

**BEFORE THE UK ATHLETICS DISCIPLINARY PANEL
BETWEEN:**

UK ATHLETICS LIMITED

Complainants

and

KYLE BLACKBURN

Respondent

DECISION

UPON England Athletics delegating its authority to prosecute the Respondent to UK Athletics under paragraph 8.6.2 of the UK Athletics Disciplinary Rules and Procedures (the “**UKA Rules**”);

and

UPON the UK Athletics Disciplinary Panel (the “**Panel**”) being jointly appointed by UK Athletics and England Athletics under paragraph 8.6 of the UKA Rules;

and

UPON UK Athletics and the Respondent having in writing agreed to the terms of this Decision by mutual consent;

And

UPON the Panel having discretion under paragraph 16.5 of the UKA Rules to ratify or reject a Decision that is agreed by the parties and the Panel exercising its discretion to ratify the terms of this Decision.

IT IS DECIDED THAT:

DECISION

Background

1. UK Athletics brought various charges against the Respondent in regard to alleged Misconduct under Section 2 of the UKA Rules and Serious Misconduct under Section 4 of the England Athletics National Disciplinary Policy (the “**EA Policy**”).

2. The Respondent holds a UK Athletics Coach Licence (no. 401633). Under the UK Athletics Coach Licence Terms and Conditions, the Respondent was required to comply with the UK Athletics Code of Conduct for Coaches.
3. In addition, as a coach participating in athletics in England, the EA Policy applies to the Respondent.
4. In March 2022, UK Athletics was made aware that the Health and Care Professions Tribunal (“**HCPT**”) had suspended the Respondent from practising as a physiotherapist for six months. As a result, on 31 March UK Athletics suspended the Respondent’s Coach Licence whilst it carried out an investigation into the Respondent’s conduct.
5. Through the investigation into the Respondent’s conduct, UK Athletics became aware that the Respondent had admitted to the following particulars in the HCPT proceedings:
 - a. between approximately 1 July 2018 and 1 October 2018, the Respondent crossed professional boundaries where:
 - i. he engaged in an intimate relationship with a patient (Patient A); and
 - ii. he engaged in inappropriate contact VIA SMS text message and / or telephone contact with Patient A;
 - b. the Respondent’s actions set out above in paragraph 5(a)(i) and 5(a)(ii) were sexually motivated; and
 - c. The matters described in paragraph 5(a) and 5(b) amounted to misconduct for the purposes of the HCPT.

(the “**HCPT Incident**”)

Charges

6. Upon the conclusion of the investigation by UK Athletics, UK Athletics raised various charges against the Respondent in regard to alleged Misconduct under Section 2 of the UKA Rules and Serious Misconduct under Section 4 of the EA Policy.
7. The Respondent admits that the conduct described in paragraph 5 above amounted to Misconduct under Section 2 of the UKA Rules and Serious Misconduct under Section 4 of the EA Policy. Specifically, the Respondent admits that he:
 - a. breached the UK Athletics Coach License Scheme (in breach of paragraph 2.2.3 of the UKA Rules and paragraph 4.1.1.2 of the EA Policy); and

- b. breached the UK Athletics Code of Conduct for Coaches (in breach of paragraph 2.2.1 of the UKA Rules).
8. The Respondent also admits that he failed to cooperate with a UK Athletics investigation (in breach of paragraph 2.2.8 of the UK Athletics Disciplinary Rules).

Sanctions

9. As a result of the breaches set out in paragraphs 7 and 8 above, the parties have agreed to the following sanctions which have been ratified by the Panel:
 - a. the Respondent shall be issued with a written warning in relation to the conduct described in paragraph 5 above; and
 - b. the Respondent's Coach Licence shall be revoked pending the Respondent providing UK Athletics with a written statement demonstrating why he is no longer impaired to practise as an athletics coach. UK Athletics shall return the Respondent's Coach Licence within seven days of the written statement being provided by the Respondent, should he wish to do so.
10. The parties have also agreed, and the Panel have ratified, that:
 - a. the parties shall bear their own costs of these disciplinary proceedings;
 - b. neither party shall have the right to appeal this Decision; and
 - c. the hearing scheduled for 19th December 2022 shall be vacated.

Amanda-Jane Field, Chair

Amina Graham

Jeremy Pearson

UK Athletics Disciplinary Panel

14 November 2022