

DISCIPLINARY PROCEDURES IN FOOTBALL

AN INTERNATIONAL AND COMPARATIVE ANALYSIS

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DISCIPLINARY PROCEDURES IN FOOTBALL: AN INTERNATIONAL AND COMPARATIVE ANALYSIS

by *Michele Colucci* and *Marc Cavaliero*

Football Associations ought to safeguard the autonomy of their domestic disciplinary systems. To do so, they have developed and implemented ever evolving disciplinary rules and procedures in order to ensure fairest judgements to all their members mirroring the ordinary law systems.

The progressive reproduction of the state judicial organisation within football associations' disciplinary structures is the corollary of the contemporary financial value of the competitions and players' revenues. This means that disciplinary sanctions may have a dramatic financial or sporting impact on stakeholders, in particular players and clubs. The latter may be therefore tempted to call for the intervention of the ordinary courts to review the sports judges' decisions. The continuous evolution of the football disciplinary codes shows the international and national associations' are concerned to prevent resort to outside jurisdictions by the football stakeholders. They have partially met their goal of keeping the ordinary judges at bay.

This stimulating, legal evolution is masterly told to the sports lawyers by the latest global, comparative work on football disciplinary rules and proceedings, published by

The Sports Law and Policy Centre (www.sportslawandpolicycentre.com):

Disciplinary Procedures in Football: an International and Comparative Analysis, M. Cavaliero & M. Colucci (eds.), SLPC, October 2017, pp. 742.

This book offers an exhaustive, in-depth analysis of the regulatory framework of FIFA, the regional confederations and 19 national federations.

Special, critical emphasis is put on the following issues:

- (i) the nature and standards of the disciplinary bodies, rules and proceedings in order to on the one hand guarantee a fair process and on the other hand to pass decisions in a timely manner in direct relation with the needs of the competitions;
- (ii) the autonomy of sports associations and their interaction with ordinary law and justice;
- (iii) the need for a gradual harmonization among the various international and national systems.

The leading experts in this field review the core questions of the legal frameworks in place. They describe the powers of the different bodies in charge within the associations, dissect the legal processes in place with emphasis on their specificities and need for harmonisation. Each scholar focus his attention on the different modes of investigations, the proceedings *per se*, the rules of conduct, sanctions and their enforcement.

The work is substantially enriched with a final comparative analysis, which picks up the national specificities and discrepancies, assessing their positive or negative impact on sports stakeholders. The comparative review comes with a useful basket of best practices at national level, which constitute an added value for the benefit of all FIFA national associations.

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