to report  
a. Failing to report to the WSF or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any approaches or invitations received by the Participant to engage in conduct or incidents that could amount to a violation of H.  
b. Failing to report to the WSF or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any incident, fact or matter that comes to the attention of the Participant (or of which they ought to have been reasonably aware) including approaches or invitations that have been received by another Participant to engage in conduct that could amount to a violation of these Rules.
- 2.6** Failure to cooperate  
a. Failing to cooperate with any investigation carried out by the WSF in relation to a possible breach of these Rules, including, without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by the WSF as part of such investigation.  
b. Obstructing or delaying any investigation that may be carried out by the WSF in relation to a possible violation of these Rules including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.
- 2.7** Application of Articles 2.1 to 2.6  
For the determination of whether a violation has been committed, the following are not relevant:  
a. Whether or not the Participant is participating in the Competition concerned;  
b. The outcome of the Competition on which the Bet was made or intended to be made;

- c. Whether or not any Benefit or other consideration was actually given or received;
- d. The nature or outcome of the Bet;
- e. Whether or not the Participant's effort or performance in the Competition concerned were (or could be expected to be) affected by the acts or omission in question;
- f. Whether or not the result of the Competition concerned was (or could be expected to be) affected by the acts or omission in question;
- g. Whether or not the manipulation included a violation of a technical rule of the WSF;
- h. Whether or not the competition was attended by the competent national or international representative of the WSF.

Any form of aid, abetment or attempt by a Participant that could culminate in a violation of this Code shall be treated as if a violation had been committed, whether or not such an act in fact resulted in a violation and/or whether that violation was committed deliberately or negligently.

**Article 3 Disciplinary Procedure**

The contents of this Article are minimum standards which must be respected by the entire WSF Family.

**3.1 Investigation**

- a. The Participant who is alleged to have committed a violation of this Code must be informed of the alleged violations that have been committed, details of the alleged acts and/or omissions, and the range of possible sanctions.
- b. Upon request by the WSF, the concerned Participant must provide any information which the WSF considers may be relevant to investigate the alleged violation, including records relating to the alleged violation (such as betting account numbers and information, itemised telephone bills, bank statements, internet service records, computers, hard drives and other electronic information storage devices), and/or a statement setting out the relevant facts and circumstances around the alleged violation.

**3.2 Rights of the concerned person**

- In all procedures linked to violations of the present Code, the following rights must be respected:
- a. The right to be informed of the charges; and
  - b. The right to a fair, timely and impartial hearing either by appearing personally in front of the WSF and/or submitting a defence in writing; and
  - c. The right to be accompanied and/or represented.

**3.3 Burden and standard of proof**

The WSF shall have the burden of establishing that a violation has been committed. The standard of proof in all matters under this Code shall be the balance of probabilities, a standard that implies that on the preponderance of the evidence it is more likely than not that a breach of this Code has occurred.

**3.4 Confidentiality**

The principle of confidentiality must be strictly respected by the WSF during all the procedure; information should only be exchanged with entities on a need to know basis. Confidentiality must also be strictly respected by any person concerned by the procedure until there is public disclosure of the case.

- c. Whether or not any Benefit or other consideration was actually given or received;
- d. The nature or outcome of the Bet;
- e. Whether or not the Participant's effort or performance in the Competition concerned were (or could be expected to be) affected by the acts or omission in question;
- f. Whether or not the result of the Competition concerned was (or could be expected to be) affected by the acts or omission in question;
- g. Whether or not the manipulation included a violation of a technical rule of the WSF;
- h. Whether or not the competition was attended by the competent national or international representative of the WSF.

Any form of aid, abetment or attempt by a Participant that could culminate in a violation of **these Rules** shall be treated as if a violation had been committed, whether or not such an act in fact resulted in a violation and/or whether that violation was committed deliberately or negligently.

**Article 3 Disciplinary Process**

All complaints or allegations are to be referred to the Ethics Commission. The Ethics Commission will conduct an investigation, and any subsequent action to its Procedural Rules as set out in Appendix 7.

The contents of this Article are minimum standards which must be respected by the entire WSF Family.

**3.1 Investigation**

- a. The Participant who is alleged to have committed a violation of these Rules must be informed of the alleged violations that have been committed, details of the alleged acts and/or omissions, and the range of possible sanctions.
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- h. Whether or not the competition was attended by the competent national or international representative of the WSF.

Any form of aid, abetment or attempt by a Participant that could culminate in a violation of these Rules shall be treated as if a violation had been committed, whether or not such an act in fact resulted in a violation and/or whether that violation was committed deliberately or negligently.

**Article 3 Disciplinary Process**

All complaints or allegations are to be referred to the Ethics Commission. The Ethics Commission will conduct an investigation, and any subsequent action to its Procedural Rules as set out in Appendix 7.

<p><b>3.5</b> Anonymity of the person making a report Anonymous reporting must be facilitated.</p> <p><b>3.6</b> Appeal a. The WSF shall have an appropriate appeal framework within their organisation or recourse to an external arbitration mechanism (such as a Court of Arbitration). b. The general procedure of the appeal framework shall include provisions such as, but not limited to, the time limit for filing an appeal and the notification procedure for the appeal.</p> <p><b>Article 4 Provisional Measures</b></p> <p><b>4.1</b> The WSF may impose provisional measures, including a provisional suspension, on the participant where there is a particular risk to the reputation of the sport, while ensuring respect for Articles 3.1 to 3.4 of this Code.</p> <p><b>4.2</b> Where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.</p> <p><b>Article 5 Sanctions</b></p> <p><b>5.1</b> Where it is determined that a violation has been committed, the WSF shall impose an appropriate sanction upon the Participant from the range of permissible sanctions, which may range from a minimum of a warning to a maximum of life ban.</p> <p><b>5.2</b> When determining the appropriate sanctions applicable, the WSF shall take into consideration all aggravating and mitigating circumstances and shall detail the effect of such circumstances on the final sanction in the written decision.</p> <p><b>5.3</b> Substantial assistance provided by a Participant that results in the discovery or establishment of an offence by another Participant may reduce any sanction applied under this Code.</p> <p><b>Article 6 Mutual recognition</b></p> <p><b>6.1</b> Subject to the right of appeal, any decision in compliance with this Code made by the WSF must be recognised and respected by the entire WSF Family.</p> <p><b>6.2</b> The WSF Family must recognise and respect the decision(s) made by any other sporting body or court of competent jurisdiction which is not part of the WSF Family as defined under this Code.</p> <p><b>Article 7 Implementation</b></p> <p><b>7.2</b> The WSF is responsible for the implementation of the present Code within its own jurisdiction, including educational measures.</p> <p><b>7.3</b> Any amendment to this Code must be approved by the WSF Executive Board following an appropriate consultation process and WSF Family will be informed.</p> <p><b>Rules Concerning Candidacy for WSF Office and Conduct of Elections</b></p>	<p><del>3.5</del> Anonymity of the person making a report <del>Anonymous reporting must be facilitated.</del></p> <p><del>3.6</del> Appeal a. The WSF shall have an appropriate appeal framework within their organisation or recourse to an external arbitration mechanism (such as a Court of Arbitration). b. 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<p>The WSF Code of Ethics provides that candidates for elected WSF positions shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the following rules:</p> <ol style="list-style-type: none"> <li>Candidates for an elected position within the WSF have the right to promote their candidacies subject to the provisions set out in these Rules.</li> <li>The promotion of a candidature shall be conducted with honesty, dignity and moderation and shall comply with the Code.</li> <li>Candidates shall in no case and under no pretext give presents or offer donations or gifts or grant advantages or benefits of whatever nature to or at the request of any party who will vote in, or who may otherwise influence, an election.</li> <li>Candidates shall not enter into any promise or undertaking to personally act (whether as a candidate or following election), for the direct or indirect benefit of a Regional Federation, Member, a group of Members or individuals within any such body or grouping.</li> </ol>	<p>The WSF Code of Ethics provides that candidates for elected WSF positions shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the following rules:</p> <p>Candidates for an elected position within the WSF have the right to promote their candidacies subject to the provisions set out in these Rules.</p> <p><b>Article 1 Scope</b> The present Rules apply from their publication until the end of the electoral campaign.</p> <p><b>A GENERAL CONDUCT OF CANDIDATES</b></p> <p><b>Article 2 General conduct</b> Each candidate may promote their candidature, subject to respecting the provision of the present Rules. The promotion of a candidature shall be conducted with dignity and moderation. The conduct of candidates shall comply with the provisions of the WSF Code of Ethics.</p> <p><b>B RELATIONS WITH WSF MEMBERS</b></p> <p><b>Article 3 Candidature documentation</b> Each candidate may present WSF National Federations their plans and views as a future WSF Office holder, in the form of a written document, whatever the means used to distribute it. This document shall be reserved only for WSF Members and the candidates shall refrain from participating in any promotional and/or communications campaign based on their written document.</p> <p><b>Article 4 Promotion</b> <del>1-</del> The promotion of a candidature for WSF Office shall be conducted with honesty, dignity and moderation and shall comply with the Code. exclude any form of publicity, including the use of new media or social networks.</p> <p><b>Article 5 Trips</b> Candidates shall limit the number of trips that they make with a view to promoting their candidature in order to avoid excessive expenditure, a factor of inequality amongst the candidates.</p> <p><b>Article 6 Meetings</b> No public meeting or gathering of any kind may be organised in the framework of promoting a candidature.</p> <p><b>Article 7 Assistance</b> No assistance, whether financial, material or in kind, be it direct or indirect, may be given to candidates by a WSF Member. If offered such assistance, the candidate concerned has a duty to refuse it and to inform the WSF Ethics Commission accordingly.</p> <p><b>Article 8 Gifts - Benefits</b> Candidates shall may in no case and under no pretext give presents, or offer donations or gifts or grant advantages or benefits of whatever nature. to or at the request of any party who will vote in, or who may otherwise influence, an election.</p> <p><b>Article 9 Promises</b> No candidate may shall not enter into any promise or undertaking to be performed, whatever the timing of such performance personally act (whether as a candidate or following election), for the direct or indirect benefit of a Regional Federation, Member, a group of Members or individuals within any such body or grouping.</p> <p><b>Article 10 Declarations</b></p>	<p>The WSF Code of Ethics provides that candidates for elected WSF positions shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the following rules:</p> <p>Candidates for an elected position within the WSF have the right to promote their candidacies subject to the provisions set out in these Rules.</p> <p><b>Article 1 Scope</b> The present Rules apply from their publication until the end of the electoral campaign.</p> <p><b>A GENERAL CONDUCT OF CANDIDATES</b></p> <p><b>Article 2 General conduct</b> Each candidate may promote their candidature, subject to respecting the provision of the present Rules. 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<p>5. Candidates shall not enter into any form of undertaking with any natural or legal person that is likely to affect the candidate's freedom of decision or action if elected.</p> <p>6. Candidates may make declarations or give interviews provided, in doing so, that they comply with the Code.</p> <p>7. Candidates shall not make payments, directly or indirectly, to journalists or other persons affiliated to the media in order to promote their candidacies.</p> <p>8. Candidates shall, in the framework of promoting their candidacies, respect the other candidates and the WSF itself.</p>	<p>As voting is by secret ballot, WSF Members are prohibited individually or collectively, from announcing publicly in any form whatsoever their intention to vote for a candidate.</p> <p><b>C RELATIONS WITH THE WSF FAMILY &amp; THRID PARTIES</b></p> <p><b>Article 11 Neutrality</b> WSF Regional Federations, Associate and Honorary Members, Affiliated Organisation and partners shall remain neutral.</p> <p>They shall refrain from making any public declaration and may in no way support a candidature.</p> <p><b>Article 12 Mandatory instructions</b> Candidates may not accept mandatory instructions from any public or private, natural or legal person.</p> <p><b>Article 13 Undertaking</b> Candidates shall not enter into any form of undertaking with any natural or legal person that is likely to affect the candidate's freedom of decision or action of the future WSF President. if elected.</p> <p><b>Article 14 Assistance</b> No direct or indirect assistance, be it financial, material or in kind, may be given to candidates by WSF Regional Federations, Associate and Honorary Members, Affiliated Organisation and partners. If offered such assistance, the candidate concerned has the duty to refuse it and to inform the WSF Ethics Commission accordingly.</p> <p><b>D RELATIONS WITH THE MEDIA</b></p> <p><b>Article 15 Publications</b> Candidates may grant interviews to the media. make declarations or give interviews provided, in doing so, that they comply with the Code.</p> <p>No form of publicity may be devoted to a candidate regardless of the backer. Candidates shall not make payments, directly or indirectly, to journalists or other persons affiliated to the media in order to promote their candidacies.</p> <p>All communication undertaken by the candidate shall, in the framework of promoting their candidacies, strictly respect the other candidates and the WSF itself. shall in no way be prejudicial to any other candidate.</p> <p><b>Article 16 Debates</b> The candidates may not take part in any public debate, regardless of the organiser.</p> <p><b>Article 17 Communication services</b> No use, free of charge or in return for payment, or the services of a journalist or the media may be made in order to place a candidate at an advantage or a disadvantage.</p> <p><b>E RELATIONS WITH OTHER CANDIDATES</b></p> <p><b>Article 18 Respect due to candidates</b> Each candidate shall, in the framework of promoting their candidature, respect the other candidates, WSF Members and the WSF itself.</p> <p><b>Article 19 Prejudice to a candidature</b></p>	<p>As voting is by secret ballot, WSF Members are prohibited individually or collectively, from announcing publicly in any form whatsoever their intention to vote for a candidate.</p> <p><b>C RELATIONS WITH THE WSF FAMILY &amp; THRID PARTIES</b></p> <p><b>Article 11 Neutrality</b> WSF Regional Federations, Associate and Honorary Members, Affiliated Organisation and partners shall remain neutral.</p> <p>They shall refrain from making any public declaration and may in no way support a candidature.</p> <p><b>Article 12 Mandatory instructions</b> Candidates may not accept mandatory instructions from any public or private, natural or legal person.</p> <p><b>Article 13 Undertaking</b> Candidates shall not enter into any form of undertaking with any natural or legal person likely to affect the freedom of decision or action of the future WSF President.</p> <p><b>Article 14 Assistance</b> No direct or indirect assistance, be it financial, material or in kind, may be given to candidates by WSF Regional Federations, Associate and Honorary Members, Affiliated Organisation and partners. If offered such assistance, the candidate concerned has the duty to refuse it and to inform the WSF Ethics Commission accordingly.</p> <p><b>D RELATIONS WITH THE MEDIA</b></p> <p><b>Article 15 Publications</b> Candidates may grant interviews to the media.</p> <p>No form of publicity may be devoted to a candidate regardless of the backer.</p> <p>All communication undertaken by the candidate shall strictly respect the other candidates and the WSF itself. shall in no way be prejudicial to any other candidate.</p> <p><b>Article 16 Debates</b> The candidates may not take part in any public debate, regardless of the organiser.</p> <p><b>Article 17 Communication services</b> No use, free of charge or in return for payment, or the services of a journalist or the media may be made in order to place a candidate at an advantage or a disadvantage.</p> <p><b>E RELATIONS WITH OTHER CANDIDATES</b></p> <p><b>Article 18 Respect due to candidates</b> Each candidate shall, in the framework of promoting their candidature, respect the other candidates, WSF Members and the WSF itself.</p> <p><b>Article 19 Prejudice to a candidature</b></p>
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9. Candidates shall not produce (or cause third parties to produce) any spoken word, written text or representation of any nature likely to harm the image or reputation of another candidate.
10. Candidates shall not engage in any act, collaboration or collusion by or between candidates with the intent to defraud or manipulate the result of the vote.
11. Candidates shall not request support or service from WSF staff, consultants, agents or advisors in connection with their candidacies.

~~Candidates shall not produce (or cause third parties to produce) any spoken word, written text or representation of any nature likely to harm the image or reputation of another candidate~~ A candidate may produce no spoken word, written text or representation of any nature likely to harm the image or reputation of another candidate or cause their prejudice.

**Article 20 Understandings**

~~Candidates shall not engage in any act, collaboration or collusion by or between candidates with the intent to defraud or manipulate influence the result of the vote~~ No, understanding coalition or collusion is allowed.

**F RELATIONS WITH THE WSF ADMINISTRATION**

**Article 21 General relations**

~~Candidates shall not request support or service from WSF staff, consultants, agents or advisors in connection with their candidacies.~~

The WSF administration shall maintain a strict duty of neutrality at all times.

The members of the administration shall limit their relations with the candidates to the content of their mission.

**Article 22 Support**

No support or service in relation to a candidature may be requested from any member of the WSF administration, from a department or other section of such administration.

**Article 23 Concealed promotion**

Concealed promotion in the form of technical meetings or other events is prohibited. These may be added to the official calendar of events only with the approval of the WSF President.

**G BREACHES OF RULES**

**Article 24 Competent body**

Any allegation of breach of these Rules shall be brought to the attention of the WSF Ethics Commission, which will undertake an inquiry.

**Article 25 Sanctions**

If after inquiry the WSF Ethics Commission finds that a breach of the Rules has occurred it may make to the candidate in question:

- Observations, which could be made public,
- Or issue a warning, which will be automatically made public on the WSF website.

Provided that should the WSF Ethics Commission find that there has been a serious breach of these Rules, which might lead to a greater sanction, then the WSF Ethics Commission shall propose a sanction for ratification by the WSF Executive Board.

**Rules of Conduct Applicable to Member Federations Wishing to Host WSF World Championships (Appendix 5)**

The WSF Code of Ethics provides that Members wishing to host a WSF World Championships shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the following Rules:

**Application**

A candidate may produce no spoken word, written text or representation of any nature likely to harm the image or reputation of another candidate or cause their prejudice.

**Article 20 Understandings**

No, understanding coalition or collusion between candidates with the intent to influence the result of the vote is allowed.

**F RELATIONS WITH THE WSF ADMINISTRATION**

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The WSF administration shall maintain a strict duty of neutrality at all times.

The members of the administration shall limit their relations with the candidates to the content of their mission.

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- Observations, which could be made public,
- Or issue a warning, which will be automatically made public on the WSF website.

Provided that should the WSF Ethics Commission find that there has been a serious breach of these Rules, which might lead to a greater sanction, then the WSF Ethics Commission shall propose a sanction for ratification by the WSF Executive Board.

**Rules of Conduct Applicable to Member Federations Wishing to Host WSF World Championships (Appendix 5)**

The WSF Code of Ethics provides that Members wishing to host a WSF World Championships shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the following Rules:

**Application**

**Rules of Conduct Applicable to Member Federations Wishing to Host WSF World Championships**

The WSF Code of Ethics provides that Members wishing to host a WSF World Championships shall conduct their candidacies with honesty, dignity and respect for their opponents in accordance with the following Rules:

**Application**

<p>1. For the purposes of these Rules, Members (including those persons acting or entitled to act on their behalf) are collectively referred to as a "Bidding Party" or "Bidding Parties".</p> <p>2. It is essential to the integrity, image and reputation of the WSF and the World Squash Championships that the conduct of Bidding Parties complies at all times with the Code (including in particular these Rules).</p> <p><b>Bidding Information</b></p> <p>3. Bidding Parties may promote their candidacies by any media. Such promotion may list third parties providing financial support to the candidature. The sale of promotional items and services is subject to the WSF's prior written approval.</p> <p>4. Printed material (including tenders submitted to the WSF), website and social network content and oral statements ("Bidding Information") published or made by or on behalf of a Bidding Party to host a WSF World Championship shall be dignified, complete and truthful. Facts or information that come to light following the submission of a bid that result in the Bidding Information no longer being complete or truthful must be disclosed by any one or more of the Bidding Parties to the WSF immediately. Such information must be corrected by the Bidding Parties immediately.</p> <p>5. Bidding Parties are jointly and severally responsible for ensuring that all Bidding Information strictly complies with the Code, including in particular these Rules.</p> <p>6. Bidding Information shall not include comparisons of different bids and shall not disparage or demean other bids or Bidding Parties.</p> <p><b>Promotion of Candidate Hosts</b></p> <p>7. Bidding Parties may attend events to which the WSF and/or other parties have invited them, and undertake promotional activities at those events, provided always that an equivalent proposal has been guaranteed to all other Bidding Parties.</p> <p>8. Bidding Parties shall not solicit or accept any support or promotion from WSF sponsors, suppliers or other WSF marketing partners.</p> <p><b>Lobbying of Executive Board Members</b></p> <p>9. In-person contacts, involving any discussion of a bid, between persons acting on behalf of a bid and WSF Executive Board Members shall be limited to contacts at the site of Board meetings immediately prior to such meetings and contacts at the site of, and in connection with, World Championships. An exception to this limitation is in-person contacts being permitted with a WSF Executive Board Member who is from the Bidding Member.</p> <p><b>Gifts</b></p> <p>10. Gifts or benefits, (other than of nominal value), shall not be offered, given to or received by a WSF Official in connection with a bid. Similarly, no advantage or promise of any kind of advantage may be made to or accepted by a WSF Official.</p> <p><b>Sanctions</b></p> <p>11. In case of a breach of these Rules, the matter shall be referred to the WSF Ethics Commission for determination, which may impose any sanctions set out in the Code and/or recommend to the Executive Board that the bid be withdrawn.</p>	<p>1. For the purposes of these Rules, Members (including those persons acting or entitled to act on their behalf) are collectively referred to as a "Bidding Party" or "Bidding Parties".</p> <p>2. It is essential to the integrity, image and reputation of the WSF and the World Squash Championships that the conduct of Bidding Parties complies at all times with the Code (including in particular these Rules).</p> <p><b>Bidding Information</b></p> <p>3. Bidding Parties may promote their candidacies by any media. Such promotion may list third parties providing financial support to the candidature. The sale of promotional items and services is subject to the WSF's prior written approval.</p> <p>4. 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<p><b>Statutes of the WSF Ethics Commission</b></p> <p><b>A COMPOSITION AND ORGANISATION</b></p> <p><b>Article 1</b> The WSF Ethics Commission is independent; its composition being in accordance with the WSF Memorandum &amp; Articles of Association currently in force.</p> <p><b>Article 2</b> The Chair and Members of the WSF Ethics Commission shall be elected at the General Meeting by the membership.</p> <p><b>Article 3</b> The Ethics Commission meets when convened by its Chair, as required.</p> <p><b>Article 4</b> The quorum for any decision making shall be three (3) members of the Ethics Commission. Each member shall make every effort to be present at and participate in meetings.</p> <p><b>Article 5</b> The administrative organisation of the WSF Ethics Commission, and support to it, is overseen by the WSF Ethics Commission.</p> <p><b>B TERMS OF REFERENCE OF THE COMMISSION</b></p> <p><b>Article 6</b> The terms of reference of the WSF Ethics Commission are: a. to define and update a framework of ethical principles, including the WSF Code of Ethics, based upon the values and principles of the IOC Code of Ethics; b. to investigate complaints raised in relation to the non-respect of such ethical principles, including breaches of the WSF Code of Ethics and, if necessary, propose sanctions to the WSF Executive Board.</p> <p><b>Article 7</b> The WSF Ethics Commission presents an annual report on its activities to the General Meeting. This report will be published.</p> <p><b>C CONFLICTS OF INTERESTS</b></p> <p><b>Article 8</b> Members of the WSF Ethics Commission shall not take any measure nor exercise any influence in relation to a matter where any conflict of interests or any other conflict exists or is perceived to exist, nor will they be counted towards a quorum for such matters.</p> <p><b>D TERMS OF APPOINTMENT OF COMMISSION MEMBERS</b> Please refer to the WSF Memorandum &amp; Articles of Association currently in force.</p> <p><b>Procedural Rules of the WSF Ethics Commission</b></p>	<p><b>Statutes of the WSF Ethics Commission (Appendix 6)</b></p> <p><b>A COMPOSITION AND ORGANISATION</b></p> <p><b>Article 1</b> The WSF Ethics Commission is independent; its composition being in accordance with the WSF Memorandum &amp; Articles of Association currently in force.</p> <p><b>Article 2</b> The Chair and Members of the WSF Ethics Commission shall be elected at the General Meeting by the membership, for a term in accordance with the WSF Memorandum &amp; Articles of Association currently in force.</p> <p><b>Article 3</b> The Ethics Commission meets when convened by its Chair, as required.</p> <p><b>Article 4</b> The quorum for any decision making shall be three (3) members of the Ethics Commission. 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## **A GENERAL PROVISIONS**

### **Article 1**

These Rules apply to all cases brought before the WSF Ethics Commission.

### **Article 2**

The working language is English. An official translation must be made of any document written in another language.

### **Article 3**

The proceedings opened through application of these Rules of Procedure are confidential. All the parties concerned undertake not to divulge to third parties any of the facts or other information linked to the proceedings.

## **B PROCEDURE FOR ANALYSING COMPLAINTS, DENUNCIATIONS OR ACTS**

### **Article 4**

All complaints or denunciations received by the WSF Ethics Commission, and all acts brought to the attention of the WSF which might constitute a breach of the ethical principles of the WSF Code of Ethics or its implementing provisions are in normal circumstances analysed by the WSF Ethics & Compliance Officer.

Such analysis will address the likelihood of a breach of the ethical principles of the WSF Code of Ethics or its implementing provisions, and the jurisdiction of the WSF Ethics Commission.

### **Article 5**

A complainant may request that his/her identity not be revealed and that all precautions be taken so that his/her identity is protected.

### **Article 6**

The WSF Ethics & Compliance Officer informs the person who is the subject of a complaint or denunciation. Such person may submit their first observations if they deem it necessary to do so.

If the subject of the complaint or denunciation is a corporate body, the WSF Ethics & Compliance Officer will inform its representative, who may submit their first observations if they deem it necessary to do so.

### **Article 7**

With a view to facilitating the analysis of the likelihood of a breach and to writing a referral report for the WSF Ethics Commission, the WSF Ethics & Compliance Officer may:

- a. consult all the relevant documents;
- b. ask to be provided with all the relevant documents and the written observations of the person concerned, in particular with regard to the evidence;
- c. seek the advice of any relevant expertise;
- d. travel to the place concerned if this may facilitate an understanding of the facts; and
- e. hear the person concerned. In such cases, the interview will be recorded and a copy of the recording given to the person concerned.

### **Article 8**

If the likelihood of a breach of the ethical principles of the WSF Code of Ethics or its implementing provisions and of the competence of the WSF Ethics Commission is established, the WSF Ethics & Compliance Officer will officially forward the complaint to the Chair of the WSF Ethics Commission with the complete file, including the referral report.

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**C REFERRAL AND PROCEDURE BEFORE THE WSF ETHICS COMMISSION**

**Article 10**

Referral to the WSF Ethics Commission is made in writing by the WSF Ethics & Compliance Officer, based on the referral report, and including the complete file. The WSF Ethics & Compliance Officer may assist the Chair of the WSF Ethics Commission, at his/her request, with any additional information and/or support.

**Article 11**

The WSF Ethics Commission takes note of the referral report, the complete file and the various written observations made by the person concerned.

**Article 12**

The Chair of the WSF Ethics Commission may appoint one of the Commission members as a rapporteur. The Chair may delegate to the rapporteur all or part of the measures provided under article 14 below, in particular hearing the person concerned. The rapporteur then presents their report to the WSF Ethics Commission.

**Article 13**

The person concerned may exercise their right to be heard by the WSF Ethics Commission or its rapporteur, either through written observations or orally, during an interview for which the circumstances will be decided by the Commission or its rapporteur. Such interviews will be recorded and a copy of the recording given to the person concerned.

**Article 14**

When conducting an investigation, the WSF Ethics Commission or its rapporteur may take any other appropriate measures, including:

- a. asking for written information or documents from the parties concerned;
- b. deciding to hear witnesses at its own discretion or at the request of the parties concerned;
- c. travelling to the place concerned, or sending one of its members, or delegating a person to go there if it deems that such action may clarify the proceedings under way;
- d. appointing one or more experts tasked with assisting it on one or more points, and establishing the scope of their terms of reference and remuneration within the limits of its operating budget.

The person concerned will have to fully cooperate with the WSF Ethics Commission or the rapporteur, in particular by communicating any information or document judged necessary by the Commission for the investigation and formulation of its recommendations. Any lack of cooperation will be taken into account when assessing the situation.

**Article 15**

The WSF Ethics Commission freely assesses the evidence.

The WSF Ethics Commission may take a decision regarding any provisional measures, as provided by article 17 below.

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Regarding the measures or sanctions against the person concerned, the WSF Ethics Commission makes recommendation to the WSF Executive Board which takes a decision, pursuant to article 18 below.

**Article 16**

The WSF Ethics Commission deliberates in camera and takes the decisions of provisional measures or the recommendations of measures or sanctions it deems appropriate.

The Commission's deliberations are led by the Chair. The Chair may ask the WSF Ethics & Compliance Officer to attend the deliberations as an observer. The Chair may also ask the WSF Ethics & Compliance Officer to answer questions on the referral report.

The Commission's decisions of provisional measures and/or recommendations are taken by a simple majority of the members present. The required quorum is constituted if at least three members are present.

Voting takes place by secret ballot if the Chair of the Commission so decides, or if a majority of the members present request it. Voting by proxy is not permitted.

If necessary, the members may take part in the deliberations via telephone or video conference. In certain circumstances, the Commission members may be consulted by circulating the documents.

All deliberations and votes are confidential.

**Article 17**

The WSF Ethics Commission may, during an investigation and after having heard the person concerned, take a decision regarding provisional measures, in particular with regard to provisional suspension of all or part of the rights, prerogatives and functions deriving from such person or organisation's membership or status.

This decision of provisional measures, including the reasons, takes the form of a written decision signed by the Chair of the Commission.

The WSF Ethics & Compliance Officer informs the person concerned of any decisions and the reasons regarding provisional measures and shall forward to the WSF Executive Board the decision on provisional measures for the WSF Executive Board's information.

The decision on provisional measures may be made public.

The provisional measure will be taken into consideration by the WSF Ethics Commission when assessing the recommendations for the measures or sanctions to be made to the WSF Executive Board.

**Article 18**

The WSF Ethics Commission recommends to the WSF Executive Board the measures or sanctions provided by one of the implementing provisions of the WSF Code of Ethics.

Such recommendation takes the form of a written decision signed by the Chair of the Commission.

The WSF Ethics & Compliance Officer forwards the WSF Ethics Commission's final recommendations to the WSF Executive Board. The recommendations remain confidential.

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The WSF Ethics & Compliance Officer forwards the WSF Ethics Commission's final recommendations to the WSF Executive Board. The recommendations remain confidential.

At the same time, the WSF Ethics & Compliance Officer informs the person concerned of such transmission, and, if the WSF Ethics Commission recommends any sanction or measure, of the evidence against them and the reasons given by the WSF Ethics Commission.

#### **D. PROCEDURE BEFORE THE WSF EXECUTIVE BOARD FOLLOWING A RECOMMENDATION BY THE WSF ETHICS COMMISSION**

##### **Article 19**

The person concerned is invited to exercise their right to be heard by the WSF Executive Board, if they so wish, in the form of written observations, which must be submitted by the deadline established by the Chief Executive of the WSF.

##### **Article 20**

The WSF Executive Board will decide on the basis of the WSF Ethics Commission's recommendations and the written observations from the person concerned.

If necessary, the WSF President may ask the Chair of the WSF Ethics Commission or the WSF Ethics & Compliance Officer for any explanations.

Before a decision by the WSF Executive Board, they may return the file to the WSF Ethics & Compliance Officer or the WSF Ethics Commission if new elements emerge.

##### **Article 21**

The decision by the WSF Executive Board is immediately notified to the person concerned.

##### **Article 22**

The WSF Ethics Commission's recommendations may be published on the website after notification of the decision by the WSF Executive Board to the person concerned.

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#### **A. THE WSF ETHICS COMMISSION**

##### **Article 1**

The WSF Ethics Commission (the **Commission**) is an independent body established to carry out the functions given to the WSF Ethics Commission in the WSF Code of Ethics, and operating in accordance with the provisions of this Article 1 of Appendix 7 of that Code and with its Terms of Reference.

##### **Article 2**

The Commission Chair (the **Chair**) and members of the Commission shall be elected at a General Meeting by the membership in accordance with the procedure for WSF Commission Elections in the Memorandum & Articles of Association (Article 37).

##### **Article 3**

The Chair will appoint one of the other Commission members as Deputy Chair of the Commission, to act in place of the Chair whenever the Chair is not able to act for whatever reason. The Chair will also appoint an officer who is independent of the WSF to act as the Ethics & Compliance Officer to the Commission, providing the Commission with legal and administrative support. All communications to the Commission shall be made via the Ethics & Compliance Officer.

##### **Article 4**

All of the members of the Commission, including the Chair and Deputy Chair, shall be and shall remain at all times completely independent of the WSF and of its Members and Regional Federations. They shall ensure that the Commission

#### **A. THE WSF ETHICS COMMISSION**

##### **Article 1**

The WSF Ethics Commission (the **Commission**) is an independent body established to carry out the functions given to the WSF Ethics Commission in the WSF Code of Ethics, and operating in accordance with the provisions of this Article 1 of Appendix 7 of that Code and with its Terms of Reference.

##### **Article 2**

The Commission Chair (the **Chair**) and members of the Commission shall be elected at a General Meeting by the membership in accordance with the procedure for WSF Commission Elections in the Memorandum & Articles of Association (Article 37).

##### **Article 3**

The Chair will appoint one of the other Commission members as Deputy Chair of the Commission, to act in place of the Chair whenever the Chair is not able to act for whatever reason. The Chair will also appoint an officer who is independent of the WSF to act as the Ethics & Compliance Officer to the Commission, providing the Commission with legal and administrative support. All communications to the Commission shall be made via the Ethics & Compliance Officer.

##### **Article 4**

All of the members of the Commission, including the Chair and Deputy Chair, shall be and shall remain at all times completely independent of the WSF and of its Members and Regional Federations. They shall ensure that the Commission

functions at all times in an independent manner. They shall immediately disclose any circumstances likely to affect their independence with respect to any matter before the Commission, and shall not act in respect of that matter unless approved by the Chair.

**Article 5**

The administrative organisation of the WSF Ethics Commission, and support to it, is overseen by the WSF Ethics Commission. If additional resources are required to fulfil its functions, these expenditures should be approved by the Board beforehand.

**Article 6**

The Chair of the Commission will report to the Annual General Meeting on the non-confidential aspects of the activities of the Commission in the previous year.

**B. INITIAL CONSIDERATION OF POTENTIAL BREACHES OF THE CODE**

**Article 7**

Any person (including the Executive Board and/or any Official) may file a complaint regarding potential violations of the Code with the Ethics & Compliance Officer of the Ethics Commission. Complaints must be submitted in writing, and attach all available evidence.

**Article 8**

Any complaint regarding potential violations of the Code that is erroneously filed with the WSF Executive Board or any other person within the WSF must be referred without delay to the Ethics & Compliance Officer of the Ethics Commission.

**Article 9**

Upon receipt, the Ethics & Compliance Officer will provide the complaint to the Chair of the Ethics Commission for review. The Chair may ask the complainant to provide further information about the matters set out in the complaint.

**Article 10**

The Chair may decide that no further action will be taken in respect of a complaint, where the Chair considers that the complaint is frivolous or malicious or does not identify any matter that warrants investigation.

**Article 11**

If the Chair considers that the complaint warrants investigation, the Chair will appoint a suitably qualified investigator, who must be independent of the WSF, to conduct such investigation in accordance with Article 3 of this Appendix 7 (the Investigator).

**Article 12**

The Chair may initiate an investigation without receiving any complaint, if information that the Chair considers warrants investigation comes to the Commission's attention by another route (e.g. by an anonymous complaint).

**Article 13**

The Chair does not have to give grounds for initiating an investigation and the decision to do so may not be challenged.

**Article 14**

If the Chair considers that the matter that is the subject of the complaint might involve a criminal offence and/or an offence under other applicable laws or regulations, he/she may report it to the relevant authority or authorities (including criminal, administrative, professional and/or judicial authorities). If another relevant authority is already investigating or adjudicating a matter that is the

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subject of a complaint to the WSF Ethics Commission, the Chair may delay initiation of an investigation, or stay an investigation that has been initiated, pending the outcome of the proceedings of the other relevant authority, where the Chair considers it appropriate to do so. The Chair may direct the Investigator to conduct his/her investigation in conjunction with the other relevant authorities and/or may share (or direct the Investigator to share) information gathered by the Investigator and/or the Commission with respect to such matter with the other relevant authorities, should the Chair deem it appropriate to do so.

**Article 15**

If a complaint under this Code of Ethics is received by the Ethics Commission in relation to one of its members, the complaint and any subsequent handling must be carried out by an Ethics Commission member other than the subject of the complaint. The processes in this Appendix 7 shall apply *mutatis mutandis* (i.e. with any amendments deemed to have been made that are necessary to take account of the different context).

**C. INVESTIGATION**

**Article 16**

Where an investigation is initiated by the Chair, the Ethics & Compliance Officer to the Ethics Commission will advise the party/parties that is/are the subject of the investigation of the appointment of the Investigator, of the possible violations of the Code to which the investigation relates, and of the materials on which the Chair has relied in deciding that the matter warrants investigation.

**Article 17**

If in the course of the investigation the Investigator comes to consider that the matter that is the subject of the complaint might involve a criminal offence and/or an offence under other applicable laws or regulations, the Investigator shall raise this with the Chair, for possible action under Article 14 of this Appendix.

**Article 18**

A party being investigated has the right to be legally represented (at their own cost), and the right to make a written submission to the Investigator.

**Article 19**

The Investigator may seek information relevant to the investigation from any source, including any Official or any third party. Where the Investigator believes the circumstances so warrant, he/she may require an Official (whether or not the target of the investigation) to provide any information within that Official's control that is reasonably related to a potential breach of the Code of Ethics, e.g., by providing access to documents, data or other information, by answering questions (in writing or in interview), or otherwise.

**Article 20**

If the Investigator determines during the course of the investigation that there is/are further Officials whose conduct warrants investigation for potential breaches of the Code, the Investigator will consult with the Chair, who may expand the scope of the investigation accordingly. In such circumstances, the Chair will write to the Official(s) involved to advise them of this decision and the basis for it, and of their right to make a written submission to the Investigator.

**Article 21**

Upon the conclusion of the investigation, the Investigator will provide the Chair of the Ethics Commission with a final report of the investigation, together with the investigation files. The final report will contain all relevant facts and evidence, identify all individuals who provided such facts and evidence, set out the potential breaches of the Code by all relevant persons, assess the sufficiency of the evidence to meet the applicable standard of proof in respect of each such potential breach,

subject of a complaint to the WSF Ethics Commission, the Chair may delay initiation of an investigation, or stay an investigation that has been initiated, pending the outcome of the proceedings of the other relevant authority, where the Chair considers it appropriate to do so. The Chair may direct the Investigator to conduct his/her investigation in conjunction with the other relevant authorities and/or may share (or direct the Investigator to share) information gathered by the Investigator and/or the Commission with respect to such matter with the other relevant authorities, should the Chair deem it appropriate to do so.

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and make a recommendation accordingly as to whether the matter should proceed to adjudication against any persons.

**Article 22**

If new evidence subsequently comes to light or where the Chair of the Ethics Commission otherwise deems it appropriate, the Chair may ask the Investigator to re-open a concluded investigation or any part thereof.

**D. DECISION FOLLOWING INVESTIGATOR'S REPORT**

**Article 23**

The Chair and/or (at the Chair's option) one or more other members of the Ethics Commission will review the Investigator's final report and investigation files, assess the sufficiency of the evidence to meet the applicable standard of proof in respect of each potential breach of the Code identified in the report, and make one of the following determinations:

- 23.1** that the matter should be referred back to the Investigator to conduct further investigations;
- 23.2** that there is insufficient evidence to proceed, in which case the case will be closed (and if considered appropriate the Chair may order the Ethics & Compliance Officer to publish notice of the closure of the investigation);
- 23.3** that the case should proceed to a finding by the Ethics Commission.

**Article 24**

Where it is determined following review of the Investigator's report that the Code has been breached, but that the sanction(s) for such breach(es) should not be more than a warning, a reprimand, a fine of \$20,000 or less, and/or a suspended period of ineligibility, the Chair of the Ethics Commission will issue a written recommendation to that effect, with reasons and provide such recommendation to the Executive Board for final decision. The Official that is the subject of the decision has twenty-one (21) days from receipt of the decision to appeal it to the Court of Arbitration for Sport. If no appeal is filed within that time-frame, the decision will become final and binding, will be published on the WSF website, and will be recognised and enforced by the WSF and its Members and Regional Federations.

**Article 25**

Where it is determined following review of the Investigator's report that the Code has been breached and the sanction(s) sought for such breach(es) should be greater than those specified in Article 24, and the recommendation to sanction has been approved by the Executive Board, the Chair of the Ethics Commission (or the Ethics & Compliance Officer on the Chair's behalf) will send the Official(s) involved a written notice of charge, advising them of the following:

- 25.1** that they have a case to answer for breach of the Ethics Code;
- 25.2** the specific Article(s) of the Code that they are alleged to have breached;
- 25.3** details of the alleged acts and/or omissions relied upon in support of the alleged breach(es) (either summarised in the notice or incorporated by reference to the Investigator's report);
- 25.4** the sanctions that will be sought if such breaches are proven to the requisite standard.

**Article 26**

Provisional suspension:

- 26.1** Where a notice of charge is issued to an Official, after approval from the Executive Board, the Chair of the Ethics Commission may provisionally suspend the Official pending the determination of whether the Official has committed a breach of the Code of Ethics, if the Chair considers such step necessary to protect the image, reputation and/or integrity of the WSF and/or the sport of squash.
  - 26.1.1** Where the Chair of the Ethics Commission considers under Article 4.4.1 that a Director should be provisionally suspended, they shall make such

and make a recommendation accordingly as to whether the matter should proceed to adjudication against any persons.

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recommendation to the WSF Executive Board, which shall consider the appropriate action, including whether that Director shall in the interim be given notice of but not participate in meetings of the Executive Board (nor any other decisions).

**26.2** The Official may contest such provisional suspension by written application to the Court of Arbitration for Sport, but the only admissible grounds of challenge (which the Official shall bear the burden of establishing) will be that:

- a. the charge(s) has/have no reasonable prospect of being upheld, e.g., because of a patent flaw in the case against the Official; or
- b. other facts exist that make it clearly unfair, in all of the circumstances, to impose a provisional suspension prior to a full hearing on the merits of the charge(s) against the Official. This ground is to be construed narrowly, and applied only in exceptional circumstances.

**26.3** A decision by the Official not to contest the provisional suspension shall not be taken as an admission against the Official's interests. If the provisional suspension is not challenged, or is upheld on challenge, the Official will be entitled to have the charges against him/her determined as quickly as reasonably practicable.

**26.4** During the period of any provisional suspension, the Official may not carry out any activity on behalf of, or relating to, the WSF or the sport of squash.

**26.5** Where a suspension is imposed on an Official as a final sanction for breach of the Code, any period of provisional suspension served by the Official shall be credited against that suspension.

## **E. ADJUDICATION**

### **Article 27**

The Official must respond to the notice of charge(s) in writing within fourteen (14) days of the date of the notice of charge (or by such extended deadline as the Ethics & Compliance Officer agrees) stating whether:

**27.1** the Official waives his/her right to a hearing and admits the charge(s) and accepts the sanctions proposed in the notice of charge, in which case the Chair of the Ethics Commission will issue a decision confirming the breaches admitted and the sanctions imposed, and that decision will be final and binding on the parties, will be published on the WSF website, and will be recognised and enforced by the WSF and its Members and Regional Federations; or

**27.2** the Official disputes the charge(s) and/or the sanctions proposed, in which case he/she shall also state (in summary) the basis on which they are disputed, and the Ethics & Compliance Officer will refer the case to the Ethics Commission for hearing.

### **Article 28**

If the Official fails to file a written response disputing the charge(s) and/or the sanctions proposed within the fourteen day deadline, he/she will be deemed to have admitted the charge(s), accepted the sanctions proposed, and waived his/her entitlement to have a hearing on, or make written submissions and/or adduce evidence in relation to, the charge(s) and/or the proposed sanctions before the Ethics Commission. In such a case the Ethics Commission will issue a decision confirming the breaches deemed admitted and the sanctions imposed, and that decision will be final and binding on the parties, will be published on the WSF website, and will be recognised and enforced by the WSF and its Members and Regional Federations.

### **Article 29**

Where the WSF Ethics Commission and the Official charged agree, charges of breach of the Ethics Code may be heard directly by the CAS, sitting as the first and only instance body, further to the provisions in the CAS Code for ordinary

recommendation to the WSF Executive Board, which shall consider the appropriate action, including whether that Director shall in the interim be given notice of but not participate in meetings of the Executive Board (nor any other decisions).

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arbitration procedures, with no requirement for a prior hearing before the Ethics Commission, and with no right of appeal from the CAS's decision.

## **F. SANCTIONS**

### **Article 30**

Any one or more of the following sanctions may be imposed for a proven breach of the Code of Ethics:

**30.1** a warning as to future conduct (i.e., a reminder of the substance of the provision of the Code of Ethics that has been infringed, together with a threat of sanction in the event of further infringement);

**30.2** a reprimand (i.e., an official written pronouncement of disapproval);

**30.3** a fine in an amount proportionate to the breach;

**30.4** an order of reimbursement or restitution;

**30.5** removal of any award or other honour previously bestowed by the WSF;

**30.6** removal from office, or suspension from office for a specified period;

**30.6.1** In accordance with English law, any decision that a Director should be removed or suspended from office shall be deemed to be a recommendation to the WSF Executive Board that the Director be removed from office. The Executive Board shall submit the necessary resolution to the Members at its next General Meeting (which may be an Extraordinary General Meeting called specifically for this purpose), where it shall be voted on in accordance with the WSF Memorandum & Articles of Association. In the interim period, that Director shall be given notice of but not participate in meetings of the Executive Board (nor any other decisions).

**30.7** disqualification from acting as a Director and/or as an Officer and/or as a Commission Member and/or as a Candidate for a specified period (of up to a lifetime); and/or

**30.8** any other sanction(s) that may be deemed appropriate and proportionate.

### **Article 31**

The sanction(s) to be imposed in a particular case shall be determined by reference to all of the relevant circumstances of that case, including the seriousness of the breach, the need to protect the image and/or integrity of the sport, the need to deter repetition of the wrongful conduct (by the Official in question and/or by any other Official), and any mitigating or aggravating factors that may be present (including the Official's prior record, and his/her degree of assistance to/cooperation with the process). Where more than one breach has been committed, the sanctions shall be based on the more/most serious breach, but increased by an amount appropriate to reflect the other breach(es).

### **Article 32**

Where deemed appropriate, the implementation of all or part of any sanction(s) imposed may be suspended for a period, and waived at the end of that period, so long as specified conditions are satisfied.

### **Article 33**

Where a fine, reimbursement, restitution and/or costs award is imposed against an Official (a **Financial Award**), then such Financial Award must be paid: (a) by the Official (and not, unless the WSF agrees, by any third party, including a Member); and (b) directly to the WSF within one calendar month of receipt of the decision imposing the Financial Award. However, the WSF Ethics Commission will consider any request from any Official, on the grounds of financial hardship, to make the payment of such Financial Award over a prolonged period of time. Where an Official has been suspended from office and/or disqualified from acting as an Official for a specified period, he/she must have paid (or be up to date on any instalment plan for repayment of) the Financial Award before he/she may resume office/act as an Official again.

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## **G. LIMITATIONS**

### **Article 34**

No notice charging an Official with breach of the WSF Ethics Code may be sent more than twelve (12) years after the date on which the breach is alleged to have occurred. Provided that time-limit is met, however, proceedings for breach may be temporarily suspended in order to avoid the risk of prejudice to and/or to give precedence to investigations or proceedings conducted by other competent authorities into the same or related matters, even if that means the proceedings under this Code are not concluded prior to the twelve-year time-limit.

## **H. CONFIDENTIALITY**

### **Article 35**

Save where otherwise provided in this Code, the proceedings of the WSF Ethics Commission, and any information provided to or obtained by it or by an investigator appointed by it, shall be kept confidential.

### **Article 36**

Notwithstanding Article 8.1 of this Appendix, the WSF Ethics Commission and/or the Investigator may disclose confidential information:

- 36.1** where necessary to facilitate the application or enforcement of the Ethics Code and/or to protect the integrity and reputation of the sport;
- 36.2** where they deem it necessary and appropriate, to inform the public about or confirm ongoing or closed procedures, or to correct inaccurate information or damaging rumours, provided that any such disclosure shall respect the rights of those involved, including their right to be presumed innocent of all charges unless and until proven otherwise.

## **I. DEVIATIONS**

### **Article 37**

Any deviation from any provision of the Code of Ethics and/or any departure from or irregularity, omission, technicality or other defect in the procedures set out in the Code of Ethics will not invalidate any finding, procedure or decision unless it is shown to have rendered the proceedings unreliable or to have caused a miscarriage of justice.

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Save where otherwise provided in this Code, the proceedings of the WSF Ethics Commission, and any information provided to or obtained by it or by an investigator appointed by it, shall be kept confidential.

### **Article 36**

Notwithstanding Article 8.1 of this Appendix, the WSF Ethics Commission and/or the Investigator may disclose confidential information:

- 36.1** where necessary to facilitate the application or enforcement of the Ethics Code and/or to protect the integrity and reputation of the sport;
- 36.2** where they deem it necessary and appropriate, to inform the public about or confirm ongoing or closed procedures, or to correct inaccurate information or damaging rumours, provided that any such disclosure shall respect the rights of those involved, including their right to be presumed innocent of all charges unless and until proven otherwise.

## **I. DEVIATIONS**

### **Article 37**

Any deviation from any provision of the Code of Ethics and/or any departure from or irregularity, omission, technicality or other defect in the procedures set out in the Code of Ethics will not invalidate any finding, procedure or decision unless it is shown to have rendered the proceedings unreliable or to have caused a miscarriage of justice.