



Appeals Process – Commonwealth Games Birmingham 2022

This procedure sets out the process to be followed following the Athletics Northern Ireland nomination and prioritisation meeting to be held on 6th June 2022. Should any athlete wish to exercise their right to appeal the decision of the selection panel. (ref. para 24 – XXII Commonwealth Games Nomination Policy and Consideration Standards – Athletics Northern Ireland).

1. Athletes who have not been nominated or who take issue with their priority placement on the list of nominations may appeal. This must be a written appeal (letter or e mail) and must be received by the Athletics Northern Ireland CEO ceo@athleticsni.org by 23.59 on 9th June 2022.
2. By initiating the appeals process the athlete agrees to accept the decision of the appeals panel as final.
3. Appeals will only be accepted where an athlete can provide evidence (a) that procedures had not been followed by the selection panel or (b) that the panel reached a decision based on an error of fact.
4. Any written appeals submitted to the Athletics Northern Ireland within the timescale outlined in paragraph 1 must include the grounds on which the appeal is being made and any supporting evidence or information which the appellant wishes to be taken into consideration by the appeals panel. Additional information or evidence submitted after 23.59 on 9th June 2022 will not be considered by the appeals panel.
5. The Appeals Panel will only consider the written submissions from the appellant and will not interview witnesses or other individuals at the request of the appellant. The appeals panel will receive written minutes of the nomination panel meeting
6. The Appeals Panel will consist of three representatives of Athletics Northern Ireland who were not on the initial Nomination Panel and have no conflicts of interest; The CEO, a Board Member and an independent legal advisor.
7. The Appeals Panel will meet on 10th June 2022 to consider any appeals made within the time limit and will inform appellants of the decision as soon as possible after it has reached a decision
8. Where it appears to the Appeals Panel that the interests of some other athlete(s) (other than the Appellant) may be affected by any decision of the Panel, they will invite the other athlete(s) to submit written representation(s) in relation to the merits of the Appeal and will provide such person(s) with copies of all relevant documentation. In such a situation, it is likely that the decision of the Appeals Panel will determine the rights of all the affected athlete(s) (not just the Appellant) and therefore the other athlete(s) will be prohibited from raising again, by way of a separate or further appeal, matters which have already been decided upon as a consequence of the Appeal.
9. The Appeals Panel will be entitled to:
 - allow or dismiss the Appeal;
 - exercise any power of the Nomination Panel against which the Appeal is made;
 - rescind the decision of the Nomination Panel and confirm the selection of the Appellant only in a clear case where the Nomination Policy has not been followed;
 - make such further order(s) as it deems fit to give effect to its decision.
10. The final decision on how many athletes from the priority list to select rests with Commonwealth Games Northern Ireland. This decision will not be made until after final nominations on 13th June and is not subject to appeal by individual athletes.

The proposed timing for the appeal process is outlined below:

- Nomination Meeting Mon 6 June (am)
- Athletes notified by 23:59 Mon 6 June
- Written appeals received by 12noon Wed 8 June
- Appeals panel meeting 1- Wed 8 June (pm)
- Other athletes impacted to provide written representation by 12noon Fri 10 June
- Appeals panel meeting 2 – Fri 10 June (pm)
- Final team nomination to CWG NI – Mon 13 June