

E&CC Meeting

JK2024 Middle Elite Race Protest

8 April 2024

Present:

Terry Smith, Nev Myers, Mike Cope, Charles Daniel, Barry Elkington

Observers:

Alan Rosen, Peter Hart

Background

Complaints were received about several controls.

The Organiser rejected the Complaint regarding the misplacement of the control on the W21E course on the basis that the control had been placed by an experienced Planner and checked by the Controller so was in the correct place. This was then escalated to a Protest.

Whilst the Jury was checking the control for the W21E course a further Complaint was received by the Organiser for a misplaced control on the M21E course which was also rejected, and this too was escalated to a Protest.

The Jury checked the controls on the W21E and M21E courses and found them to be incorrectly positioned.

Three other controls were complained about. It was decided that they were in the correct place, the Complaints were rejected, and no further Protests were received about these controls.

The Jury was convened, and the Jury decided to void the results of the W21E class as the control in question was the second control of the race. However, the results of the M21E were “truncated” at the control immediately prior to the misplaced control (14). The results for the M21E class stood as those at control 13.

A Complaint was received by the Organiser regarding the Jury’s decision and suggested that the M21E result should have been declared void. The Organiser turned the complaint into a Protest and reconvened the Jury to re-consider their verdict. The Jury upheld their original decision.

A written Appeal was received by E&CC on 1 April 2024 requesting that the M21E result on JK Day 2 be declared void.

Appeal Hearing

The Appeal was received and in accordance with the Rules Events and Competitions Committee (E&CC) heard the Appeal on 8 April 2024.

The Chair of E&CC informed the meeting that the Appeal had been received in accordance with the British Orienteering Competition Rules effective 1 January 2024 and therefore the Appeal could be heard.

13.9 An 'appeal' is permitted to be made against the Jury's decision with regard to a Protest. All appeals must be made in writing and within fourteen days of the decision of the Jury being announced or communicated to the persons making the Protest.

13.13 For level A and B events the appeal must be made to Events and Competitions Committee.

Considerations

The key rules for consideration were:

Rule 4.1

The spirit of fairness and good fellowship is to be the guiding principle in all aspects of the sport, including the interpretation of these Rules.

Rule 7.9.3

The primary purpose of an orienteering race is to determine the best orienteers on the day [lengthy explanation] the Organiser might feel that it would be best not to void the race or adjust the results.

Rule 7.9.5

If a problem is found to have affected the outcome of a race according to the above criterion, then the recommended solution is to void the course - Splits removal must not be considered as an option.

Rule 7.10.1

There are no simple rules that can be defined as to what action to take when a problem arises since different outcomes are warranted depending on the exact circumstances. Decisions will need to be subjective at times, but this appendix should help guide officials towards an appropriate course of action.

Rule 28.3

At level A events the results must be based on competitors' times for the whole course, no changes are permitted to these times on the basis of split times.

Discussions

1. The key discussion point was that control 14 was misplaced and therefore the results should be made void, or the results left to stand (based on the course as shown on the map).
2. An interpretation which was made by the Jury was that they re-defined the finish to be at control 13 and that therefore no splits were removed.

There were valid arguments made that redefining the course after the start was incorrect as this was not the course on the map as defined by the start and finish symbols.

The final result was declared using split times at control 13.

The final result was unfair on those athletes that may have made a mistake prior to control 13 and were unaware that the course was truncated at control 13.

However, it was felt that the rules are not clear in terms of which rule takes precedence and which were guidance/recommendations.

That the declared result did demonstrate the best orienteer of the day at control 13.

No splits were removed from the declared result.

The current rules do not explicitly prevent the Organiser from terminating a course by redefining the finish. The Jury felt that the Organiser was able to re-define the finish to be at control 13.

It was considered that the officials apportioned a higher precedence to rule 7.9.3 relative to rules 7.9.5 and 28.3 than is recognised by the Governing Body as represented by Rules Group. However, despite this difference, the situation is regarded by the panel as acceptable under the current rules and is accepted on the basis that it does not set a precedent and a fix be produced at the earliest opportunity.

It is noted that Charles Daniel wishes to record his dissent from the opinion that truncating the course does not equate to removal of split times as prohibited by rules 7.9.5 and 28.3.

Decision

Following a vote, the Appeal was not upheld (by a majority of 3 to 2) and the result (truncated) for the JK Middle M21E course stands.

E&CC

12 April 2024