

**BEFORE THE UKA DISCIPLINARY PANEL  
ON APPEAL FROM A UK ATHLETICS LICENCE DECISION  
BETWEEN:**

GLEN CHALMERS

APPELLANT

-and-

UK ATHLETICS

RESPONDENT

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APPEAL HEARING 9 AUGUST 2023

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1. The respondent was represented by Mr Max Baines, Counsel. The appellant represented himself. The Panel comprised Euan Gosney (Chair), Shamini Nainappan Grayson and Scott Murray.
2. There were no preliminary matters raised by either party. No issue was taken with the composition of the Panel or the jurisdiction of the panel.
3. By Note of Appeal dated 6 April 2023 the Appellant appeals against a decision made by UK Athletics not to renew his UKA Coach Licence on 22 March 2023. The Ground of Appeal against UK Athletics' decision not to renew the Appellant's licence contained in the appellants written note of appeal is that the sanction was too severe pursuant to paragraph 21.1.7 of the Rules. UK Athletics written response to the Notice of Appeal directly addressed the ground of appeal taken by the appellant. At the hearing the appellant adopted his written submissions.
4. The Panel heard from Counsel for the Respondent. Counsel drew the Panel's attention to Rule 20.1.6 and Rule 21.1.8.
5. Rule 20.1.6 under the heading Appellate Jurisdiction states that:  
*An appeal from a refusal to renew any form of licence granted by UKA or to impose conditions upon existing licence whether during the pendency of the licence or on its renewal each of which is an "Appeal Decision".*
6. Rule 21.1 under the heading Grounds of Appeal states

*A person with standing, being UK Athletics and the parties set out in paragraph 20.2 above, the Respondent to disciplinary proceedings or HCAF, may appeal on the grounds, **and only on the grounds**, that: (emphasis added)*

7. Rule 21.1.8 states that:

In relation to all of the appeals under paragraph 20.1 (and exclusively for those under paragraph 20.1.5 to 20.1.7) the Disciplinary Decision is perverse or one that no reasonable person could have arrived at.

8. The Respondent argues that on a plain reading of the Rules, the only available ground of appeal against a decision taken by UK Athletics to refuse to grant a licence is under Rule 21.1.8, not Rule 21.1.7. To this extent the Respondent's written responses to the Note of Appeal were departed from. It is argued by the Respondent that the appeal could only succeed if it could be demonstrated that in refusing to renew the appellant's coaching licence UK Athletics acted so unreasonably that no person acting reasonable would have acted in such a manner (applying the doctrine of *Wednesbury Unreasonableness*). The test was therefore higher than that set out in Rule 21.1.7, namely that the sanction imposed was too severe.

9. The Panel adjourned briefly to consider the submissions made by Counsel. Thereafter the Appellant was invited to make representations on the submissions made by counsel. The appellant – properly in our view – conceded that the decision taken by UK Athletics could not be said to be perverse or one that no reasonable person could have arrived at.

10. The Panel had some sympathy with the Appellant's position. There is no doubt that he is an enthusiastic coach. He has dedicated a significant amount of his free time volunteering to coach others. At his local club the appellant would not be responsible for individual coaching and it is likely that any such coaching would not be unsupervised. Since the decision was taken not to renew the appellant's licence, he has organised local junior park runs. The Panel were provided with supporting letters from Mr David Scott, and Mr Andrew McNeill, Chair of Newburgh Dunes Running Club.

11. Notwithstanding this, the appellant had been convicted of an assault dated 15 November 2022. This had occurred in a professional setting whilst the appellant had been a serving police officer. In relation to licence renewal, the Coach Licence Terms state, at 6.2:

*“ the UKA may in its sole discretion refuse to renew the Coach's Licence, or impose conditions on the Coach Licence, if:*

*(i) the Coach does not meet, or no longer meets, the Eligibility Requirements*

12. The Eligibility Requirements states that a coach must

- (i) *have a DBS Certificate (or similar as applicable in England, Wales, Scotland or Northern Ireland), the contents of which are, in UKA's opinion, satisfactory (Requirement 3.2(a)(ii)).*
- (ii) *not be under investigation convicted, formally charged, cautioned or reprimanded by the police or other relevant authority in connection with matters which affect their suitability, in the sole discretion of UKA, to coach. (Requirement 3.2(a)(ix))*
- (iii) *not have engaged in behaviour or conduct which leads UKA to consider that they are unsuitable to coach (Requirement 3.2 (a)(xii))*

13. The nature of the appellant's conviction would clearly be in contravention of the above eligibility requirements. Paragraph 6.2 of the Coach Licence Terms entitles UK Athletics to refuse to renew a coach's licence if the eligibility requirements are not met. It is not appropriate or necessary to go into the merits of this decision as the Terms state that this is a matter for the sole discretion of UK Athletics. The Appeal Panel could only intervene in this decision if it was shown that the decision taken was perverse or one that no reasonable person could have arrived at.

14. The Panel were unanimous that the decision taken by UK Athletics in this case did not meet the high test required for an appeal under Rule 21.1.8 to succeed. Accordingly, the appeal must fail.



Euan Gosney

Chair