



Canoeing **Ireland**



2020 PARALYMPIC GAMES

Nomination Policy

Developed by Canoeing Ireland with reference to
Paralympics Ireland "2020 Irish Paralympic Team
Selection Principles and Criteria"

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1. Scope of the Nomination Policy

This policy is prepared by the Canoeing Ireland High Performance Director (herein after referred to as the 'HPD') and the Irish Canoe Sprint Committee which is a technical committee of Canoeing Ireland. The 2020 Athlete Nomination Policy will be overseen by the Canoeing Ireland High Performance Unit.

The 2020 Athlete Nomination Policy (hereinafter referred to as the "2020 Nomination Policy") for the 2020 Paralympic Games (Herein after referred to as the '2020 Games') outlines the conditions for eligibility and criteria relevant to the nomination of an athlete(s) by Canoeing Ireland to the Paralympics Ireland Board (Herein after referred to as the 'PI Board') to be members of Team Ireland for the 2020 Paralympic Games.

Achievement of the performance criteria contained herein confers nomination on an athlete.

Final nomination to the PI Board will commence when the athlete contract is signed by the athlete and the High Performance Director of Canoeing Ireland.

The PI Board is solely responsible for selecting Nominated Athletes and Support Staff to the 2020 Paralympic Games.

The 2020 Nomination Policy applies to 2020 Paralympic Games only. Previous Nomination Policies will have no bearing on the 2020 Nomination Policy and cannot be used as a basis upon which an appeal or otherwise can be made in relation to Athlete Nomination for 2020.

2. Structure of the 2020 Nomination Policy

The policy is structured so that;

1. The nomination process is described in the main body of the document.
2. Specific information relating to the roles and responsibilities of Canoeing Ireland and Paralympics Ireland are clearly understood.

3. Purpose, Aims and Principles of the Policy

The primary purpose of the Nomination Policy is to select the best possible athlete of a performance standard to be nominated to the PI Selection Committee for inclusion in Team Ireland for the 2020 Paralympic Games.

The long term aims of the policy are to;

1. Identify athletes with the capacity to represent Ireland at the 2020 Games pending official selection by the PI Board.
2. Support the development of athletes in all racing classes by providing a target to aim for and an objective test of their ability.

The principles used to meet these aims include:

Objectivity:

The Nominated Athlete will be selected using objective performance-based criteria based on clear parameters.

Transparency:

The Nomination Process will be easily interpreted and published prior to each season

4. The 2020 Canoe Sprint Nomination Panel

4.1. Roles and Responsibilities

(i) The 2020 Sprint Nomination Panel is responsible for implementing the 2020 Nomination Policy.

(ii) In exceptional circumstances this Nomination Policy may be amended at any time by the 2020 Nomination Panel where the 2020 Nomination Panel and Paralympics Ireland forms the opinion that such an amendment is necessary for any reason determined to be in the best interests of the nomination process and to ensure that the nomination of athlete(s) gives the athlete(s) the best opportunity to prepare and perform on the international stage. Neither the 2020 Nomination Panel nor Canoeing Ireland will be responsible or liable in any way for any issues arising from any such amendment nor shall amendments and such amendments will be final and binding on all athletes. Any amendment to the policy will be communicated to all athletes on the PI Long List.

(iii) The 2020 Nomination Panel will submit a report outlining the rationale for all nomination decisions to the Canoeing Ireland Chief Executive Officer and the Canoeing Ireland Board of Directors whose function is to ensure that all nomination decisions of the 2020 Nomination Panel are in accordance with the Canoeing Ireland Policy; and that all Nomination decisions are balanced, fair and impartial.

4.2. Panel Members

(i) The 2020 Nomination Panel will consist of five members. Three from the Canoeing Ireland High Performance Unit, the National Performance Coach and one person nominated by the Irish Canoe Sprint Committee.

(ii) The 2020 Nomination Panel will be chaired by the Canoeing Ireland High Performance Director.

(iii) The 2020 Nomination Panel will be confirmed by the Canoeing Ireland Chief Executive Officer.

4.3. Voting

Ideally the 2020 Nomination Panel will reach a unanimous nomination decision through discussion which will be guided by the athlete achieving the performance standard outlined below. However in the event that the 2020 Nomination Panel need to make any selection decisions the HPD will call for a vote. Each 2020 Nomination Panel member will have one vote to be counted. In the event of a tie the HPD will have the casting vote to confirm the nomination.

4.4. Conflict of Interest

(i) To maintain transparency and integrity within the process, each member of the 2020 Nomination Panel will be asked to state whether they have any conflict of interest relating to the Nomination process.

(ii) If any member of the 2020 Nomination Panel declares a conflict of interest or is otherwise deemed to have a conflict of interest, they will be replaced by another individual with the knowledge, expertise and capability required and who has no conflicts of interest. This replacement shall be appointed by the HPD.

(iii) A conflict of interest might occur when, for example:

- When a Nomination Panel member is a coach to a particular athlete vying for nomination.
- When a Nomination Panel member is closely aligned or is a member of a club for which an athlete vying for nomination is also a member of.
- When a Nomination Panel member is a family member or close friend of an athlete vying for nomination.
- Or any circumstance where a Nomination Panel member has a personal relationship with an athlete or athletes vying for nomination which could influence his or her decision, or him or her stands to gain in any way from the outcome of a nomination decision.

4.5. Confidentiality

All Nomination Panel discussions will be confidential.

5. The Role of Paralympics Ireland

The Board of Directors of Paralympics Ireland will be the final decision-making body in ratifying the position of all athletes and support staff on the 2020 Irish Paralympic Team.

5.1 Paralympics Ireland retain the right to amend the composition of any sports selection committee without further notice to athletes. NGB's seeking to amend the composition of their sports selection committee may only do so with the expressed written authorisation of the CEO of Paralympics Ireland. Failure of a named selector to attend the selection meeting will not prevent the meeting from taking place and the process of selection continuing, provided at least 50% of the named selectors are in attendance at the appointed time and date for the meeting.

5.2 These criteria are subject to change, at the sole discretion of Paralympics Ireland, should Paralympics Ireland be notified of any material amendment to the Tokyo 2020 Qualification Guide by either the IPC, Tokyo 2020 or the relevant International Federation for the sport. In this instance,

these selection criteria may be reviewed and, if amended, will be re-issued in writing to each athlete on the official Paralympics Ireland Panel at that time who may be impacted by the change.

5.3 Athlete quota slots are generally allocated to Paralympics Ireland and not to Individual athletes.

Paralympics Ireland will determine whether or not quota slots will be accepted with Tokyo/IPC.

In the small number of cases where slots are allocated to specifically named individuals, PI will still determine whether or not that slot will be accepted.

5.4 All prospective team members may be subjected to a medical assessment by the Chief Medical Officer (CMO) at his request or at the request of the sports selection committee or the Performance Director of Paralympics Ireland. To remain eligible for selection the CMO must certify to Paralympics Ireland that in his opinion, taking into account all the available information at the time, the athlete will be medically fit to compete at Tokyo 2020. In making his decision, the CMO may seek further opinions from suitably qualified medical practitioners.

5.5 Paralympics Ireland retain the right (at its discretion) to withdraw athletes from selection consideration, or having been selected from the Irish Paralympic Team by:

5.5.1 certification by the Chief Medical Officer of illness or injury sufficient enough to prevent the athlete from competing at a level commensurate with high performance athletes at Paralympic Games.

5.5.2 the athlete, if requested, failing to prove the fitness or performance capability necessary to compete at a high level at the Paralympic Games.

5.5.3 failure to fully comply with their personal training and competition programme as agreed with their sport.

5.5.4 breach of the eligibility conditions for selection, the IPC Conditions of Participation Agreement, the Paralympics Ireland Participant Rules or the 2020 Irish Paralympic Team Member Agreement

5.6 In the unlikely event of an athlete's Sport Class changing from the time of the qualifying performance to the time of final sports entry by Paralympics Ireland, the Selection Committee and Paralympics Ireland retain the right not to select the athlete unless, in the view of the selection committee and the Performance Director of Paralympics Ireland, the athlete is deemed to be more competitive in the new Sport Class than athletes not selected.

5. Eligibility and Application Requirements

5.1. Eligibility

In order to be eligible for consideration for nomination to the PI Board, all athletes applying for nomination must meet the following criteria:

- a) Show proof that they hold an Irish passport with an expiry date on or after 20th March 2021
- b) Be a current registered member of Canoeing Ireland who is eligible to represent Ireland at ICF canoe Sprint events in accordance with ICF rules and have no outstanding debt to Canoeing Ireland or any of its technical committees.
- c) Have completed the acceptance and acknowledgement forms as per the Paralympics Ireland Participant Rules as available on www.paralympics.ie as amended from time to time.
- d) Not have competed in any international canoe Sprint event, other than for Ireland, in the previous 3 years.
- e) Have completed the Paralympics Ireland 2020 Team Member Agreement
- f) Has acted in such a manner so as not to bring himself/herself, Canoeing Ireland, the sport of Canoe Sprint, the ICF, Paralympics Ireland or Sport Ireland into disrepute.
- g) Have completed the IPC Conditions of Participation Agreement
- h) Be a minimum of 14 years of age on 25th August 2020, unless a higher minimum age requirement is applied by the International Canoe Federation.
- i) Has not been convicted of, or charged with, a criminal offence punishable by a term of imprisonment.
- j) Is not the subject of a doping violation or suspension.
- k) Meet the sport specific requirements in full in terms of sports class status (classification) as per the Tokyo 2020 Qualification Guide no later than the date of the Sports Selection Committee meeting to nominate the athletes to the PI Board. Be internationally classified with either a 'Confirmed' sport class status or a 'Review' sport class status with a review date after 31 December 2020. In the sport of Table Tennis athlete must have a "Confirmed" Classification Status.
- l) Is fit to perform to his or her fullest capability.
- m) Has signed the Athlete Contract.

5.2. Application Requirements

All Applicants must sign this document and submit it to the CI Performance Director and maintain the conditions and terms detailed in the 2020 Nomination Policy.

5.3. Athlete Contract and Final Nomination

(i) All athletes will be required to sign an Athlete Contract and Code of Conduct.

An athlete will only be considered finally selected for nomination when the Athlete Contract has been signed by the athlete and the HPD of Canoeing Ireland.

(ii) Canoeing Ireland will only engage with the signee of the Athlete's Contract and will not engage in any correspondence with any third-party interlocutor acting on behalf of the signee in any capacity relating to any items listed herein or any topics relating to support or funding. All enquiries relating to support and or funding must be communicated by the athlete.

N.B This does not negate the athlete's coaching team the right to engage in performance base correspondence with Canoeing Ireland or the HPD.

6. Nomination Criteria

Before the 1st April 2020 at 17.00hrs all athletes interested in representing Ireland at the 2020 Paralympic Games will make themselves known to the High Performance Director of Canoeing Ireland (performance@canoe.ie).

To be considered for selection all athletes must satisfy the eligibility criteria laid out in section 5 of this policy document and all criteria laid out by the ICF and IPC including but not limited to having raced in the class they are to be considered for in the 2019 world Championships or be eligible and selected to race in the 2020 World Paracanoe Championships;

All eligible applicants must have a qualifying disability and be classified by the international classifiers of Paracanoe with either confirmed status or review status that extends to the start of 2021 or have legitimate expectation that this criterion can be met at the world championships in 2020.

An athlete who is successfully nominated to Paralympics Ireland and is selected by Paralympics Ireland to compete in the Paralympic Games may be eligible to race in the other event also (va'a and K1). The same process will work in parallel should Ireland qualify in more than one event but will not be additive. The highest ranked athlete in each event will be selected unless that athlete is previously selected in which case the second ranked athlete will be selected. As with ICF qualification, Va'a will be considered first for selection and K1 thereafter (i.e. if the first ranked

athlete in both Va'a and K1 is the same and there are two quotas available then the 2nd ranked athlete in K1 will be selected).

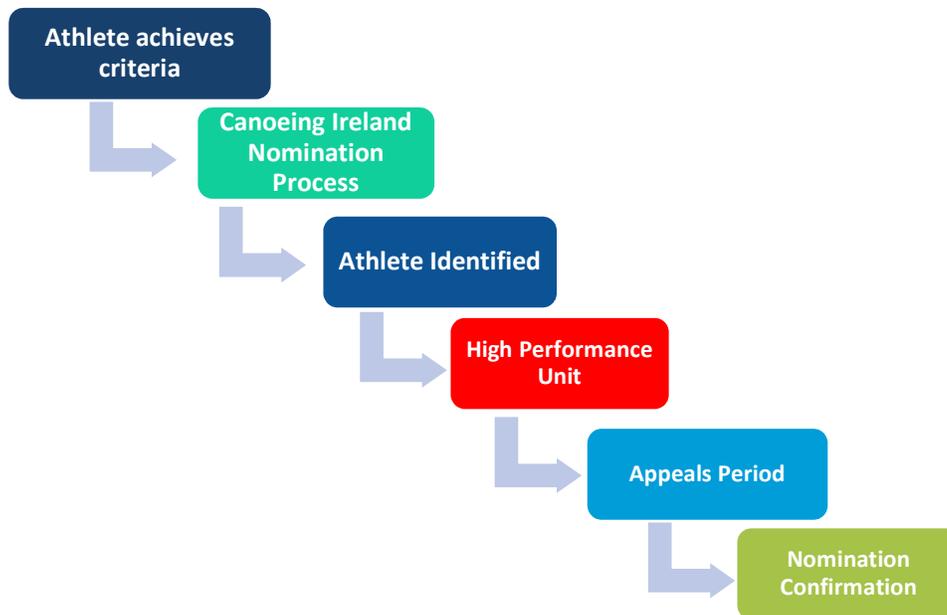
Selection will be based on three events for which points will be awarded and will be decided on ranking results:

Successful slot qualification for Ireland at the Paralympic Games at the 2019 world championships: 5 points.
Top ranked athlete but did not secure qualification 3 points . The 2 nd and 3 rd ranked eligible athlete at this event are awarded 2 and 1 point respectively
Ranking of eligible athletes at April Nottingham regatta 2020 (1st 3 points, 2nd 2 points, 3rd 1 point)
Qualification of a quota place for Ireland at the Paralympic games at the 2020 world championships 7 points . 2 nd and 3 rd ranked eligible athlete at this event 2 and 1 point respectively
In the event no qualification is achieved at the 2020 world championships (e.g. if it was previously attained in 2019 and no additional qualification in 2020) Ranking of eligible athletes at world championships 2020 (1st 3 points, 2nd 2 points, 3rd 1 point)

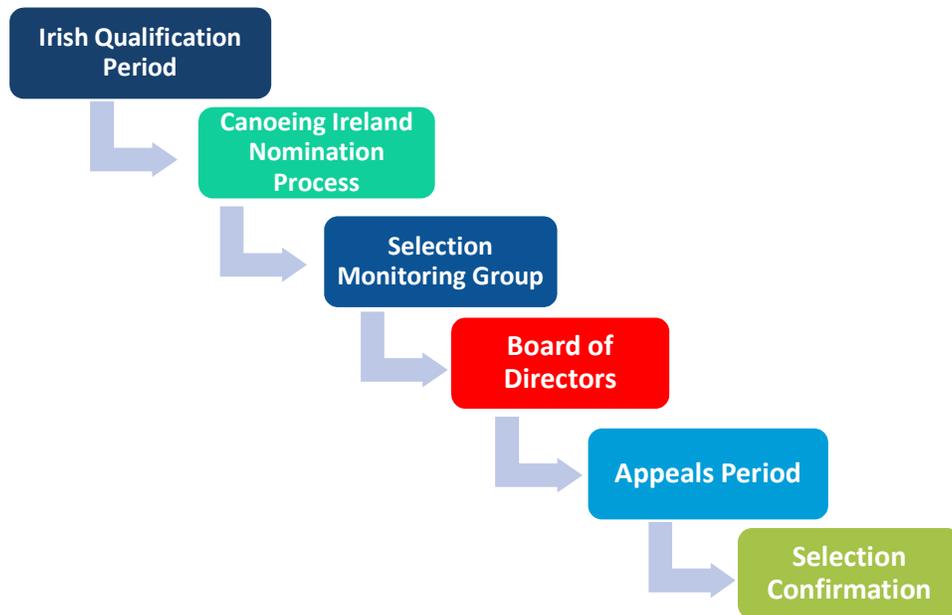
In the event of a tie the higher-ranking athlete in the relevant event at the 2020 world championships will be selected.

Selection will be overseen by the High Performance Director of Canoeing Ireland and ratified by the 2020 Canoe Sprint Nomination Panel. According to this procedure immediately after the conclusion of the 2020 world championships unless during the process the outcome becomes mathematically certain at which point the High Performance Director may conclude the selection.

Canoeing Ireland Nomination Process Descriptor



Paralympics Ireland Selection Process Descriptor



The Board of Directors of Paralympics Ireland will be the final decision-making body in ratifying the position of all athletes and support staff on the 2020 Irish Paralympic Team.

8 Canoeing Ireland Nomination Appeals

Scope

An athlete who fails to be nominated may appeal against omission from that team in accordance with 8.2 of this procedure.

Grounds for an Appeal

8.2. The sole grounds of any appeal by an athlete are that:

- An athlete's omission was as a result of a failure by the Nomination Panel to properly or fairly apply the Nomination Criteria set out in the 2020 Irish Canoe Sprint Nomination Policy or;
- The Nomination Panel demonstrated clear bias in favour of a selected athlete.

Procedure for an Appeal

8.3 Any appeal will proceed in accordance with the procedures set out below 8.4 Any athlete wishing to appeal against his/her non-nomination (herein after referred to as the "Appellant") shall email the CI Performance Director outlining the reasons together with supporting evidence to substantiate the appeal (herein after referred to as the "Initial Appeal"). Such an email must be received within 48 hours of the athlete receiving the outcome of the Nomination Panel decision. The CI Performance Director will consider the Appellant's appeal and shall email an answer to the Appellant within 48 hours of receiving the Appellant's email (herein after referred to as the "Appeal Response").

8.5 If the Appellant is not satisfied with this response received pursuant to clause 4.4 above, they may forward a further written Notice of Appeal to the Canoeing Ireland Chief Executive Officer at the Canoeing Ireland office, to be received within 48 hours of the date of the Appeal Response. The written Notice of Appeal should refer to any communications that the Appellant has had with the CI Performance Director in relation to the decision pursuant to clause 4.4. Communications referred to in clause 4.4 are not binding but they may be referred to in any appeal.

8.6 The written Notice of Appeal itself shall contain the succinct grounds for appeal and ideally should not exceed 2 pages/1000 words in length. The time limits for lodging the Notice of Appeal and accompanying appeals document is mandatory. Failure to comply with these time limits will result in an appeal being dismissed without consideration.

8.7 The written Notice of Appeal must also be accompanied by a contribution to the costs of the appeal of €200 payable by the Appellant by electronic transfer to Canoeing Ireland. This €200 sum will be refunded to the Appellant by Canoeing Ireland in the event the appeal is upheld.

8.8 The Chief Executive Officer shall supply copies of the written Notice of Appeal to the Nomination Panel who shall be entitled to respond in writing within 5 working days, or such other time as may be specified by the Chief Executive Officer (herein after referred to as the “Response”).

8.9 The Chief Executive Officer shall without delay supply copies of the Response to the Appellant who may make further written representations in reply to the

Response and/or request the Chief Executive Officer proceed with the Hearing of the Appeal (herein after referred to as “the Request for Hearing”), any response must be forwarded within 5 working days.

8.10 The Chief Executive Officer shall, following receipt of the Request for Hearing, constitute as expeditiously as possible a panel to hear the appeal (herein after referred to as “the Appeal Panel”).

Appeal Panel

8.11 The Appeal Panel will comprise three members, namely:

- A member of the Canoeing Ireland Board nominated by the Chief Executive Officer.
- An ex-International Canoe Sport Athlete.
- An informed independent person who could be a member of another National Governing Body or the Sport Dispute Resolution Ireland Arbitration Panel (formerly Just Sport Ireland).

8.12 The Panel shall appoint one of its members to chair the appeal (herein after referred to as “the Appeal Panel Chairperson”).

8.13 When constituting the Appeal Panel, the Chief Executive Officer shall have regard to the principle that the Appeal Panel should be and should be seen to be impartial and open-minded.

Date and Time of Appeal Hearing

8.14 The Chief Executive Officer shall notify all the parties concerned as soon as possible of the place and time of the appeal together with the names of the members of the Appeal Panel.

8.15 The Chief Executive Officer will as early as possible prior to the date of the appeal circulate to the individual members of the Appeal Panel, the Appellant and the CI Performance Director copies of:

- The Initial Appeal.
- The written Notice of Appeal and other relevant documentation on which the Appellant wishes to rely.
- The Response.

- The Request for Hearing.
- Any further written representations.

The Appeal Hearing

8.16 The Appeal Panel is empowered to call witnesses, to seek expert advice as necessary and to hear evidence from persons nominated by the parties concerned, where requested. Strict rules of evidence do not apply but all involved should be aware the “hearsay” evidence is unlikely to carry as much weight as evidence within the direct knowledge of the parties and any witnesses.

8.17 The Appellant may be accompanied or represented at the hearing by a maximum of 2 people.

8.18 The Appeal Panel will hear the evidence in private unless the parties agree otherwise.

8.19 If at any time during the hearing there is any unreasonable behaviour in the reasonable opinion of the Appeal Panel Chairperson then the Appeal Panel

Chairperson may elect to bring the proceedings to a close and thereafter the Appeal Panel will determine the appeal on the basis of the written and verbal submissions prior to that time.

8.20 The Appeal Panel shall hear the appeal in the following order:

(i) The Appellant will present his/her case without interruption, except for the purpose of clarification, from the Appeal Panel.

(ii) The Appeal Panel will ask questions.

(iii) The CI Performance Director will present his/her case without interruption, except for the purpose of clarification, from the Appeal Panel.

(iv) Either party may raise questions through the Appeal Panel Chairperson.

(v) Each Party shall make final submissions to the Appeal Panel with the Appellant having the right to be heard last following which the appeal shall be concluded.

(vi) The Appeal Panel will consider the evidence and having done so shall make a decision and shall notify the parties in writing of its decision as soon as possible and preferably within 24 hours of the appeal hearing.

8.21 The Appellant can withdraw an appeal at any time.

Appeal Panel Recommendations

8.22 In the event of an appeal being upheld the Appeal Panel shall be entitled to make recommendations to the CI Performance Director having regard to:

- The timing of the Nomination cycle.
- The proximity of any Championships.

8.23 The CI Performance Director will make every effort to have the Appeals Panel's recommendations implemented.

8.24 The CI Performance Director will provide a written report of any action taken or not taken to the Chief Executive Officer. If the Appeal Panel's recommendations are not implemented, the CI Performance Director shall state his/her reasons in his/her report. A copy of this report will be sent to the relevant parties within 72 hours.

[Further Appeal to Sport Dispute Solutions Ireland \(SDSI\)](#)

8.25 A decision of the Appeal Panel may be appealed exclusively to SDSI for resolution in accordance with the SDSI Arbitration rules. For the purposes of the Paralympic Games this panel will be an SDSI Tribunal.

8.26 An appeal to SDSI must be filed within fourteen (7) days from receipt of the Canoeing Ireland Appeals Panel decision by the party filing the appeal. Thereafter, the procedural rules of SDSI will apply.

9. Paralympics Ireland Appeals Process

9.1. Any Athlete on the Long List may appeal against their selection or non-selection by PI within 48 hours of being notified of their selection or non-selection, in accordance with the procedures set out the Appeals Table below;

9.2. The grounds upon which a selection decision may be appealed are limited to the following;

(i) That the selection decision was affected by actual bias

(ii) There was no basis upon which the PI's decision could be reasonably made;

9.3. All appeals shall be to Sports Dispute Solutions Ireland (SDSI). SDSI's decision shall be final and binding on the parties.

9.4. No party to an appeal may institute or maintain proceedings in any Court or Tribunal other than as specified in this Agreement.

9.5. The Appeal Procedure shall only apply to the selection decisions and not to any grievances or an appeal against the published content of the Tokyo 2020 selection policy. An appeal is not an opportunity to dispute the opinion of the PI Board.

9.6. Throughout any appeals process the Parties must use their best endeavours, acting in good faith, to resolve the dispute through communication. Any such communications may be made on a without prejudice basis and kept confidential between the parties.

9.7. SDSI is a low-cost disputes resolution process. Athletes issuing a Notice of Appeal must also lodge the appeal filing fee of approx. €250 at that time. There is a separate cost of the arbitration itself, payable after the hearing. This cost is split between both parties (€2,000 for a single arbitrator or €3,000 if a 3 person Arbitration Panel is assigned.) Legal costs, which could be excessive, will normally be borne individually by each party but SDSI has the option to assign all cost to one or other side.

Appeals Table

Date*	Detail
20 th June 2020 or before	PI Board meets to select (subject to appeals) Athletes to the Games Team
+24 hours	All Athletes on the Long List are notified by email of their selection or non-selection onto the Games Team
+48 hours	Within 48 hours of receiving notice of their non-selection, an Athlete wishing to appeal must: (i) Complete an SDSI Notice of Appeal form setting out clearly the grounds upon which they dispute their non-selection; (ii) Send the Notice of Appeal form to the SDSI Secretariat, along with the SDSI appeal fee; (see Clause 10.7 above) (iii) Send the Notice of Appeal form to Miriam Malone, CEO of PI by email to miriam@paralympics.ie Thereafter the SDSI Procedural Rules shall apply
+/- 72 hours	Appeal Hearing at Irish Sport HQ to be conducted by an SDSI Panel appointed by SDSI <i>*Dates are for guidance only and are subject to change</i>

Official Forms

Official forms relating to the appeals process are available to download at

www.sportdisputesolutions.ie

9. Athlete Declaration

I _____ have read the Canoeing Ireland 2020 Nomination Policy for the 2020 Tokyo Paralympic Games.

I understand the criteria and agree to abide by the process described in the policy.

I understand that Paralympics Ireland will make the final decision in relation to the selection process for the 2020 Tokyo Paralympic Games and that if I am selected by the CI Nomination Panel, my nomination to Paralympics Ireland by Canoeing Ireland relies on me fulfilling the eligibility criteria described in the policy and by signing this document and the subsequent Athlete Contract Agreement.

Signature:

Date: _____

End of Document