



# BRITISH BASKETBALL FEDERATION

## APPEAL PROCESS

[Overview](#)

The following document details the appeal process in relation to British Basketball Federation

E. McKinley Version 1.1  
office@gb.basketball

## **INDEX**

- 1. Introduction British Basketball Federation.**
- 2. APPEALS PROCESS**
- 3 Appendix A - GROUNDS FOR APPEAL**

## **BRITISH BASKETBALL FEDERATION (BBF) - APPEAL PROCESS**

The British Basketball Federation (BBF), its members and Licenced Leagues, are subject to the FIBA General Statutes and Regulations.

### **2012 FIBA Agreement - Disciplinary Matters - Extract**

**4.2.5 BBF shall exercise its own disciplinary powers, as well as those of the Home NFs, through a centralized dispute resolution system, providing for one hearing body.**

**4.3 The Home NFs shall operate as member-associations of BBF, in accordance with the BBF Statutes and this Agreement.**

A single Federation level appeal process is required under the FIBA General Statutes and Regulations, as well as the 2012 FIBA Agreement and will apply to any disciplinary procedure that takes place, as a requirement of British Basketball Federation Policies , Regulations or Procedures and any Home Country Associations Internal Policies and Regulations and will be reviewed on a yearly basis to ensure that it is relevant.

The Home Country Associations (HCA) , as members of a FIBA Federation, and as such, are required to ensure their internal discipline procedures, provide the opportunity for individuals or entities to Appeal (under defined circumstances detailed herein), a decision reached under a HCA member's internal disciplinary procedure, to the National Governing Body..

This also includes any legal requirements, as well as regulations from UK Sports Bodies, that the BBF, being the recognised National Governing Body is required to align with via the FIBA statutes and regulations. In any dispute over legitimacy, the FIBA General Statutes and Internal Regulations take precedence.

This appeal process is not linked to any of the procedures, policies required in relation to employees of the BBF/ HCA, which are governed by the respective employment law and regulations.

Any final decision reached can be notified to FIBA or other agencies, but this is required in relation to any Integrity issues (e.g. Betting & Corruption) or Anti-Doping Issues, which the British Basketball Federation has sole responsibility for in relation to Investigation and Discipline of offences, as the National Governing Body, where applicable, subject to FIBA / UKAD Regulations.. Decisions reached can be made public via the GB Media framework.

This appeal process does not apply to the BBL / WBBL Leagues which are covered by a separate document, as per their licenses.

## **BRITISH BASKETBALL FEDERATION (BBF) - APPEALS PROCESS**

1.1 If a Member, Individual or Club wish to appeal a decision reached as part of a **BBF or Home Country Association Disciplinary (HCA) process**, they have the right to appeal to the **British Basketball Federation (BBF) Appeals Panel, as detailed in Appendix A** . They must notify the BBF or if appropriate the relevant Home Country Association, within ten days of receipt of the initial Disciplinary decision. If this appeal is via a Home Country Association, the full HCA process must have taken place, as documented within the respective HCA procedures.

1.2 A £500 fee must accompany all appeals, paid to the BBF. This is made up of a £150 **non returnable** administration fee to the BBF by the Member, Individual or Club. The Appeals panel will be appointed by the Chair of the BBF. This may be made up of BBF Directors, representatives of the BBF Members, or other independent parties, at the discretion of the Chair. The Chair person of the BBF, may be a member of the Appeals Panel. The appointed BBF Integrity Officer cannot be a member of this panel.

The process will be supported by the BBF Integrity Officer or appropriate BBF / HCA staff member, to supply relevant administration and sports specific knowledge where required.

1.3 The Appeals Panel shall issue any procedural requests that it deems appropriate including requests for further written reports from any or all associated parties where necessary.

1.4 Where a BBF Member, Player, Club, Owner, Promoter, Representative or other person, is asked to provide a written report in response to an alleged incident they must comply with the timescales stipulated by the Appeals Panel.

1.5 Any unsolicited approach or communication made by or on behalf of a member, club or individual, other than in writing, as permitted by the rules or regulations of the BBF or respective HCA, to the Appeals Panel related to any matter which the Appeals Panel is considering, is deemed to be misconduct, and will be reported to the BBF and appropriate disciplinary action may ensue.

1.6 The Appeals Panel shall use any reliable evidence and can take any appropriate decision, including without limitation partial or full replay of the game. The sanctions imposed concerning an individual or entity are detailed within the **BBF Internal Regulations - Sanctions**

1.7 If audio-visual evidence indicates that additional players/officials/Clubs should be considered for disciplinary action, other than has been identified in the initial allegations, this will be actioned only after the additional players/officials/Clubs are so advised and a copy of the relevant audio-visual evidence provided.

1.8 The appeals panel shall determine whether the remaining deposit (£350) is returned to the appellant in full, in part, or not at all.

## **Appendix A - GROUNDS FOR APPEAL**

- 2.1 . The Grounds for Appeal to the BBF Appeals Panel, are limited to the following:
- 2.2 New evidence in relation to the initial disciplinary procedure has come to light that should be investigated.
- 2.3 The categorisation of the offence was inconsistent with one imposed for similar misconduct committed by other individuals / clubs.
- 2.4. The disciplinary process adopted by the Home Country Association (HCA), failed to follow the requirements of the said HCA procedures.
- 2.5 The disciplinary process used by the BBF failed to follow the requirements of the investigation process. The BBF can adopt an HCA member's discipline process, or follow the FIBA process to manage an investigation, but it is not bound by time scales or penalty clauses detailed within said processes.. Time scales binding on the Appeals Panel are detailed herein.
- 2.6 . There was conflict of interest for one or more of the original decision-makers

**2.4.1 Conflict of interest, is limited to the following:**

2.4.2 . Personal / Club involvement in the HCA the individual competes in. e.g.. player/coach/referee

2.4.3. Member(s) of the HCA / BBF Disciplinary process were in attendance at the game at which the incident took place.

2.4.4. Personal relationship with appellant.

2.4.5 Procedural failings i.e. where the BBF or HCA Disciplinary Panel Process did not follow procedure.

2.4.6 Failure to provide natural justice in refusing to admit evidence provide within in the stipulated time scales

2.5 . The Appeals Panel, as appointed by the BBF, is solely responsible for all appeals with regard to all matters, referred to it. The Panel can be made up of a maximum of five members with a minimum of three dealing with each case. The Chairperson of this Panel will be the primary line of communication between the BBF / HCA and the Panel. In the case of his/her absence they shall appoint a member of the Panel to act on his/her behalf.

2.6 .The Appeals Panel shall convene and hear all appeals. These meetings will be held where possible, within 14 days of receipt of all relevant documentation.

2.7 .The appealing member/club/individual do not have the right to attend any meetings in regard to the decision. However, the Appeals panel have the right to call upon any individuals present at the game, as a witness and also may call upon the Member, Club or Officials to clarify (in writing, telecommunication, or in person) any points within the written submission.

2.8 .The Appeals Panel decision is final and cannot be appealed under any circumstances, to the BBF. Members, Clubs and individuals are made aware that the Appeals Panel has the authority to increase punishments as well as reduce any punishment, where they feel this action is required and justified, **using the BBF Internal Regulations - Sanctions**

2.9 . Any punishments administered by the Appeals Panel will take effect as of 12.00 Noon on the Friday following the decision.

2.10 If an individual or Club wishes to challenge the decision reached, then there is recourse under the FIBA Regulations to FIBA or the Court of Arbitration for Sports, in Switzerland. Any costs are the responsibility of the appellant party.

2.11 It should also be noted that the provision of the General Statutes and the Internal Regulations of FIBA, as well as the decision of the Appeals Commission and the Court of Arbitration for Sports in Lausanne, are legally binding on the British Basketball Federation, its members and licensed leagues. Persons engaged in the appeals procedure should not have any interest in the outcome of any decision.

**In any dispute over legitimacy of any BBF Regulations, Policies or Procedures, the FIBA General Statutes and Internal Regulations take precedence.**