

Case 25 – Selection Appeal

2012 London Olympic Games

Key words

Selection Policy; Selection Process; Reschedule; Selection Panel; Meeting Minutes; World Ranking; Non-Selection; Fairness; [Fair Selection of athletes](#)

Summary

Athlete E appealed the decision of the British Shooting (BS) Selectors not to nominate her for selection to Team GB for the Ladies Trap event at the London 2012 Olympic Games on the grounds that BS had failed to give any proper consideration to whether she should be selected. A sole Arbitrator was appointed by Sport Resolutions to hear the appeal pursuant to the BS London 2012 Selection Policy. The Arbitrator found that there had been flaws in the selection process, and therefore allowed the appeal and remitted the matter back to the Selection Panel to reconsider its decision.

Background Facts

Athlete E appealed the decision of the BS Selectors not to nominate her for selection to Team GB for the Ladies Trap event at the London 2012 Olympic Games. The stated aim of the BS Selection Policy was to select athletes with “the greatest medal winning potential for the Games in each discipline”. One place was available in the Ladies Trap and four athletes were eligible, having achieved the required qualification standards.

Before selection took place, Athlete E had been invited to the World Cup event in Tucson, but not as a full team member, and was informed that her score would

not count towards Olympic selection. Due to this, and also that she would have to self-fund the trip, Athlete E did not compete at Tucson.

The relevant Selection Panel meeting was held on 2 May 2012. This date had been fixed since 2010 on the basis that by that time the Selection Panel could consider the results of the three World Cup events in 2012 (in Tucson, Cairo and London). However, the Cairo event was subsequently cancelled, and rescheduled and relocated to Lonato on 3 May 2012. BS considered therefore, whether to reschedule the Selection Panel meeting until after the rescheduled Cairo/Lonato event, but declined to do so, on the grounds that 2 May 2012 was considered to be an appropriate length of time before the Olympic Games to make such a decision. The Selection Panel chose not to nominate Athlete E for selection. In the rescheduled event held on 3 May 2012 in Lonato, Athlete E finished in first place, ahead of the current Olympic Champion and World Cup gold medallist.

Reasoning and Decision of the Tribunal

Athlete E argued that i) BS had failed to give any proper consideration to whether she should be selected; and ii) that BS had failed to follow its own procedure. Athlete E further argued that her non-selection for the Tucson event was unfair and that the date of the Selection Panel meeting should have been put back to enable the Selectors to be able to consider the results from the Lonato event.

The Arbitrator found that BS's decision to not reschedule the date of the Selection Panel meeting was not irrational. However, the Arbitrator found that Athlete E was disadvantaged by her non-selection to Tucson on the basis that; i) it deprived her of results to compare against other athletes; ii) it impacted on Athlete E's world ranking; and, iii) it denied Athlete E the chance to 'get her eye in' for the later London event. Further, Athlete E should have been selected to compete as a team member at Tucson by operation of the wider BS Selection Policy.

In addition, the minutes of the Selection Panel meeting showed that; i) the Selection Panel failed to consider all athletes against all factors in the Selection Policy; ii) the Selection Panel looked at the performances of the selected athlete from 2007 onwards but failed to do so for Athlete E; iii) the only coach who had

input to the Selection Panel was the coach of the selected athlete; and, iv) the non-selection of Athlete E for the Tucson event had a knock-on effect on world ranking and on performance in London, and the Selection Panel should have had regard to it. The Arbitrator therefore allowed the appeal and remitted the matter back to the Selection Panel to reconsider its decision.

Learning points

- National Governing Bodies and selection panels should follow their selection policies, including policies that relate to major event selection, and those policies that relate to other events that will contribute towards major event selection. Due consideration should be given to all of the factors identified in those section policies.