

To the Secretary of every Canoe Club affiliated to the Irish Canoe Union.

Re: Canoeing Ireland (ICU) – Board Statement 2

Further to the previous statement by the Directors of ICU I am now writing on behalf of the Board to apprise all affiliated clubs of the current situation.

1. LEGAL PROCEEDINGS

The legal proceedings against the ICU initiated by Mr. Michael Scanlon, Chief Executive seeking to prevent the ICU from proceeding with its disciplinary process have been heard in the High Court and a judgement is awaited.

2. EGM REQUEST

A request to convene an EGM was submitted to the ICU by the eleven affiliated clubs listed below. Article 24 of the Constitution provides for the convening of an Extraordinary Delegate Meeting (EDM) to be convened at the request of 10 affiliated clubs within 60 days of the receipt of the request. The stated reason for the EGM request was to provide a forum for the discussion of recent events and to put a vote of no confidence in the Executive Committee. On behalf of the Board I wrote to the clubs listed below requesting that they make known the basis of their allegation or complaint against the Executive Committee.

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|---------------------------|----------------------------------|
| 1. Salmon Leap Canoe Club | 7. Rockhoppers Canoe Club |
| 2. Barrowline Canoe Club | 8. Voyagers canoe Club |
| 3. Kilcullen canoe Club | 9. Carrick on Shannon Canoe Club |
| 4. Newbridge Kayak Club | 10. Kilcock Canoe Polo Club |
| 5. Lir Canoe Club | 11. Phoenix Kayak Club |
| 6. Trim Canoe Club | |

Only the clubs numbered 1 to 5 above replied and none of those specified the nature of their allegation or complaints against the Executive Committee as requested. No response was received from the remaining six clubs.

3. CURRENT POSITION

The position in relation to the request for the EGM was considered, in detail, at the Board meeting held on Wednesday 20th April.

Legal advice has indicated that:

- ➔ In the interest of all the parties before the High Court no further comment should be made until judgement is delivered.
- ➔ This includes the holding of an EDM at which the discussion in relation to the matters before the Court could seriously prejudice the interests of either or both of the parties involved.

- In order to comply with the provisions of the Constitution the EDM as requested could be convened but none of the matters before the court could be discussed without prejudicing the interests of those involved in the court hearing. The net effect of this would be that the meeting would need to be adjourned without discussion.

The failure on the part of the clubs seeking to convene the EDM to specify the nature of their allegations or complaints against the ICU Executive together with the nature of the legal advice available to it has left the Board of the ICU in a very difficult position.

The Board considers that it not unreasonable to allow the Executive an opportunity to defend itself. It therefore believes that the persons seeking to oust the Executive should explain to the persons they appear to be accusing of wrongdoing of the nature of that wrongdoing. It was for this reason that the clubs seeking to convene the EGM were requested to specify the nature of their allegations. In addition to this while the holding of an EDM would fulfil the requirements of the constitution the necessity to adjourn it in the absence of discussion would clearly frustrate members who travelled with the reasonable expectation of participating in a discussion. For these reasons the Board has decided that an EDM will not be immediately convened.

Notwithstanding this decision the Board has however requested me to convey the message that its decision not to hold an EDM at this time is intended to protect the interests of all the parties involved in the legal proceedings rather than to frustrate any desire on the part of members of the ICU to be made aware as to the nature of recent events. It has therefore asked me to advise all affiliated clubs to convey an undertaking on its behalf that an EDM will be convened, as soon it is prudent and practical to do so, after the delivery of the High Court decision.

Should anything significant occur in the interim all affiliated clubs will be advised accordingly.

Karl Dunne
Honorary Secretary

28th April 2011