



Policy number: 29

Policy Name: Squash Ireland Selection Appeals Policy

Version Control

Date: 30.10.2024

Contents

1. INTRODUCTION	4
2. GROUNDS FOR APPEAL	5
3. HOW TO APPEAL	5
4. SCREENING AN APPEAL	6
5. APPEALS PANEL	6
6. APPEAL MEETING PROCEDURE	6
7. APPEALS DECISION	7
8. CONFIDENTIALITY OF PROCEEDINGS AND COMMUNICATIONS OF THE DECISION	7
9. REFERRAL OF APPEALS PANEL DECISION TO SDSI	8
10. REVISION	8

1. INTRODUCTION

The purpose of the selection appeals policy is to enable dispute resolution regarding player selection decisions to be dealt with fairly, expeditiously and affordably within Squash Ireland, without recourse to external legal procedures.

- 1.1 This document sets out Squash Ireland selection appeals process (‘the process’) applying to National Team selection decisions for the major championships events, for Junior, Senior and Masters teams, published on the Squash Ireland website in conjunction with the prevailing selection policy. This appeals policy will remain in place until replaced or amended by Squash Ireland.
- 1.2 This policy document does not apply to events run under the auspices of the CGNI for Commonwealth Games and Commonwealth Youth Games. For these events a different policy from CGNI will apply.
- 1.3 Selections will take place in accordance with the latest published selection policy on the Squash Ireland website, and under the conditions outlined in the tournament specific guidance notes and/or criteria published in relation to the tournament in question. Any player wishing to lodge an appeal under this procedure must be fully familiar with the detailed provisions of the selection policy for the relevant tournament.
- 1.4 This procedure is intended to be accelerated to enable any challenges to be resolved as quickly and as reasonably as possible. Due to the nature of selection for major tournaments, decisions often need to be taken close to the time of the event to which selection relates. Accordingly, the aim of this procedure is to receive an appeal and expedite a decision as soon as possible after an appeal has been submitted.
- 1.5 This policy is the only applicable appeals policy and forms the entire agreement between each player and Squash Ireland as to how selection decisions for major championships are to be challenged.
- 1.6 The parties agree to submit any dispute concerning any matter connected with, or arising out of selection decisions in accordance with the provisions of this appeals policy.
- 1.7 By submitting an appeal, the parties agree that they will not commence, continue or maintain any legal challenge to any matter falling under the jurisdiction of this procedure, or any decision made under this procedure, before any court of law or other dispute resolution body (including, but not limited to the Court of Arbitration of Sport) other than that which is contained herein.

2. GROUNDS FOR APPEAL

- 2.1 The grounds upon which a selection decision may be appealed are limited to the following:
- 2.1.1 There has been an alleged failure of the selection panel to follow or apply the relevant selection procedure and/or criteria set out in the applicable selection policy (e.g. there has been a procedural defect), and/or
 - 2.1.2 The selection panel decisions for the tournament have been reached on the basis of an error of fact.

There are no appeals allowed against:

- 2.2.1 The content of the published Squash Ireland Selection Policy.
- 2.2.2 Any communications made by Squash Ireland staff or appointed volunteers (including all coaches and support personnel) and/or Players other than meetings outlined in the Selection Policy.
- 2.2.3 The genuine consideration of the Squash Ireland Selection Panel, provided they follow the applicable procedure contained in the Selection Policy.

The grounds for appeal are limited and are not an opportunity to dispute the opinion of the selection panel where they have followed the proper procedure. It is not the role of the Appeals Panel to review the merits of the selection panel decision if the selection policy and event specific guidance or prevailing criteria has been adhered to.

- 2.3 The Appeal Procedure shall only apply to selection matters and not to any grievances or grounds in relation to Squash Ireland in general.

3. HOW TO APPEAL

- 3.1 The Appeal Procedure is commenced when an player affected by a selection decision makes a formal written appeal by email (the 'notice of appeal') to the Honorary Secretary of Squash Ireland using the 'Notice of Appeal' form downloaded from the website.
- 3.2 The cost of submitting an appeal is a non-refundable €200. This is payable to **Irish Squash Federation** IBAN: **IE85 AIBK 9331 1209 5650 67** BIC: **AIBKIE2D**
- 3.3 Digital proof of payment must be attached to the notice of appeal form when being submitted.
- 3.4 The fully completed notice of appeal form and proof of payment must be submitted within twenty-four (24) hours of the selections being announced or communicated (sent by email) to a player, whichever is first.
- 3.5 If a player (or Parent if player under 18yrs old) fails to submit the notice of appeal and payment within the time limit set out in this appeals procedure they will automatically lose

their right of appeal under this procedure, unless in the opinion of the Chair of the Appeals Panel (acting reasonably) that there was an exceptional circumstance or other good reason for the submission to be made outside the time limit.

- 3.6 The Notice of Appeal form will be submitted to the Honorary Secretary of Squash Ireland via email to the following address honsecretary@irishsquash.com and CC'ing ceo@irishsquash.com also.
- 3.7 The Notice of Appeal Form will set out the grounds for appeal which will include the full details of the basis for appeal including the precise manner in which the player alleges that the selection decisions have not been applied or followed (as per section 2 – Grounds for Appeal). The Notice of Appeal should be as full as possible (including any supporting documentation) as it will form the basis for the remainder of this procedure.
- 3.8 In the event that no evidence is offered for the basis of appeal, the appeal will be adjudged to be incomplete and will not proceed.

4. SCREENING AN APPEAL

- 4.1 In the first instance on receiving the notice and grounds for appeal, the Honorary Secretary or appointed deputy will appoint a suitably qualified Chair of Appeals to determine if the appellant meets the eligibility criteria in question for the event. If they do, the appeal will be screened by the Chair of Appeals on its merits as outlined below. If they do not meet eligibility criteria, they will have no grounds for appeal or further recourse to pursue an appeal. The Appellant will be informed via email by the Appeals Chair.
- 4.2 In the second instance, if the Chair of Appeals determines there are sufficient grounds for an Appeal an Appeals Panel will be created.

5. APPEALS PANEL

- 5.1 The Appeals Panel of Squash Ireland will comprise a minimum of three (3) members. The appeals panel shall be comprised one (1) Chair of the appeals panel and three (3) members each appointed by the Honorary Secretary of Squash Ireland in consultation with the CEO of Squash Ireland. A quorum for the appeals panel will be 3 members.

6. APPEAL MEETING PROCEDURE

- 6.1 If there are sufficient grounds for an appeal, the Appeals Panel will proceed by way of a review of the documents, including the written Notice of Appeal submission of the Appellant.
- 6.2 If an Appeals Meeting is called, the Chair of the Appeals Panel will contact the Selection Panel Chair or appointed person, to inform them of the appeal; provide them with a copy of

the Notice of Appeal and request that the Selection Panel provides any response which they wish to make on behalf of the selection panel.

- 6.3 Appeal meeting will take place within 2 days of receiving the appeal. The manner in which the appeal panel will meet (e.g. in person or virtually) is the decision of the Chair of the appeals panel.
- 6.4 The appeal meeting will comprise up to four (4) individuals (one being the Chair of the appeals panel and a quorum being 3 members) who will have no significant relationship with the affected parties, and will have had no involvement with the decision being appealed, and will be free from any other actual or perceived bias or conflict.
- 6.5 If the Chair of the appeals panel is unable to attend a meeting or declares a conflict of interest with a particular appeal, the Chair of the appeals panel will designate a member of the appeals panel to chair the meeting or portion thereof.
- 6.6 The decision of the appeals panel will be simple majority. In the event of a tie the Chair will have a second and casting vote.

7. APPEALS DECISION

The appeals panel will seek to reach its conclusion as urgently as possible, and if possible before the relevant competition/event, after the receipt of the Notice of Appeal, and will inform the Appellant by email (or such method of communication as the appeal panel shall decide). The appeals panel will give reasons for its decision.

- 7.1 The appeals panel may decide as follows: * That the selection panel's decision for selection be set aside as the selection panel failed to follow or apply the relevant Selection Procedure and/or criteria set out in the applicable selection policy, or was based on an error of fact and the matter of the player's selection be remitted for fresh consideration by the selection panel to reconsider the matter. * That the selection panel's selection decision be upheld and the player's appeal be rejected.
- 7.2 The appeals panel may also make recommendations for the future revision/execution of the selection and appeals process, which should be considered by Squash Ireland and the selection panel.

8. CONFIDENTIALITY OF PROCEEDINGS AND COMMUNICATIONS OF THE DECISION

- 8.1 Squash Ireland and the Appellant are under an obligation of confidentiality in respect of any appeal under this policy in its entirety. Save as permitted under this selection appeals policy in 8.2 below, none of the parties will make any public statement of disclosure of the contents of the notice of appeal or any matter referred to by any of the parties during the course of these proceedings or thereafter.

- 8.2 Squash Ireland will be entitled to communicate the decision of the Appeals panel where it upholds the appeal (or any element of it) to inform all properly interested and affected parties of the status of the provisional selection outcomes and the resulting position as to selection going forward.

9. REFERRAL OF APPEALS PANEL DECISION TO SDSI

- 9.1 An appeals panel decision may be heard exclusively by referral to Sport Dispute Solutions Ireland, within 3 days from receipt of the appeals panel decision, for final and binding arbitration in accordance with the Sport Dispute Solutions Ireland Arbitration Rules. The Notice of Appeal will be submitted in writing to the Honorary Secretary of Squash Ireland via email to the following address honsecretary@irishsquash.com and CC'ing ceo@irishsquash.com also.
- 9.2 The appeal to SDSI arbitration shall be limited to the procedures used and/ or the decision made by the appeals panel.
- 9.3 The costs of the actual mediation/arbitration with SDSI will be split equally between both parties.
- 9.4 Any costs over and above the stated SDSI fees, such as legal advice, arising from taking part in an arbitration or mediation are born solely by the parties themselves.

10. REVISION

Squash Ireland will undertake to review and update this policy as required, and will endeavour to ensure that the most up to date version is published and accessible via it's website.

