

# Paris 2024 Paralympic Games

## BWL Appeals Procedure

The following procedures have been adopted by British Weight Lifting (BWL) in consideration of any appeal made by or on behalf of any athlete wishing to appeal by virtue of his or her non-nomination for a weight class at the 2024 Paris Paralympic Games ('The Games').

Any athlete seeking a review of a selection decision should be aware of the time limits contained in the policy which are designed with the intention of resolving issues in a timely, fair and transparent manner within the boundaries laid out by the international federations procedural timeline.

All athletes should read this policy carefully and satisfy themselves that they are eligible to appeal in the first instance. **Any appeals which do not satisfy the grounds of appeals below will be dismissed automatically.**

The parties agree not to commence, continue, maintain any legal challenge to any matter falling under the jurisdiction of the Appeal Panel before any court of law or dispute resolution body without first following this procedure.

### 1 Grounds for Appeal

1.1 An athlete may appeal against a selection decision only on the grounds that:

- a) There has been a failure by BWL to apply the applicable selection criteria
- b) There has been a failure to adhere to the procedure set out in the applicable selection policy
- c) There is evidence of unfairness, unreasonableness and/or bias

An athlete does not have a right of appeal against any judgement or discretion exercised in the course of making nomination decisions, or against the content of the applicable selection criteria.

### 2 How to appeal

Should the athlete wish to appeal against the decision then the following procedures apply:

This Appeals Process is commenced when an athlete affected by a decision, or the athlete's authorised representative, submits a formal written appeal ('the Notice of Appeal') to the BWL CEO by email to [matthew.curtain@britishweightlifting.org](mailto:matthew.curtain@britishweightlifting.org).

- 2.1 The Notice of Appeal must be submitted no later than **11am on the 1<sup>st</sup> July 2024 (BST)**.
- 2.2 If the athlete fails to submit the Notice of Appeal by the deadline above, she/he will have lost their right of appeal, save in wholly exceptional circumstances which will be judged by the Appeal Panel in its absolute discretion
- 2.3 Given the timeframes involved, the Notice of Appeal will constitute both the Notice and Statement of Appeal. The athlete should therefore ensure that the Notice of Appeal is as comprehensive as possible at that time.
- 2.4 The Notice of Appeal must set out full details of the athlete's ground(s) of appeal and include:
  - a) contact details; name and address of the athlete appealing
  - b) details of and where possible a copy of the decision which the athlete is appealing;
  - c) written details of the ground(s) of appeal upon which the athlete relies, including the precise manner in which the athlete alleges that the selection criteria have not been applied or in which the procedure set out in the applicable selection policy has not been followed or evidence where unreasonableness, bias or unfairness has led to the non-selection; and
  - d) any other documents or written evidence upon which the athlete relies in support of his or her appeal. These documents must be relevant specifically to the athlete's grounds of appeal.
- 2.5 Unless the arbitrator requires oral submissions, the appeal will be determined on the basis of the written submissions from parties only.

### **3 The Appeal Panel**

- 3.1 The Appeal Panel will be composed of a sole arbitrator appointed by Sport Resolutions. That arbitrator shall be legally qualified.

### **4 Conduct of and appeal process**

- 4.1 The appeal will be conducted in accordance with this Procedure and [Sport Resolutions' Arbitration Rules](#). In the event of a conflict between this Procedure and Sport Resolutions' Arbitration Rules, this Procedure shall prevail.
- 4.2 Upon receipt of the Notice of Appeal by **11am (BST) on the 1<sup>st</sup> July 2024**, the BWL CEO will as soon as reasonably practicably circulate it to Sport Resolutions for the appointment of the Appeal Panel, subject to the Notice of Appeal raising one of the grounds specified at article 1.1 above.
- 4.3 The BWL CEO will also notify all athletes who may be potentially affected by the appeal in order to enable them to engage in the process, and inform the Appeal Panel likewise.

- 4.4 The Respondent and any potentially affected athlete will be provided with an opportunity to respond to the Notice and Statement of Appeal. These submissions will be made in accordance with the Appeal Panel's directions.
- 4.5 If the Appeal Panel deems oral submissions to be necessary, a hearing shall be convened remotely (either by video or telephone conference) in the **afternoon of the 2<sup>nd</sup> July 2024**.
- 4.6 Anyone present at the hearing may be accompanied by an adviser.
- 4.7 Given the time constraints of this appeals process, the Appeal Panel shall have the authority to substitute a decision made by the selection panel. The Appeal Panel therefore may decide as follows:
- a) That the original selection decision be overturned, and the appellant be selected, on the basis that there was an error of fact, a flawed process, or that the decision made or the decision-making process was unreasonable, unfair or biased, or;
  - b) That the original selection decision be upheld, and the appellant's appeal is rejected.
- 4.8 The Appeal Panel shall **by the 3<sup>rd</sup> July 2024** or as soon as is alternatively appropriate inform parties of its decision together with written reasons. Where it is impracticable to do so, written reasons may follow separately.
- 4.9 The decision of the Appeal Panel shall be final and bind

