

# **Protests and Appeals**

## *Quick Guide*

### **Protest**

- **Concerns the result or conduct of an event.**

#### *Who*

Made by the affected Athlete or the Athlete's representative

#### *When*

Made during the Event or within 30 minutes of the Official announcement of the results of that Event. (NB posted results are time stamped).

#### *To Whom*

A Protest may be made orally or in writing to the relevant Referee. A protest concerning a false start shall be made to the Start Referee (if there is one) or the Track Referee.

#### *Decision*

The Referee may deliver his decision orally or in writing.

### **Appeal**

- **Of the Referee's decision**

#### *Who*

Made by the original protester or anyone else affected by the Referee's decision.

#### *When*

Within 30 minutes of the Referee's decision.

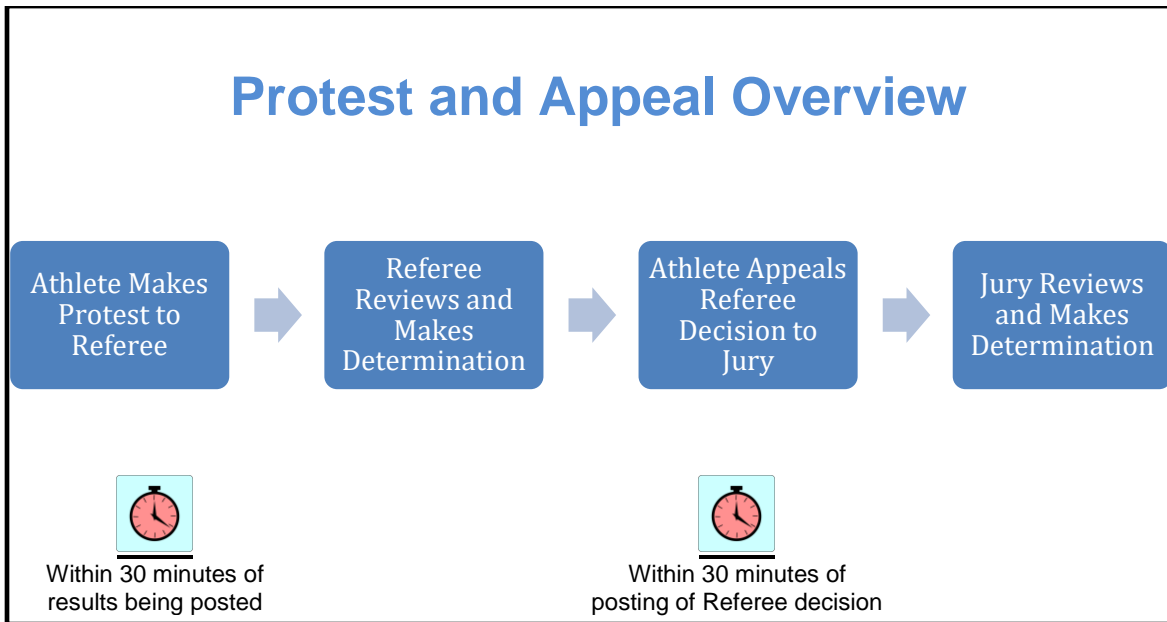
#### *To Whom*

The Appeal is made to the Jury of Appeal. An Appeal to the Jury must be in writing and be accompanied by the stated fee.

#### *Decision*

The decision of the Jury of Appeal is made in writing and cites the relevant Rule number(s). The decision of the Jury of Appeal is final. There shall be no further right of appeal, including to the Court of Arbitration for Sport (CAS).

A Jury of Appeal may re-consider its decision under some circumstances if new conclusive evidence becomes available .



### **Procedures for Protests and Appeals**

*See Athletics Protest and Appeal Form*

Rule #119 (Jury of Appeal), Rule #125 (Referees) Rule #146, (Protests and Appeals)

\* **Best Practice** – Best Practices are based on requirements at Canadian Championships. Their use should be considered at other levels of Meets.

#### **Protests**

“Protests concerning the result or conduct of an event shall be made within 30 minutes of the official announcement of the results of that event.”

Result postings are normally time-stamped, and that time is considered the beginning of the 30-minute period. Protests may also commence while the event is still in progress, e.g. in field events, longer races and Combined events.

In either case the protest is made orally to the relevant Referee; e.g. the Field Referee for the Field event, or the Track Referee for the Track event. A protest concerning a false start shall be made to the Track Referee, or (if there is one) the Start Referee.

Only an athlete, or his/her representative may make a protest. The athlete must have been affected by the decision or result of the event. The protestor may contact the relevant Referee through the Meet Director or Technical Information Centre, if the Referee is not immediately available.

No deposit is required for a PROTEST.

\* **Best Practice** – The Referee or TIC should record all details concerning the Protest on the Athletics Protest and Appeal Form. Time and date of receipt of the Protest should be noted.

The Referee will consult with the protesting athlete or her representative and with relevant officials as the Referee determines appropriate to make a decision. The Referee may deliver his/her decision orally or in writing.

\* **Best Practice** – The Referee should record his/her decision and the reasons for that decision on the Protest and Appeal Form. This completed form is posted with the time and date of posting, indicated.

Once posted, any athlete affected has 30 minutes to lodge a protest concerning this decision.

### **Appeals to the Jury**

The original protestor, or anyone else affected by the Referee's decision has the right to make an APPEAL TO THE JURY regarding the Referee's decision, within 30 minutes of the official announcement of that decision. An APPEAL TO THE JURY shall be in writing, and should cite the relevant Rule number. A deposit, usually \$50 at Canadian meets at all levels, shall accompany an APPEAL TO THE JURY. The deposit will be refunded if the Appeal is successful. The deposit will not be refunded if the Appeal is denied.

### **Guidelines for the Jury**

The Jury of Appeal shall consult all relevant persons. The Official(s) involved in the original decision or event, and the Referee who handled the Protest will always be consulted (if available). The Jury of Appeal may also consider any available evidence, including video.

The Jury of Appeal shall deliver its decision in writing, and cite the relevant Rule numbers.

Members of the Jury may have access to all venues within or outside the Competition Areas to observe the competition but are restricted from discourse or discussion with event Officials during the competition. Jury members shall have no advisory or participatory role in any competition.

No Jury Member shall participate in a discussion of an Appeal that affects an Athlete with whom they have a coaching or family relationship.

### **Composition of the Jury**

A Jury of Appeal shall be appointed for all Competitions sanctioned by BC Athletics or Athletics Canada.

The appointment of the Jury, whether Formal or Informal, should be indicated in the Technical Package.

A Jury may be Formal or Informal.

## **Formal Jury**

A Formal Jury shall be appointed for the following major Competitions:

- International Competitions (i.e. PanAms, NACAC etc.)
- National Competitions
- BC Championship (Jamboree)
- Optional for any other Competitions – Meet Organizers of any Meet may elect to have a Formal Jury

### *Composition of the Formal Jury of Appeal*

National, International Competitions – 3 to 5 Qualified Persons

*Qualified Persons* – Nationally Ranked Jury members (see directory)

BC Championship and other Competitions – 3 Qualified Persons

*Qualified Persons* – Nationally or Provincially Ranked Jury members

(If extenuating circumstances prevent appointments from these categories then other Senior Officials or knowledgeable individuals may be appointed.)

## **Informal Jury**

Typically an Informal Jury is used at but not limited to:

- School Meets
- Club Meets
- Twilight Meets
- Junior Development Championships

### *Composition of the Informal Jury of Appeal*

3 Qualified Persons selected on the day of the Competition or in response to an Appeal. Ideally, prior to the commencement of the Competition, a Qualified Person will be selected to 'Chair' the Jury.

*Qualified Persons*

- Nationally or Provincially Ranked Jury members,
- Levels 3 4 or 5 Officials (who were not involved in the Protested Event)
- Meet Director or other uninvolved knowledgeable individual