

FENCING IRELAND SELECTION/NOMINATION APPEALS PROCEDURE

The following procedures have been adopted by Fencing Ireland in the consideration of any appeal made by or on behalf of any athlete wishing to appeal by virtue of his or her non-nomination/nonselection for (and any de-selection from) a Fencing Team selected/nominated by Fencing Ireland. Fencing Ireland is entitled to amend this Procedure from time to time.

The purpose of the right to appeal is to dispute that the selection procedure and selection criteria have not been followed correctly. The right to appeal a selection decision must not be seen as an opportunity to dispute the opinion of the selector(s) where the selection procedure and selection criteria have been followed. In reaching their decision the selector(s) are acting as experts.

An athlete seeking review of a non-nomination/non-selection or de-selection decision by Fencing Ireland should be aware of the importance of the time limits contained within these Procedures. These time limits are designed with the intention of resolving issues as expeditiously as possible consistent with ensuring a fair and just outcome.

1. Athlete Selection/ Nominations appeals must be made in writing to international@irishfencing.net and copied to the Chairperson at chairperson@irishfencing.net within 48 hours of the date and time of the communication of the decision of the Nomination Committee.
2. The sole grounds for an appeal are:
 - i. the selection process was tainted by unreasonable bias or conflict of interest or:
 - ii. the provisions of the selection/nomination policy were not adhered to.

No appeal is permitted against the content of the selection/nomination policy.

3. An appeal must be made in writing with appropriate and sufficient supporting documentation and must be accompanied by a deposit of €100, payable to Fencing Ireland. If the appeal is upheld the deposit will be refunded in full.
4. Within five working days of receiving the appeal, the Chairperson (or an appointed deputy) will appoint a group of three selected people, including one member with performance expertise from a different NGB ('Appeal Committee') that will investigate the issues of the appeal. No member of the Appeal Committee shall have been directly involved in the original nomination process.
5. The Chairperson will in writing inform all parties about the Appeal Committee's decision to either uphold or reject the appeal.
6. All decisions issued by the Appeal Committee may be appealed exclusively by referral to Sport Dispute Solutions Ireland, within 48 hours from receipt of such decision, for final and binding arbitration in accordance with the Sport Dispute Solutions Ireland Arbitration Rules. Each party will bear its own costs throughout the process.

SCHEDULE
NOTICE OF APPEAL

1. DETAILS OF THE PERSON / ORGANISATION APPEALING (the “Appellant”)

Name of Appellant.....

Date of Birth (if individual)

Over 18 (if individual)

Address

.....

Email

Phone.....

Discipline.....

Name of Barrister/Solicitor or other representative of Appellant (if applicable)

2. PARENT/LEGAL GUARDIAN’S DETAILS (if Appellant is under 18):

Name(s).....

Address.....

.....

Email.....

Phone

3. DETAILS OF RESPONDENT (if other than Fencing Ireland)

Name of Respondent(s): (Individual or Organisation against whom the Appeal is filed):

Address.....

.....

Email.....

Phone.....

4. INTERESTED PARTIES

Are there any other persons or organisations who or which may be directly affected by, or who has a sufficiently close interest in your selection?

Name.....

Address.....

.....

Email

Phone.....

5. DETAILS OF SELECTION DECISION BEING CHALLENGED:

Date of selection decision (If date notified of selection decision is different, please state)

.....

Person(s)/Organisation responsible for selection.....

Name of parties selected

Details (including date, venue and name) of the next event that the selected team is attending and/or participating in:

.....

.....

6. GROUNDS OF APPEAL: (see section 2 above):

Please state whether your appeal is based on section 2 (i) or (ii):

Section 2(i): the selection process was tainted by unreasonable bias or conflict of interest;

Section 2 (ii): the provisions of the relevant Selection/Nomination Policies were not adhered to.

.....

.....

Provide a summary of the nature of this appeal.

.....
.....
.....
.....
.....
.....

Please provide details of outcome and/or relief sought

.....
.....

Please provide details of any documents relied on (explaining the relevance of any document relied upon)

- 1.
- 2.
- 3.
- 4.
- 5.

Please provide the names of witnesses (if any).

.....
.....

7. URGENT APPEAL

Are there grounds for showing that this appeal should be heard as a matter of urgency?

Yes / No

If yes, please provide reasons justifying this.

.....

Signed: _____

If signatory is someone other than the Appellant, please outline signatory's relationship with the Appellant) _____

Date: _____

CHECKLIST

- 1. Is this document completed, dated and signed.....
- 2. Have you attached documents you are relying upon.....
- 3. Have you confirmed if your appeal is under clause 2(i) or 2(ii) of the Fencing Ireland Selection Appeals Procedure
- 4. Have you either attached a cheque for €100.00 made payable to 'Fencing Ireland' or transferred €100.00 to the Fencing Ireland bank account (IBAN: IE53AIBK93126807879185 and BIC: AIBKIE2D)

.....

- 5. Have you sent this form by email only to the Selectors' Co-Ordinator at email – international@irishfencing.net and copied to the Chairperson at chairperson@irishfencing.net

.....