

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

UK ATHLETICS LIMITED

Complainant

and

MR FAYAAZ CAAN

Respondent

DECISION

UPON UK Athletics prosecuting the Respondent pursuant to the UK Athletics Disciplinary Rules and Procedures (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 a charge against the Respondent regarding alleged Misconduct under Section 2 of the UKA Rules.

2. The Respondent holds a UK Athletics Coach Licence (no. 2657653). The Respondent's Coach Licence was suspended on 30 June 2021 pending an investigation by UK Athletics into whether the Respondent's behaviour and conduct breached the Conditions relating to the UK Athletics Coach Licensing Scheme (the "**Scheme**") and the UK Athletics Code of Conduct for Coaches (the "**Codes of Conduct**"). At the outset, UK Athletics notes that none of the alleged breaches related to and/or involved any allegations of behaviour that was dangerous to the Respondent or others, any acts of violence, physical or sexual abuse, or any illegal behaviour.

Investigation

3. On 28 June 2021, the interim CEO of UK Athletics received a letter of complaint concerning the Respondent's coaching practices. This letter was signed by several individuals in the high jump community. As a result, UK Athletics contacted the signatories and discovered that there were other potential witnesses who were reluctant to make formal complaints against the Respondent due to the position he held at UK Athletics.
4. On 30 June 2021, UK Athletics wrote to the Respondent and confirmed that it had been made aware of complaints about the Respondent's conduct as a UK Athletics Licenced Coach. In the letter, UK Athletics confirmed that it would be investigating the allegations and that the Respondent's Coach Licence was suspended with immediate effect.
5. Throughout the investigation into the Respondent's conduct, UK Athletics obtained (amongst others) Witness Statements from:
 - a. Athletes previously coached by the Respondent including immediately prior to his suspension;
 - b. A parent to one of the Athletes coached by the Respondent;
 - c. British Athletics' Performance Culture Lead;
 - d. The Respondent's former line manager;
[REDACTED]
 - f. A physiotherapist previously employed by British Athletics; and
 - g. Other Coaches operating under the Scheme.

6. On 31 March 2022, UK Athletics wrote to the Respondent and confirmed that it had been provided with evidence demonstrating that the Respondent may have breached the Conditions related to the Scheme.
7. Following UK Athletics confirming the charges raised against the Respondent (as detailed below), a number of further Witness Statements countering the charges were presented to UK Athletics on behalf of the Respondent. Such Witness Statements were provided by (among others):
 - a. Athletes previously coached by the Respondent including immediately prior to his suspension;
 - b. Parents to Athletes coached by the Respondent;
 - c. An Athletics Event Consultant for British Athletics;
 - d. A former British Athletics Performance Operations Manager; and
 - e. A psychological performance coach for athletes.

Charges and findings

8. Upon the conclusion of the investigation by UK Athletics, UK Athletics raised twelve charges against the Respondent. The charges related to alleged Misconduct pursuant to Section 2 of the Disciplinary Rules. The behaviour complained of was alleged by UK Athletics to amount to a breach of several Conditions of the Scheme and the Codes of Conduct (as described below).
9. The charges and the Respondent's responses are set out in paragraphs 10-33 below:

Charge 1

10. It is alleged that in Birmingham the Respondent:
 - a) repeatedly swore and shouted at [redacted] (an athlete under his care) for a period of several minutes, in front of other athletes in the training group;
 - b) used the words (or similar) "the way you are, you can tell you are an only child"; and
 - c) shouted at [redacted] that he should leave the training session, which he did.

11. In Response to each aspect of charge 1, the Respondent:

- a) Admits the charge and that he inappropriately swore and used industrial language with an adult athlete and that he failed to act with dignity and to display courtesy and good manners towards such athlete;
- b) denies this charge;
- c) accepts that he asked [redacted] to leave a training session.

Charge 2

12. It is alleged that, at the British Championships in Manchester, following the High Jump competition the Respondent shouted at [redacted] (an athlete under his care) including telling him that:

- a) he had let himself down;
- b) the Respondent could not believe how bad he had been; and
- c) the Respondent was embarrassed to be coaching him.

13. The Respondent denies charge 2. However, the Respondent has provided evidence that, "I recall that I told [redacted] "I believe you feel that you've let yourself down, and you more than likely feel embarrassed at this performance" and that he said he was embarrassed and had let himself down, so I told him there and then that the performance he just delivered was in no way indicative of who he was as an athlete".

Charge 3

14. At the Midlands Championships in Nuneaton, the Respondent allegedly:

- a) repeatedly swore and shouted at [redacted] (an athlete under his care) in a loud voice in front of a number of other people, including [redacted]'s parents, other athletes, officials and spectators;
- b) described [redacted]'s performance as "abysmal";
- c) told [redacted] "how fucking angry" he was, said that he was "so fucking angry that [he] was going home" and told [redacted] "you are on your own" before abruptly leaving (or similar phrases);

- d) used the following (or similar) phrases:
 - i. “I cannot believe what he is fucking doing” “I am so fucking angry”
 - ii. “He [redacted] is a fucking idiot”
 - iii. “He [redacted] is fucking doing my head in”
 - iv. “I have driven all this fucking way to be here for this fucking idiot”
15. Each of the charges above are admitted and the Respondent accepts that he inappropriately swore and used industrial language with an adult athlete and that he failed to act with dignity and to display courtesy and good manners towards such athlete.

Charge 4

16. At the British Championships in Manchester, the Respondent allegedly:
- a) responded in a cold and aggressive tone and said “just pull out then” when [redacted] told him he may withdraw from the competition;
 - b) replied “it’s all in his fucking head, he says his Achilles is sore but it’s all in his fucking head” (or with similar words) when [redacted] asked the Respondent what was wrong with the athlete;
 - c) responded “your son is wasting my time, I could be at home today watching football with my son” (or with similar words) when [redacted], [redacted]’s father, saw his son withdraw from the competition and asked the Respondent what was happening; and
 - d) later that day, spoke to [redacted] in an aggressive, hostile and threatening manner, saying that he had the power to withdraw [redacted] from the upcoming Gateshead Grand Prix when [redacted] was sitting in the stands with his friends and family.

17. In relation to each of the charges outlined above, the Respondent;
- a) admits the charge and that he failed to act with dignity and to display courtesy and good manners towards an adult athlete;
 - b) admits the charge and that he inappropriately swore and used industrial language with an adult athlete and that he failed to act with dignity and to display courtesy and good manners towards such athlete;
 - c) denies this charge; and
 - d) denies this charge.

Charge 5

18. At the High Performance Centre in Birmingham, it is alleged that the Respondent:
- a) asked [redacted] (another coach) if he could speak with him and stepped into a store room. The Respondent addressed [redacted] in an abusive manner, using abusive language. The Respondent told [redacted] that he was destroying [redacted]'s career, that [redacted] should have given [redacted] back to the Respondent (to coach) and that [redacted] had betrayed him after all he had done for him; and
 - b) deliberately ignored [redacted] after this incident.
19. In response to the above allegations, the Respondent:
- a) admits the charge and that he inappropriately swore and used industrial language with an adult colleague and that he failed to act with dignity and to display courtesy and good manners towards such colleague; and
 - b) denies this charge.

Charge 6

20. It is alleged that at training:

- a) on 5 June 2019, [redacted] asked the Respondent when he thought she would be jumping again and, when she was ready to jump, whether she could jump with a smaller group or have a one-to-one session. The Respondent allegedly lost his temper and raised his voice, saying “don’t ask that of me and my time otherwise you’re (and you pointed to the door), you are already on thin ice and don’t ever ask me that again” (or similar words) and he did this in front of other athletes; and
- b) in 2019, the Respondent allegedly told [redacted] to perform a drill. When [redacted] asked if she could not do the drill, the Respondent was furious and shouted at [redacted] in front of the whole group. He told her to do the drill or pack her bags and leave the group.

21. UK Athletics has agreed to withdraw this charge.

Charge 7

22. At the UK Women’s Athletics league meeting in Windsor, it is alleged that the Respondent:

- a) shouted in an aggressive manner at three athletes under his care, [redacted], [redacted] and [redacted]. The Respondent told them that they had not jumped well enough and had embarrassed him;
- b) said to [redacted], “I don’t give a shit that you are crying I couldn’t care” (or similar words);
- c) said to [redacted], “that’s not a surprise when you jump like shit” (or similar words) when she told him her heel hurt;
- d) made disparaging comments to [redacted], such as “your run up is shit why are you doing it like that” (or similar words);
- e) berated [redacted] in front of a large group of people, including coaches, athletes and officials;

- f) following a discussion with [redacted] about whether the competition was the first time she had done a full approach run up, when [redacted] tried to step round him to go to her mum (who was watching), he stepped in front of [redacted], stood right up close to her face and stopped her from being able to move forward. When [redacted] tried to move round the Respondent, he moved again to stop her moving around him; and
 - g) said “don’t walk away from me” when [redacted] did walk past him. The Respondent then shouted at [redacted] as she walked away from him.
23. In response to the above charges, the Respondent admits the charges and that he inappropriately swore and used industrial language with adult athletes and that he failed to act with dignity and to display courtesy and good manners towards such athletes.

Charge 8

24. In a conversation with [redacted] (an athlete under the Respondent’s care) the Respondent allegedly:
- a) described [redacted], a British Athletics doctor, as a “fuckwit”;
 - b) described [redacted], a British Athletics physiotherapist as “a fucking nightmare” and “doesn’t know shit”; and
 - c) said [redacted], the Respondent’s British Athletics line manager at the time, “didn’t have a clue”.
25. In response to the above charges, the Respondent admits the charges and that he inappropriately swore and used industrial language with an adult athlete and that he failed to act with dignity, that he failed to cooperate with adult colleagues and that he failed to act with dignity and to display courtesy and good manners towards adult colleagues.

Charge 9

26. The Respondent allegedly:

- a) made fun of disabled people by doing an impression where he walked with a limp, held his arm bent and made noises whilst sticking his tongue out;
- b) did the above impression when [redacted] (an athlete under his care) arrived at training;
- c) regularly called [redacted] “limp foot christie”;
- d) referred to [redacted]’s “gammy leg” to his face;
- e) regularly called [redacted] “bad foot gay”;
- f) said that [redacted] could not even jump as well as [redacted] “on his gammy leg”;
- and
- g) referred to [redacted], a para-athlete, as “fat and slow”.

27. In response to the above charges, the Respondent admits the charges and that he failed to act with dignity and to display courtesy and good manners towards an adult athlete.

Charge 10

28. At a training camp in Formia, Italy, after noticing that she was not eating much, the Respondent said to [redacted] (an athlete under his care) “if you get an eating disorder [redacted], I am going to kick you out of the group.”

29. The Respondent denies this charge.

Charge 11

30. It is alleged that the Respondent:

- a) created an atmosphere in his training group where bullying was commonplace and acceptable; and
- b) allowed bullying and harassment to occur in his training group without challenging it.

Specifically:

- c) when [redacted] gave [redacted] a highly offensive card for her birthday, the Respondent saw the card but took no action. The Respondent only said “typical [redacted]”;
- d) the Respondent said that [redacted] could not even jump as well as [redacted] “on his gammy leg”;
- e) the Respondent told an inappropriate story about a former high jumper who had been caught having sex in a lift when the door opened;
- f) when [redacted] had his top off, the Respondent screamed, “oh my god it’s a bat, get it” in reference to his tattoo. [Redacted] then slapped [redacted] hard on the back;
- g) The Respondent told [redacted] (an athlete under his care) that he was in the top 1% of the world physically but in the bottom 1% of the world mentally; and
- h) The Respondent stated that all Scottish people smell of piss.

31. In response to each aspect of charge 11, the Respondent:

- a) denies that he created an atmosphere in his training group where bullying was commonplace and acceptable however the Respondent accepts that bullying occurred between athletes in his training group;
- b) denies that he created an atmosphere in his training group where bullying was commonplace and acceptable however the Respondent accepts that bullying occurred between athletes in his training group;

- c) denies that he created an atmosphere in his training group where bullying was commonplace and acceptable however the Respondent accepts that bullying occurred between athletes in his training group;
- d) admits the charge and that he failed to act with dignity and to display courtesy and good manners towards an adult athlete;
- e) denies that he told an inappropriate story but accepts that he told a story about a former high jumper who had been caught having sex in a lift when the doors opened;
- f) denies that he screamed, or that he said “get it”. The Respondent has, however, accepted that he may have said “oh my god it’s a bat”, or words to that effect, and that [redacted] slapped [redacted] on the back;
- g) the Respondent admits this charge; and
- h) the Respondent denies this charge.

Charge 12

- 32. It is alleged that during training in December 2018, the Respondent moved the high jump stands away from the bed and then said to the athletes, “I don’t care if you miss the bed I will just laugh”.
- 33. UK Athletics has agreed to withdraw this charge.
- 34. The Respondent alleges that he was not offered sufficient line management support whilst employed by UK Athletics. Whilst UK Athletics takes every step to ensure that all members of staff are given appropriate training and support, UK Athletics is disappointed that the Respondent felt he was not offered appropriate support from the UK Athletics management team. UK Athletics is also taking positive steps to work with its coaches and ensure positive cultures are in place within the organisation.
- 35. The Respondent alleges that UK Athletics placed extreme pressure on him to continue producing international medal-winning performances without providing sufficient / appropriate support for the same. UK Athletics is of course interested in producing elite international athletes. However, it strives to ensure that in doing so, it keeps the welfare of its athletes, staff and coaches of primary importance. Producing high-performing athletes

should not come at the cost of emotional or physical health of participants in the sport (including coaches). UK Athletics is disappointed that the Respondent felt he was not offered the support he felt he needed to meet the objectives that he was set.

Sanctions

36. As a result of the breaches set out in paragraphs 10-33 above, the parties have agreed to the following sanctions and the Panel has ratified them:

- a. the Respondent's Coach Licence shall be suspended for three years from and including the 30 June 2021 to and including 29 June 2024; and
- b. neither party shall have the right to appeal the Decision.

37. The parties shall bear their own legal costs of the case.

38. This Decision will be published on the UK Athletics website.

William Norris KC, Chair
UK Athletics Disciplinary Panel
[3] March 2023