

BEFORE THE UKA DISCIPLINARY PANEL

ON APPEAL FROM A UK ATHLETICS LICENCE DECISION

BETWEEN:

ANDREW LEESON

APPELLANT

-and-

UK ATHLETICS

RESPONDENT

DIRECTIONS HEARING 10 JULY 2023

1. On 25 May 2023 a Preliminary Hearing took place by Microsoft Teams in relation to this appeal. The appellant was not present at the hearing. No explanation had been provided. The respondent was represented by Mr Max Baines, Counsel
2. The respondent has raised a Preliminary Issue in the written response to the Notice of Appeal namely that the Notice of Appeal was not in accordance with paragraph 22.4 of the Rules. The respondent's written response invited the Panel to dismiss the appeal.
3. The Panel unanimously agreed to continue the Directions Hearing for a period of 6 weeks to allow the appellant to be personally present and to allow the appellant to make adjustments to the Note of Appeal. In the Written Directions Order of 25 May 2023, the Panel required that the adjusted Note of Appeal be intimated to parties on or before 8 June 2023 in order that the Respondent may have time to consider any submissions and lodge a response if required.
4. Paragraph 5 of the Written Directions Order of 25 May 2023 provided that a failure by the appellant to lodge an adjusted Note of Appeal without reasonable excuse may result in the appeal being dismissed and this decision would be final.

5. The Written Directions Order was intimated to the appellant by email on 31 May 2023. The appellant had up until this point communicated with UK Athletics by email. The appellant did not reply to the email of 31 May 2023. The appellant failed to intimate an adjusted note of appeal by the stipulated deadline of 8 June 2023.
6. Notwithstanding the above, the Panel agreed to allow the appellant further time to respond and requested UK Athletics write to the appellant and issue the Written Directions Order to the appellant by Recorded Delivery. The appellant was given until 1700 hours on Wednesday 28 June 2023 to intimate the adjusted Note of Appeal.
7. The panel has been provided with a copy of the Post Office Recorded Delivery Notice confirming that the appellant signed for and collected the letter sent by UK Athletics on 27 June 2023. To date no reply has been received by the appellant. The appellant has failed to provide an adjusted note of appeal within the time period required.
8. The Respondent invites the Panel to strike out this appeal pursuant to paragraph 5 of the Written Directions Order of 25 May 2023.
9. Pursuant to paragraph 5 of the written directions of 25 May 2023 the Panel are unanimous in their decision to dismiss this appeal.



Euan Gosney

Chair