

APPENDIX 44

QUERIES, PROTESTS, APPEALS AND DISPUTES - PROCEDURES

It is ACC policy that individual schools have the right to query, protest and appeal against matters arising during the course of the carnival or final point scores in any trophy categories. The following procedures outline the best practice approach to dealing with matters in dispute. These procedures are in place to;

- Protect athletes, officials, referees and ACC staff from undue pressuring, harassment and bullying, and
- Ensure the results process is fair, transparent and can be subject to change if required.

Any query, protest or appeal pertaining to the results must be submitted to the ACC following the correct channels either on the day or no later than 3 days after the results are published for the final carnival in that series. This window after the carnival day is referred to as the “disputes period” and results of carnivals are not final until after this period has concluded. During this period results and points may change, affecting the scores that were announced on the day.

These procedures are to be used as a best practice guide and are based in part on IAAF and Athletics WA procedures. Given that exceptional circumstances do occur, the ACC reserves the right to consider any dispute submitted by a school within the disputes period in the spirit of fair play and always using a common sense approach. The suggested timeframes and procedures are best practice guidelines and the ACC reserves the right to differ from these timeframes and processes in exceptional circumstances.

RESULTS PUBLICATION

- It is standard practice for the ACC to publish results on the Internet at regular intervals during the carnival and for final results immediately after the carnival.
- If the results cannot be published on the Internet for any reason then results will be printed and displayed at the venue and schools notified as to the location. Final results would be emailed to schools.
- It is the responsibility of schools (*athlete's, coaches, teachers*) to check the results during the carnival and if necessary query results with the ACC.
- It is always preferred that result queries are made on the day rather than post carnival.
- Schools will be notified of disqualifications during the carnival when they are provided with a copy of the disqualification sheet.

DISQUALIFICATIONS

- The Referee has the power to disqualify a competitor for improper conduct or rule infractions during competition. Remember, it is the Referee who disqualifies NOT the Umpire or Judge.
- If any track or field official gives a report to the Referee of improper conduct or rule infraction by an athlete, coach or parent, then the report must be investigated immediately by the Referee.
- If the Referee decides that any infringement warrants a disqualification of an athlete or team, then the Referee must do the following:
 - If time allows, have the Umpires hold all runners on the track or to the side of the track while the incident is investigated/considered by the Referee. However, common sense must prevail and any investigation of a possible disqualification should not excessively hold up the programme of events as the carnival timeframe is very tight.
 - Once a disqualification is called by the Referee, and where possible, he/she should verbally advise the offending athlete(s) in that event.

- The Referee must then complete and sign a disqualification sheet and send that to the ACC results room.
- The school will be notified of the disqualification upon receiving a copy of the DQ sheet, as soon as practicable by ACC staff.

QUERY

- **To seek clarification on the result or conduct of an event.**
- **A query is not a protest to change a result or the conduct of an event.**
- **Can be made at any time during the carnival and within the disputes period following the carnival.**
- *Athletes* are **within their rights** to approach any individual official, umpire, judge or referee to query a result, rule infraction, technical decision or disqualification.
- *Coaches and parents* **should never** directly approach any individual official, umpire, judge, referee or ACC staff to query a result, rule infraction, technical decision or disqualification.
- Only the *school representative* (sports coordinator/head coach) **may** approach a *Referee* to query a result, rule infraction, technical decision or disqualification.
- **Only athletes or their school representative may query a result** or the conduct of an event.
- *Athletes or school representatives* (sports coordinator/head coach) **may** approach *ACC staff* directly to query a result, rule infraction, technical decision or disqualification.
- Queries must be delivered in a timely and courteous manner and must never place undue pressure on an official or affect the ability of an official to carry out their duties.
- Common sense should always prevail. If the query is minor and not a public criticism of a decision, then teachers and school coaches can approach any official to seek clarification and guidance.

PROTEST

- **Is a formal request to change the Official's and/or Referee's decision about a result or the conduct of an event.**
- **A protest, is not a query to seek clarification on the result or conduct of an event.**
- Protests relating to disqualifications, should be lodged either verbally with the Referee or by the school on their copy of the disqualification sheet.
- Protests relating to other matters, should be lodged either verbally with the Referee or on the Protest and Appeal form.
- Protests should be lodged ASAP, and not later than within 60 minutes after the result has been officially recorded. For relay events schools have only 15 minutes after the event to lodge a protest. The Organisers of the meeting shall be responsible for ensuring that the time of the protest lodgement is noted on the DQ sheet.
- Protests can only be lodged during the carnival. Protests cannot be lodged post carnival. The only exception will be protests regarding the 4 x 100m relay events that occur near the end of the program. For some relay events there may be insufficient time for a school to; receive information about a result or disqualification, consider the information, lodge a protest and allow time for the Referee to consider the protest and make a decision. In these cases, a protest can be lodged after the carnival, but within 24 hours. Best practice, should however be for all protests to be lodged and dealt with at the carnival when time permits.
- Any protest shall in the first instance, be made orally to the Referee by the athlete's school representative (sports coordinator/head coach) acting on behalf of the athlete.
- Protests may also be directed to any ACC staff member or the Carnival Manager. These protests will then be refereed onto the Referee for further investigation or adjudication.

- Following a verbal protest there must be a written record of the protest lodgement and the Referee decision either on the DQ sheet or a Protest and Appeal Form.
- School teachers/coaches/parents **should never** directly approach any individual official, umpire or judge to lodge a protest.
- Protests must be directed to the Referee or ACC staff. All protests must come through the school representative (sports coordinator/head coach).
- To arrive at a fair decision, the Referee should consider any available evidence that he/she thinks necessary. However, they may not use video or photographic evidence, except for the Photo Finish system which is the primary means of result adjudication for short track events.
- Protests must be requested in a timely and courteous manner and must never place undue pressure on a Referee or affect the ability of an official to carry out their duties.
- The decision of the Referee will be verbally conveyed to the athlete or school representative ASAP. The protest will either be dismissed or upheld and this action will be recorded on the disqualification sheet or Protest and Appeals form.

APPEAL

- **Of the Referee's decision on a protest and based on supporting evidence.**
- **Appeals are not to be submitted indiscriminately and without strong supporting evidence.**
- The original protesting school representative or school representative of any other athlete/team affected by the Referees decision, has the right to make an appeal to the ACC regarding the Referee's decision. The appeal must be lodged within 15 minutes of the notification of the protest decision being provided to the school.
- To make an appeal the school representative will be required to verbally request an appeal within 15 minutes of the protest decision notification being given. The school will also be required to submit a Protest and Appeal form to the ACC results room ASAP.
- The only exception will be protest appeals for the 4 x 100m relay events that occur near the end of the program. For some relay events there may be insufficient time for the Referee and ACC to; receive an appeal, form a jury to consider the information and make a decision. In these cases, the appeal can be lodged after the carnival, but must be within 24 hours of the original protest notification being provided to the school. Best practice should however be for all appeals to be lodged and dealt with at the carnival when time permits.
- Upon receipt of a protest appeal, the ACC Carnival Manager will convene a 3 person Jury of Appeal. The Jury will comprise the ACC carnival manager, an accredited Referee and an accredited Official that were not involved in the original event protest.
- The Jury of Appeal will then further investigate the dispute and consider any available evidence that they think necessary. The ACC Carnival manager will provide the school with a decision on the appeal ASAP and the decision of the Appeal Jury will be final at the carnival and not subject to further appeal at the carnival. The decision of the Jury may be conveyed verbally, but must be recorded on the Protest and Appeal form.
- Appeals must be requested in a timely and courteous manner and must never place undue pressure on a Referee or affect the ability of an official to carry out their duties.
- Appeals at ACC carnivals will be subject to a point penalty to ensure that appeals are not submitted indiscriminately and without strong supporting evidence. This is instead of the financial penalty which is imposed by Athletics WA and Little Athletics WA at meets when appeals are dismissed.

- If the appeal is dismissed, then the team will be penalized the event points score for 1st place in that event. i.e. depending on the event, the 1st place points will be deducted from the overall team scores. If the appeal is upheld, then the athlete or team will be reinstated into the event and the event result points will be re-allocated as normal to the school.

POST CARNIVAL – Queries, Protests and Appeals

- Queries pertaining to the results of, and matters arising from major carnivals or events, are to be in the hands of the Director of Sport no later than three (3) working days after the publication of final results for that series of carnivals or event by the ACC office. In the case in which that carnival or event occurs in the week prior to school holidays, the time permitted for the submission of such queries is extended a further three (3) working days.
- Protests and appeals pertaining to the results of, and matters arising from major carnivals or events, should be dealt with at the carnival. However, in cases where there is not sufficient time to lodge a protest or appeal at the carnival, then the school has 24 hours after the carnival to lodge any such protest or appeal.
- Protests or queries that arise post carnival can be submitted by phone, fax or email and will be investigated and adjudicated by the ACC staff. If necessary, the relevant Referee will be consulted.
- Post carnival result queries, protests or appeals can only be submitted by the school representative (sports coordinator/head coach).
- Post carnival result queries will not generally be accepted from athletes, coaches or parents. However, common sense should always prevail. If the query is minor and will not affect trophy positions or age champions, then athletes or their parents and coaches can advise the ACC of any result error.
- Schools have the right of appeal against post carnival protest decisions and can appeal by submitting a protest and appeal form within 24 hours of the original protest notification by the ACC office.
- If a post carnival appeal is submitted then a Jury of Appeal will be formed and the appeal adjudicated.
- A point penalty will be in place for dismissed appeals.
- Given that exceptional circumstances do occur, the ACC reserves the right to consider any dispute submitted by a school within the disputes period in the spirit of fair play and always using a common sense approach.

Disputes Tribunal

- If a school still wishes to further protest a dismissed appeal decision then they can only do so if new conclusive evidence becomes available and by formally writing to the ACC Director of Sport.
- Disputes arising from dismissed appeal protests either at the carnival or post carnival will then be referred to a Dispute Tribunal which will be convened by the Director of Sport as per Association policy. The decision of the Dispute Tribunal will be final and must be accepted without appeal.

Video/Photographic Evidence

- The ACC does not allow the use of video or still photography as evidence for results, disqualifications, protests or appeals.
- Schools and parents may take video or photographic recordings of their own students from outside the arena, but this will not be used as evidence by the ACC to determine a result, disqualification, protest or appeal.
- The only use of any video/photographic recording in result adjudication will be in cases where the ACC deem it appropriate to officially record events for results purposes only.

FIGURE 1 - PROTESTS & APPEALS DURING CARNIVALS

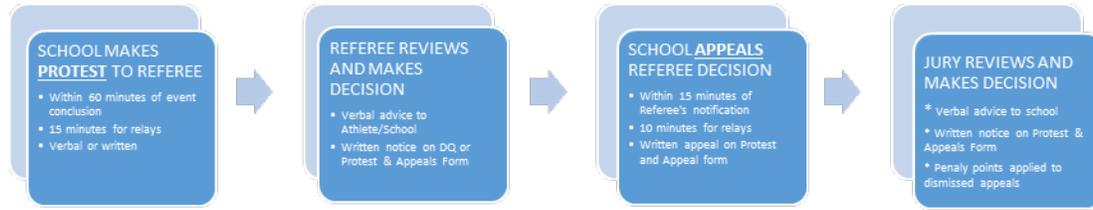


FIGURE 2- PROTESTS AND APPEALS POST CARNIVAL

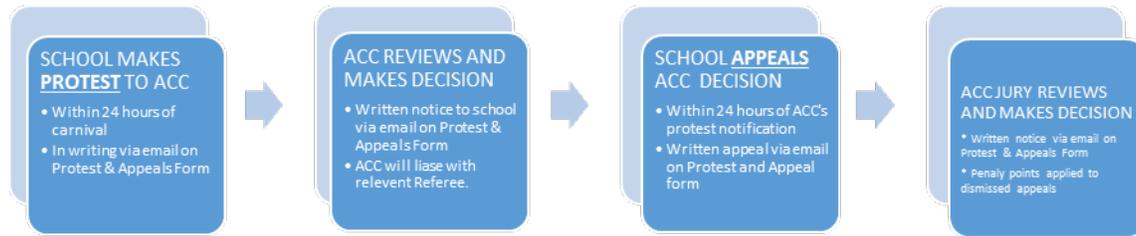


FIGURE 3 - LINES OF COMMUNICATION FOR QUERIES

