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## Procedure for the Conduct of a Court of First Appeal

### 1. Context

Trinity College Dublin, the University of Dublin, herein referred to as Trinity, recognises that in the context of its examination and assessment procedures, a student may wish to appeal a decision made in relation to their academic progress. The Court of First Appeal, the first stage of the appeals process, hears appeals from undergraduate students on matters of academic progress arising from the examinations process or other academic circumstances where a student case is (i) not adequately covered by the ordinary regulations of the College; (ii) is based on a claim that the regulations of the College were not properly applied in the applicant's case; or (iii) represents an *ad misericordiam* appeal. A student may only bring an appeal when there are eligible grounds for doing so and not simply because a student is dissatisfied with the outcome of a decision concerning their academic progress.

This procedure should be read in conjunction with the Appeals Policy (Academic Progress), the regulations in The University Calendar, Part II for undergraduate studies and Part III for postgraduate studies, and Sections 6 - 9 of the Chapter on Visitors in the 2010 Consolidated Statutes of Trinity College Dublin and the University of Dublin.

### 2. Purpose

The purpose of this Procedure is to outline the operation of a Court of First Appeal at Course, School and Faculty level.

### 3. Definition

An Academic Appeal is a formal process through which a student can request a review of a decision related to their academic progress. This includes decisions arising from examinations or other academic circumstances.

### 4. Scope

- 4.1. This procedure applies to the conduct of Courts of First Appeal at Course, School and Faculty level held to consider appeals from undergraduate students.
- 4.2. This procedure does not apply to the conduct of School Postgraduate Appeals Committees.
- 4.3. This procedure does not apply to the conduct of Academic Appeals Committees at undergraduate or postgraduate level, which are outlined in the [Terms of Reference for Academic Appeals Committees](#).



- 4.4. There are separate procedures for a recheck or remark and these are unrelated to the role of the Courts of First Appeal. Details can be found in the College [Calendar 2025- 26, Part II](#), Re-check/re-mark of examination scripts, § 69, p. 38

## **5. Procedure**

### **5.1 Role of the Court of First Appeal**

The Court of First Appeal convenes to consider appeals on matters of academic progress arising out of examinations or other academic circumstances where a student case:

- (i) is not adequately covered by the ordinary regulations of the College; or
- (ii) is based on a claim that the regulations of the College were not properly applied in the applicant's case; or
- (iii) represents an *ad misericordiam* appeal.

### **5.2 Outcomes of a Court of First Appeal**

A Court of First Appeal never makes academic judgements regarding the quality or level of a piece of work or examination. It does not make decisions about marks or grades awarded for a piece of work or modules. Similarly, the Court of First Appeal may not recommend a change of degree classification on the basis of *ad misericordiam* grounds having affected the student's performance.

The only conditions under which the decision of the Court of First Appeal may result in a different mark for a student is if the Court were to:

- Allow the removal of late-submission penalties.
- Allow the recalculation of a mark for a module following the lifting of a penalty, the submission of outstanding course work or the taking into account of a previously unmarked piece of work.
- Allow an assignment submitted late to be marked, with or without penalties.

The type of appeals considered by the Courts of First Appeal can be further described as Appeals that the normal regulations applying to a student's progress be waived on *ad misericordiam* grounds. A successful appeal on *ad misericordiam* grounds could result in a number of courses of action being recommended, such as:

- that a student be allowed to repeat a year, in full or 'off-books', where not otherwise entitled to do so;
- that an exclusion on a student be lifted.



An *ad misericordiam* appeal is an appeal usually taken by a student who presents extenuating or mitigating circumstances, appropriately evidenced (see [Guidelines on Evidence in Support of an ad misericordiam Appeal](#) and [Guidelines on Exceptional Circumstances Supporting an Academic Appeal](#)), which they consider as having an impact (past or future) on their academic performance or progress.

### **5.3 Membership of a Court of First Appeal**

The membership of a Court of First Appeal will vary according to whether the Court of First Appeal is Course-based, School-based or Faculty-based. The appellant (student) and/or their representative (e.g. Tutor, relevant Students' Union Representative) may attend a Court of First Appeal to present their case<sup>1</sup>.

The composition of Course-based, School-based and Faculty-based Courts of First Appeal is outlined below. A degree of flexibility may be required in the event of extenuating circumstances or to accommodate school, discipline or subject-specific requirements, e.g. attendance by representatives of accrediting/professional bodies or placement providers.

Members who have a conflict of interest with the case arising from their role must alert the Chair to the conflict. They may recuse themselves and leave the room for the duration of that case or give an undertaking to consider the appeal on the merits of the case. In this situation, the Chair of the Committee will have the final decision as to whether the member may remain for the case. Where an appellant is a relative of a member of a Court of First Appeal, that member should not be involved in hearing that student's appeal.

A member of a Court of First Appeal should not be involved both in hearing an appeal and in acting as a student representative in the same Court of First Appeal session.<sup>2</sup>

#### **Course-based Court of First Appeal**

##### *Members*

- Pro-Dean (Chair)
- Director of Undergraduate Teaching and Learning
- 2-3 School/discipline representatives
- A Postgraduate student or SU representative
- *For B.Mus.Ed. only: representation from TUD and RIAM (separate session)*

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<sup>1</sup>The Chair of the Court of First Appeal has discretion as to whether an appeal can proceed in the absence of a student.

<sup>2</sup>In other words, during a Court of First Appeal session at which a number of different student appeals are being heard, a member of a Court of First Appeal should not act in their capacity as a member of the Court in the consideration of one student appeal and subsequently act in the capacity of student representative in the consideration of a different student appeal, in order to remove the risk of bias.



*In attendance*

- Course Office Administrative Officer, as Secretary<sup>3</sup>
- Course co-ordinator or representative from the Course/School involved<sup>4</sup>

**School-based Court of First Appeal**

*Members*

- Pro-Dean (Chair)
- Director of Undergraduate Teaching and Learning
- 2-3 School/discipline representatives
- A postgraduate student or SU representative

*In attendance*

- School Administrative Officer, as Secretary<sup>3</sup>
- Course co-ordinator or representative from the school or discipline where the module(s) is owned<sup>4</sup>.

**Faculty-based Court of First Appeal**

*Members*

- Dean or Pro-Dean (Chair)
- 4-5 Directors of Undergraduate Teaching and Learning from Schools in the Faculty
- A postgraduate student or SU representative

*In attendance*

- School/Faculty Administrative Officer, as Secretary<sup>3</sup>
- Course co-ordinator or representative from the school or discipline where the module(s) is owned<sup>4</sup>

**5.4 Scheduling of a Court of First Appeal**

- Courts of Appeal are normally convened to hear appeals following annual and supplemental examinations.
- Courts of Appeal shall be scheduled to take place before the relevant meetings of the Academic Appeals Committee.
- The dates of the Courts of First Appeal should be set well in advance and notified to all relevant Directors of Teaching and Learning/Course Co-ordinators, all College Tutors, the Senior Tutor and the Senior Lecturer and posted on School/Department/Course notice boards and/or other appropriate locations.

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<sup>3</sup> Supports the decision-making process through provision of information around regulations and operational challenges.

<sup>4</sup> Provides background/supporting information.



- Deadlines should be set for the submission of appeals for consideration at the Court of First Appeal and notified to the above parties.

### **5.5 Conduct of a Court of First Appeal**

Courts of First Appeal should be conducted wholly in person or wholly online i.e. hybrid meetings are not permitted. Where online meetings are being held, a College-approved secure platform should be used and participants must ensure that they join the meeting from a secure and private location.

### **5.6 Recommendations of a Court of First Appeal**

- A record should be made of the deliberations of Courts of First Appeal, giving grounds for each recommendation using the [Courts of First Appeal Summary Sheet](#).
- The recommendations of the Court of First Appeal should be forwarded to the Senior Lecturer/Dean of Undergraduate Studies for consideration and approval. All recommendations should be returned on the prescribed form.
- Recommendations of a Court of First Appeal shall not be seen as binding until they have been approved by the Senior Lecturer/Dean of Undergraduate Studies.
- A student may appeal decisions of the Senior Lecturer/Dean of Undergraduate Studies, whether approved, rejected or varied, to the Academic Appeals Committee.

### **5.7 Appealing a decision of the Senior Lecturer/Dean of Undergraduate Studies**

- Decisions of the Senior Lecturer/Dean of Undergraduate Studies may be appealed to the Academic Appeals Committee.
- Appellants must have exhausted the appropriate appeals mechanism in the first instance through the relevant Court of First Appeal and the Senior Lecturer/Dean of Undergraduate Studies prior to coming before the Academic Appeals Committee.
- The Academic Appeals Committee considers whether there is a case for a hearing and makes decisions that are presented to the University Council for approval.
- The Academic Appeals Committee reserves the right to refuse to hear a case that has not previously been brought to the relevant Court of First Appeal or the Senior Lecturer/Dean of Undergraduate Studies without justification.

## **6 Responsibility**

Responsibility for the updating of this procedure rests with Academic Affairs, Trinity Teaching and Learning.

## **7. Related Documents/Resources**

- 7.1 [Appeals Policy \(Academic Progress\)](#)
- 7.2 [Procedure for the Conduct of School Postgraduate Appeals Committees](#)
- 7.2 [Terms of Reference for Academic Appeals Committee](#)
- 7.3 [Courts of First Appeal Summary Sheet](#)



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- 7.4 [Guidelines on Evidence in Support of an ad misericordiam Appeal](#)
- 7.5 [Guidelines on Exceptional Circumstances Supporting an Academic Appeal](#)
- 7.6 [Guidelines for Off-books with Assessment \(OBA\)](#)

## **8. Document control**

- 8.1 Approved by: University Council (February 2026)
- 8.2 Date procedure approved: 11<sup>th</sup> February 2026
- 8.3 Date of next review: 2028/29
- 8.4 Officer responsible for review: Senior Lecturer/Dean of Undergraduate Studies