

## Appendix G: Protests, Juries and Appeals

### 1. Introduction

#### 1.1 Relationship to Rules

- 1.1.1 This Guideline should be read in conjunction with Rule 9 (Complaints, Protests and Appeals).

### 2. The Jury

#### 2.1 Composition of a Jury

- 2.1.1 The Jury for a Level 1 event shall consist of three Grade 1 Controllers. If possible they should not be members of the Constituent Association in whose area the competition takes place. They shall not be members of the organising club.
- 2.1.2 At Level 2 events the Jury shall consist of three experienced Controllers. They should normally be Grade 1 or Grade 2. If any Grade 3 Controllers are appointed, they should normally have at least 2 years experience. They should not be members of the organising club.
- 2.1.3 The IOF may opt to appoint the Jury for IOF events. Where this does not happen then the Jury shall be as defined above.
- 2.1.4 One of the Jury members shall chair the Jury.

#### 2.2 Appointment of the Jury

- 2.2.1 The Organiser shall be responsible for the appointment of the Jury for all events.
- 2.2.2 Lists of current Controllers at each Grade can be obtained from the BOF Office. Assistance and advice on the appointment of a Jury may be available from the Controllers Officer (or equivalent) within a Constituent Association, or can be obtained by contacting the Major Events Group or the Chairman of Event Standards Committee.
- 2.2.3 For any Level 1 event the Jury shall be appointed at least seven days before the competition. If any member of the Jury is unable to serve then the Jury shall appoint another suitably qualified member.
- 2.2.4 For Level 2 events the Jury should be appointed as soon as possible after the closing date for entries. Start times of those appointed should be adjusted if necessary. Appointment on the day may be unavoidable in some situations, and in this case the appointments are best done at Registration.
- 2.2.5 It may be prudent to appoint a fourth juror to act as a reserve, particularly for juries appointed before the day of the event,

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- 2.2.6 For Level 3 events, the Jury need not be appointed until after a protest has been received.

### 3. Jury Responsibilities

#### 3.1 Meeting Procedure

- 3.1.1 Jurors should be asked to meet at a specific time and place.
- 3.1.2 Jurors should have their copy of the Rules with them. If the Jury is appointed on the day, the Organiser should ensure that spare copies of the Rules are available.
- 3.1.3 The Jury should appoint their own Chairman who shall be responsible for keeping a record of all relevant information.
- 3.1.4 If it is not possible for the Jury to consider the protest on the day, then alternative arrangements should be made to meet later. Alternatively, the Chairman may feel that the protest can be adequately considered by written reports and phone calls.
- 3.1.5 Whilst a unanimous verdict is preferred, if this cannot be achieved then a majority verdict from the Jury is acceptable.
- 3.1.6 The Chairman should prepare a written report, a copy of which should be sent to the Organiser, with further copies to the Association Committee and the Chairman of Event Standards Committee.
- 3.1.7 Expenses incurred by Jurors should be reimbursed by the Organiser.

#### 3.2 Consideration of Problems and Protests

- 3.2.1 It is essential that a written copy of the protest is available, as required by Rule 9.3.2. This ensures that the Jury is clear as to what the issues are. It is also important if there is an Appeal against any decision.
- 3.2.2 Single Protest – a single protest should be given as much consideration as if all the affected competitors had made a protest.
- 3.2.3 Precedence – no precedence should be given to previous decisions made by any Jury.
- 3.2.4 General/Individual Problem – the Jury has to decide at an early stage whether a problem is a general one, or one which is specific to an individual (or a small group of individuals).
- 3.2.5 General Problem – the Jury has to decide whether there has been a problem that has affected a significant number of competitors. If they agree then the course

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should be voided (see 3.3 below); if not then the course should be allowed to stand.

- 3.2.6 Individual Problem – the Jury has to decide whether there has been a problem that has affected an individual. If they agree then they have to make a decision for that individual, e.g. disqualify, reinstate. Estimated time adjustments should not be made. The Jury then have to consider the effect their decision has on the course.

### 3.3 Electronic punching

- 3.3.1 Electronic punching offers what at first sight appears to be unlimited opportunities for adjusting results to overcome problems at an event. These include removing splits either side of a missing or miss-placed control or by redefining the control at which the race starts or finishes. It should be recognised though that making such adjustments can affect the outcome of the race in many ways and should not be viewed as a simple means of converting an unfair race into a fair race.

- 3.3.2 Details of all the issues to be considered are contained in Appendix I : Electronic Punching.

### 3.4 Voiding courses

- 3.4.1 General Principle – for a course to be voided it is necessary for a significant number of competitors to have been significantly disadvantaged; whether by an organisational or planning error; or by a factor or factors outside the powers of the Organisation to control.

- 3.4.2 If a course is not voided then the results should be allowed to stand, and could be used for other purposes (ranking etc) in the normal way. If an individual competitor has been disadvantaged then an explanatory comment and/or apology should be made in the results.

- 3.4.3 If a course has been voided the Organiser should list the competitors who successfully completed the course. Their times should also be given.

### 3.5 Report of Protests in Event Results

- 3.5.1 A statement should be made in the results that a protest has been made. This should include details of the decision(s) made by the Jury.

- 3.5.2 Exceptions to the above may occur if :

- (i) the protest has been withdrawn
- (ii) the Organiser and/or the Organising Body considers that for future access to the area and/or good relations with the landowners etc. such publicity could cause harm.

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### 4. Appeals

#### 4.1 Appeals Process

- 4.1.1 The Appeals process is outlined in Rule 9.4.
- 4.1.2 Appeals should always be made in writing giving full details. Verbal notice of appeal could usefully precede this.
- 4.1.3 For Level 1 and 2 Events the Appeal will normally be held at the next scheduled meeting of Rules Group.
- 4.1.4 For Level 3 Events the Executive Committee of the Constituent Association could appoint a sub-committee to deal with appeals. This should be chaired by the Association Controller of Controllers or by the Association Representative on Event Standards Committee. The sub-committee should be empowered to make the final decision with no further appeal to the full Association Committee.