



# Protests, Appeals, Disciplinary & Complaints Commission

**Procedures**  
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## **Protests, Appeals, Disciplinary and Complaints Commission (PADACC)**

### **Procedures**

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## **Protests, Appeals, Disciplinary and Complaints Commission (PADACC)**

### **Procedures**

#### **1.0 Introduction**

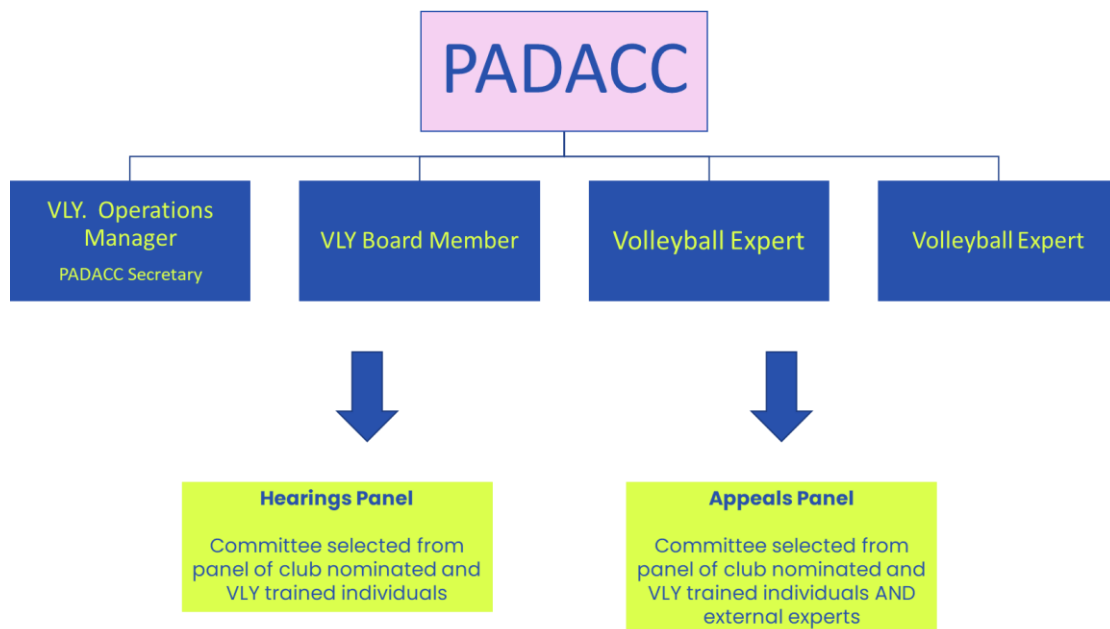
- 1.1** It is the right of a member, team or club of VOLLEYBALL IRELAND (VLY) to make a protest or complaint where standards of care, treatment and practice are perceived to fall short of what is acceptable and should be expected.
- 1.2** Likewise, it is the right of VOLLEYBALL IRELAND to take disciplinary action against a member, team or club and/or licensed playing member and other units of VOLLEYBALL IRELAND for breaches of any rules, codes or regulations of VOLLEYBALL IRELAND.
- 1.3** Amendments may be made to the Protest, Appeals, Disciplinary And Complaints Procedures from time to time, so long as the amendments do not conflict with the Constitution, Articles of Association and Regulations of VOLLEYBALL IRELAND.
- 1.4** These Procedures apply to all individual members, committees, sub-committees, affiliated clubs, disciplines and any other unit of Volleyball Ireland. The current version of the Competition rules are available on the Volleyball Ireland [website](#).
- 1.5** These procedures are not an appropriate mechanism for dealing with certain complaints such as allegations of physical or sexual abuse or other potential child abuse issues for which other procedures exist using the appropriate statutory authorities. In this regard reference is made to the Volleyball Ireland 'Safeguarding and Child Protection Policy'. Anti-Doping related issues will fall under the jurisdiction of Sport Ireland's and World Anti-Doping Authority rules and regulations.
- 1.6** All persons who administer PADACC matters at any level in Volleyball Ireland shall not be liable to any party for any act or omission in connection with their function, role or service provided by such persons in relation to the administration of protests, complaints, appeals and disciplinary matters.
- 1.7** To best handle protests, appeals, disciplinary and complaint related procedures a new Commission has been established, known as the Protests, Appeals, Disciplinary & Complaints Commission, or **PADACC**.

## 1.2 PADACC Composition

The PADACC is formed of 4 people including the Volleyball Ireland Operations Manager who acts as the Secretary, a Board Member and two Volleyball experts from within the community.

Hearings & Appeals panels are formed from club members, as well as Independent members where required. For the avoidance of doubt, the Commission members do not make decisions on cases – they oversee and manage the process for dealing with protests, appeals, disciplinary or complaints related issues.

PADACC members will sit on the Commission for an initial term of 3 years, renewable twice.



## 2.0 POLICY

It is the policy of Volleyball Ireland to:

- Encourage all committees, clubs & teams of Volleyball Ireland to operate in a fair, just and transparent manner.
- Endeavour to foster an environment whereby informal resolution of differences is the norm.
- Remind all members that much of our work is undertaken by volunteers who give freely of their time and act in good faith.
- Provide effective procedures to deal with any complaints that cannot be resolved informally.

## 3.0 DEFINITIONS

PADACC – means the abbreviation of the Protests, Appeals, Disciplinary and Complaints Commission.

Protest – means the first formal stage of dissatisfaction of a decision made by Volleyball Ireland or one of its committees or commissions.

Appeal – means any appeal by a relevant party of a decision of a Hearing Committee.

Appellant – person(s) or body appealing a decision

Board – means the Board of Volleyball Ireland as defined in the Constitution and Articles of Association.

Complaint – means an honest expression of material discontent with a Volleyball related matter or individual.

Complainant – means the person making the complaint.

Hearings Committee (**HC**) – means the Committee formed by the PADACC to hear a protest, complaint or disciplinary matter. Members of the Committee will be available on the Hearings Panel for the season.

Appeals Committee (**AC**) – means the committee formed by the PADACC from the Appeals Panel to hear the case of an appeal.

Club – means any Volleyball club, affiliated college or school or Approved Volleyball Body affiliated to Volleyball Ireland.

Discipline of the sport– means any of the separate formats of the game within Volleyball Ireland, such as Beach Volleyball, Sitting Volleyball and Snow Volleyball.

Disciplinary Report – means a report from an Official or any clarification or addition thereto.

Disciplinary Matter – means any investigation of or any hearing before a in respect of misconduct by a Member.

Event – means any national or international event including any training session or competition under the care and management of a representative of Volleyball Ireland.

Member – means a registered member(s) who has paid the appropriate annual membership fee and who is enrolled on the Register of Members of Volleyball Ireland or who is a member of a Registered Club for whom the appropriate annual membership fee has been paid by the Registered Club on behalf of that member, as defined in the Articles of Association. Or a person who acts as an appointed member of a Commission, Committee or national team programme of Volleyball Ireland.

Official – means a Member who acts in a supervisory, capacity at an event, including but not limited to a Coach, Referee, Team Manager, other official, Doctor, physio, or marshal formally or informally appointed.

Parent – means the legally appointed person responsible for a child – parent or guardian

Participant – means any member or person who participates in activities organised or sanctioned by Volleyball Ireland

Procedures – mean these Protests, Appeals, Disciplinary & Complaints Procedures

Respondent – means the person responding to or the subject of a protest, complaint or disciplinary action.

Spectator – means any person, who attends at, but neither participates, officiates or volunteers at an event.

Sports Disputes Solutions Ireland (SDSI) – is an independent specialised dispute resolution service for Irish Sport offering both a mediation and arbitration facility.

Sport Ireland (SI) – is the Government Department responsible for sport in Ireland.

Unit – means any Member, Registered Club, Discipline, Board, Team, Committee or Sub-Committee within Volleyball Ireland.

Volleyball Ireland (VLY) – is the National Governing Body for Volleyball in the Republic of Ireland.

## **Part 1 – POLICY**

### **1.0 GENERAL**

1.1 These Procedures apply to all members and units of Volleyball Ireland.

1.2 The Procedures may be used to deal with any protest or appeal of the application of the Competitions rules or regulations adopted by Volleyball Ireland and any complaint or disciplinary matter raised regarding a Member

#### **Exclusions**

- (a) Employment and quasi employment contractual disputes.
- (b) Allegations of child abuse. Such Complaints shall be referred to the statutory authorities by the Children’s Officer.
- (c) Criminal matters. Such complaints shall be referred to the statutory authorities.
- (d) Anti-doping matters. Such Complaints shall be dealt with in accordance with the Sport Ireland Anti-Doping Rules and World Anti-Doping Agency.

### **2.0 OFFENCES**

- (a) Breach of any of the rules, procedures, policies or regulations adopted by Volleyball Ireland
- (b) Aggressive, offensive, intimidating, threatening behaviour, fighting on or off the court
- (c) Cheating or unsportsmanlike behaviour
- (d) Violation of instructions and directives from Officials
- (e) Discrimination or damaging the dignity of a person or a group of persons, in any way whatsoever, in particular due to their colour, race, disability, sex, sexual orientation, family status, age, religion, ethnic origin or membership of the traveller community
- (f) Inciting hatred or violence
- (g) Bullying (including online)
- (h) Forgery, falsification or corruption
- (i) Acts or omissions bringing the sport of Volleyball into disrepute
- (j) Alcohol or substance abuse by Members at an Event
- (k) Criminal investigation for indictable offences
- (l) Criminal conviction likely to bring Volleyball Ireland into disrepute
- (m) Mischievous or vexatious Complaints



### 3.0 SANCTIONS

3.1 Interlocutory Sanctions: These are temporary, not final or definitive sanctions, imposed at any stage in the process.

3.1.1 On confirmation that a Respondent is under criminal investigation for an indictable criminal offence, which if proven, is likely to bring Volleyball Ireland into disrepute, then the PADACC shall be empowered to suspend a Member from membership and/or from participation at any level in any Unit of Volleyball Ireland pending the outcome of a criminal investigation but without necessarily convening an oral hearing on the matter.

3.1.2 The PADACC shall be empowered to impose a suspension on a Respondent pending the determination of a Protest or Complaint where in the opinion of the Commission the gravity of the Complaint received shall warrant an immediate suspension.

3.1.3 Any Interlocutory sanctions imposed must be notified immediately to the Chief Executive and President of Volleyball Ireland.

#### 3.2 Standard Sanctions

3.2.1 The NLMC, RMC and BMC will impose standard sanctions per the Competitions and FIVB Rules.

3.2.2 It is these sanctions that can be protested to the PADACC.

3.2.3 The following sanctions may be imposed/reversed by a PADACC following a Hearing/Appeals panel:

- (a) Reprimand
- (b) Written warning
- (c) Fine
- (d) Suspension from participation at an Event or in a team for a specified duration or number of Events
- (e) Suspension of membership from club/ club committee for a specified time
- (f) Expulsion from membership from club/ club committee
- (g) Overall suspension/ expulsion from Volleyball Ireland may be recommended to Volleyball Ireland\*
- (h) Suspension/expulsion from office of a person elected to any committee excluding the Board of Volleyball Ireland\*.
- (i) Restriction from participating or officiating in any role at an event(s)



(j) Competition rule related penalty or sanction such as a fine, forfeiture of a match, replay of a match and/or points deduction. Subsequently the HC/AC may award points to an opposing team.

\*Any such suspension/ expulsion shall only take effect if ratified by the Board of Volleyball Ireland.

#### **4.0 MITIGATING AND AGGRAVATING FACTORS**

4.1 A Hearings Committee and/or Appeals Committee shall take into account mitigating and aggravating factors once a decision on culpability is reached but prior to the imposition of a sanction.

4.2 The following shall be taken into account: -

- (a) Age
- (b) Intellectual Capacity (vulnerable adult/ child)
- (c) Cooperation
- (d) Prior warnings & repeat offences
- (e) Apology made & remorse shown
- (f) Gravity of offence
- (g) Effect on other party
- (h) Effect of sanction of Respondent
- (i) Any other factor deemed relevant

In terms of on-court complaints, disciplinary or rule infringement related issues, that fall outside of the typical match related rules (enforced by the Referee and in line with Competitions Rules), Volleyball Ireland has created a sanction guide, to help the Hearings Committee ensure where possible consistency of sanction.

## PART 2 – THE PROCEDURES

### 5.0 INTRODUCTION

The Procedures are to be used in respect of (i) protests (ii) complaints (iii) disciplinary matters and (iv) appeals. The Procedures set out below are intended to provide a step-by-step guide as to how a Protest, Complaint or Disciplinary Matter should be commenced, progressed, decided on and appealed.

The primary function of the PADACC is to process Protest, Complaint, Appeal or Disciplinary related documents, and establish relevant and appropriate committees to handle said issues. The PADACC will also check due process has been followed by any Committees involved.

The PADACC will establish one of two committees; either, a. Hearings Committee or an Appeals Committee.

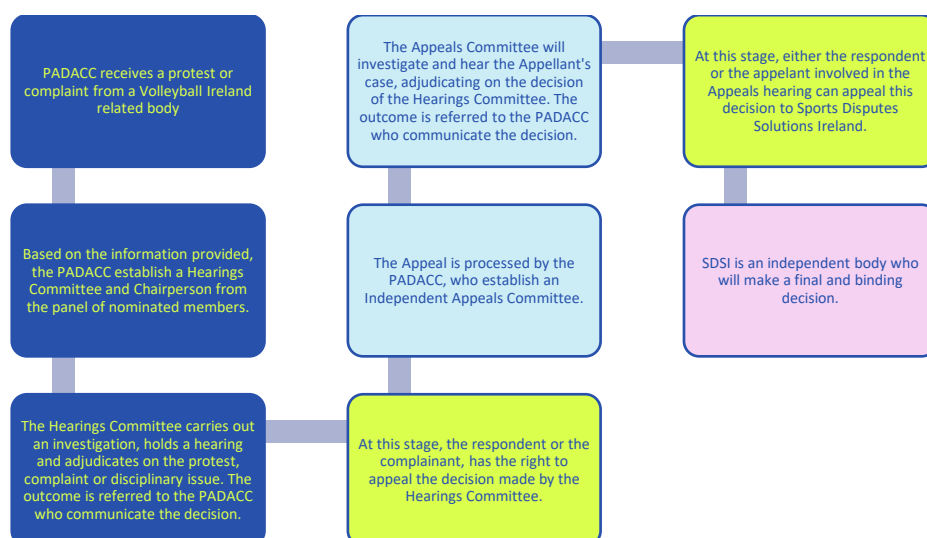
The Hearings Committee will receive evidence in respect of a Protest, Complaint, Disciplinary Matter to investigate further if required, to decide on culpability, to impose a sanction where warranted or to reverse the original decision/outcome.

The Appeals Committee, if required, will assess the implementation of processes and procedures made by the Hearings Committee and may invoke alternative sanctions or reverse sanctions made by the Hearings Committee.

A decision of a Hearings Committee, may be appealed by Volleyball Ireland **members**, with an independent Appeals Committee established by the PADACC to adjudicate. **In exceptional circumstances the PADACC may invite an appeal from an interested party.**

The Appeals Committee decision may be challenged to Sports Dispute Solutions Ireland without recourse to the Courts of Ireland but only after all internal avenues of appeal have been exhausted.

#### Process Summary:



## 6.0 PROCEDURES AT EACH STAGE

### ***STAGE 1: INITIAL Protest, or Complaint***

- 6.1 Protest or Complaint is lodged with Volleyball Ireland using form VLY CF001, with the appropriate fee. Complaints should be submitted within 5 working days of the incident or applied sanction save where exceptional circumstances are accepted by the PADACC.
- 6.2 Complaints should be acknowledged by email and a copy of this procedures document should be issued, within 5 working days of the protest/complaint being received.
- 6.3 The PADACC carry out an initial assessment to confirm the complaint is valid, with the correct documentation and fees received.
- 6.4 Where a protest or complaint is invalid the complainant should be advised of same in writing.
- 6.5 Where a complaint is valid the protest or complaint progresses to Stage 2. A unique reference number requested. No details of the complaint are furnished to VLY except the names of the Protest, Disciplinary or Complaints Committee. Where a match result is 'in protest' an indicator may be placed on the relevant match on the league tables. Delays outside of target time should be notified to complainant.

### ***STAGE 2: Hearings Committee (Target Time: 10 Working Days to issue of decision for general complaints and disciplinary issues).***

1. The PADACC establishes a 3 person Hearings Committee to investigate, receive/hear submissions and adjudicate on the complaint.
2. The Hearings Committee should examine the protest or complaint and write to any impacted parties that an investigation is underway using form VLY CFR200. In this correspondence they should include:
  - (a) The Volleyball Ireland Protest/Complaint Form and any accompanying documents
  - (b) A copy of the PADACC Procedures
  - (c) Details of the composition of the committee and declare that the committee have no conflict of interest or loyalty.
  - (d) A request for any additional information and a response by email/ in writing within 5 days from receipt.
  - (e) If oral Hearings Committee are planned the time, date and venue should be advised.
3. A Hearings Committee may use a documents-only and/or oral hearing format as appropriate to the situation.

4. The HC should issue their findings to the PADACC within 5 working days of the Hearings Committee meeting. The PADACC will communicate in writing to all parties using form VLY CP 001.

Findings should be concise, factual & clear and written using objective unemotional language. Sanctions may be imposed (or reversed) if warranted subject to the provisions in 3.2.3. On deciding culpability but prior to the imposition of a sanction, the Hearings Committee shall take into account any aggravating/ mitigating factors. Decisions will be written without identifying the parties or committee by name but will include the VLY reference number. Written records should be maintained securely on a password protected cloud storage system.

5. A summary of the protest/complaint, any lessons learned, actions or improvements recommended by the Hearings Committee will be communicated to any relevant Committees or Commissions.

6. The decision of a Hearings Committee may be appealed within 5 calendar days, of the delivery of the outcome of the Hearing Committee.

***STAGE 3: INTERNAL APPEAL (Target time: 10 working Days from receipt of Appeal to issue of decision).***

1. The PADACC will establish an Appeals Committee of 3 persons, that are independent of the persons involved in the matter. One member of the Appeals Committee should be independent from Volleyball Ireland and maybe an expert in the subject matter. The Appeals Committee will be formed within 10 working days of receipt of the Appeal and make a decision within a further 10 working days.

2. In the case of an appeal the Appeals Committee (AC) may investigate further if they so require. Alternatively, they may consider and issue a decision on examination of the records from Stage 2.

3. AC's may use a documents-only and/or oral Hearings Committee as appropriate to the situation.

4. The AC should issue their findings in writing to the PADACC using form VLY CFF001, within 10 working days of the Appeal Committee meeting. Sanctions may be imposed/reversed if warranted. A copy of the outcome documents should be stored on Volleyball Ireland's secure cloud storage system. A written copy may be sealed in an envelope and should be dated, marked 'PRIVATE & CONFIDENTIAL with VLY complaint reference number and a destroy by date (3 years from completion providing no further developments).

5. A summary of the protest/complaint, any lessons learned, actions or improvements recommended by the Hearings Committee will be communicated to any relevant Committees or Commissions.

6. The decision of an AC may be challenged within 14 calendar days of delivery to Sport Disputes Solutions Ireland.

***STAGE 4: APPEAL TO SDSI- (A challenge to SDSI must be made within 14 days of receipt of decision)***

1. Sport Disputes Solutions Ireland (SDSI) arbitration is a sport specific, independent, arbitral institution which appoints arbitrators who have jurisdiction to hear challenges from the decisions of committees in National Governing Bodies.

2. For more details on Sport Disputes Solutions Ireland refer to [www.justsport.ie](http://www.justsport.ie)

**7.0 GENERAL PROCEDURE DETAILS**

7.1 ERRORS AND OMISSIONS: Technical errors or any deviation from these Rules & Procedures shall not invalidate any finding or process unless it casts material doubt.

7.2 DAYS: Unless otherwise specified, time periods in these Rules are total consecutive days.

7.3 LIABILITY: None of the persons involved in the administration of these Rules shall be liable to any person in any way, in relation to acts done or omitted to be done in good faith in connection with these Rules.

7.4 SEVERABILITY : If any clause or provision of these Rules is held invalid, unenforceable or illegal for any reason, these Rules shall remain otherwise in full force apart from such clause or provision which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

7.5 CONFIDENTIALITY: The HC/AC and those parties involved in the administration of Complaints, Disciplinary Matters and Appeals shall keep all information disclosed to them confidential and no disclosure of any detail shall be made to any third party unless in the administration of their disciplinary function.

The administration of a disciplinary function may require the disclosure of certain offences and sanctions to be made to other persons at Club, Discipline or national level but only where strictly required. In all cases, such persons shall be bound to confidentiality. The documents produced during any proceedings shall remain private unless required by Law. The complainants and respondents are requested to treat all information relating to the complaint in a confidential manner and to only discuss with persons on a 'need to know' basis.

7.6 Per 7.5 Confidentiality is important. However, summary level information on the protests, outcomes and recommended improvements (rule changes or education) will be shared with the relevant commission. In addition to KPI's being reported by the PADACC monthly of how many Protests, Appeals, Complaints and Disciplinary actions have taken place/in progress etc.

7.6 COSTS/EXPENSES: Any costs or expenses incurred by a Member (or any of their witnesses but not including the HC/ AC) in relation to any matter under the Procedures will be the

sole responsibility of that Member. The HC/AC shall have no authority to make any award for costs. There is a cost for administering the Complaints, Disciplinary and Appeals process. Accordingly Members when making a Complaint will be obliged to pay an administration fee. Where a Complaint is upheld, the administration fee will be reimbursed to the Complainant.

The fee to lodge a complaint which in no case should be higher than the Volleyball Ireland fee, which is €30 at date of this document.

7.7 NOTIFICATION TO VOLLEYBALL IRELAND: The CEO and President of VLV should be aware of the circumstances and reasons for proposed suspension or expulsion.

7.8 SERVICE: All communications shall sent by e-mail to the relevant person/ unit. Official email addresses should be used where available. Any such communications shall be deemed to be delivered:

If sent by e-mail upon confirmed receipt, which should be requested.

7.9 MEDIATION: Volleyball Ireland recognises Mediation as a method of dispute resolution in the context of Complaints but not for Disciplinary Matters or Appeals. Volleyball Ireland reserves the right to introduce a formal Mediation procedure in the future.

7.10 ESTABLISHING A COMMITTEE: In the absence of a Protest or Complaint or if the Protest or Complaint is in relation to a member of the PADACC the CEO and President of VLV may establish a HC/AC where an incident comes to their attention which is significant enough to require investigation or there is a conflict of interest within the PADACC. In this case a representative of the Board/ Committee will act as complainant.

Members of the Hearings and Appeals Committees shall be required to have a knowledge of Volleyball, sports disciplinary experience or a suitable professional background and shall receive appropriate training in disciplinary and appeals handling.

7.11 CONFLICT OF INTEREST OR LOYALTY: Where any member of a HC/ AC has any actual, perceived or potential conflict of interest he/she shall stand aside from the process. In the event that they do not stand aside, the Board or relevant committee shall be entitled to remove them and appoint another member.

## **8.0 MINORS & VULNERABLE ADULTS**

8.1 Any Member under the age of 18 or vulnerable adult shall be accompanied by their guardian or parent at a hearing.

8.2 Any Member under the age of 18 or vulnerable adult who is a Complainant or a Respondent is obliged to attend any hearing or participate in a more appropriate way such as Video link or conference call.

8.3 Advice should be sought if necessary from the Club, Discipline and National Children's Officer/CE.

8.4 The HC/ AC shall ensure a Children's Officer is present at a hearing where the matter concerns an under 18 year old Member. An advocate should be present in the case of a vulnerable adult. The Children's Officer/ Advocate may make submissions on behalf of the child/ vulnerable adult.

### **9.0 The Hearings and Appeals Committees**

9.1 The PADACC shall be empowered to delegate any particular function to one member of the HC/ AC.

9.2 The PADACC shall appoint the Chairperson for either the HC or AC, as well as a secretary who will handle all contacts in writing with complainant, respondent, witnesses etc. and keep a record of proceedings of all meetings and decisions which shall be kept on file.

9.3 The HC/ AC shall act on a simple majority vote in arriving at a decision. No minority or dissenting decisions shall be produced. In the event of a majority decision, this shall be the decision of the HC/ AC.

9.4 The HC/ AC may investigate as they deem fit seeking evidence and assistance as required.

### **10.0 INFORMAL COMPLAINTS PROCEDURE**

10.1 On receipt of a Complaint (but not a Disciplinary Matter) by the Chairperson of the PADACC, the Chairperson shall approach relevant parties to ascertain the parties' agreement to deal with the Complaint under the informal procedure set out below. In this case the complainant should be approached first for agreement.

10.2 The Chairperson shall appoint an Officer/Member to act as the informal neutral party.

10.3 The neutral third party may contact or meet the parties and may attempt to resolve the Complaint in any manner s/he deems necessary. In this regard the parties agree to the flexible approach that may be adopted by the neutral third party.

10.4 In the event that either of the parties to the Complaint is not agreeable to referring the Complaint to the informal complaint procedure then the HC/ AC shall accept jurisdiction to hear the Complaint.

10.5 If either party is dissatisfied with the outcome of the informal complaints procedure then they may request a hearing before the HC/ AC.

### **11.0 HEARINGS COMMITTEE PROCEDURE**

The HC/ AC, in its discretion, may invite other persons (including but not limited to witnesses, officials or experts) to provide evidence or assistance to the HC/ AC in any form.

11.1 The parties attending a HC/ AC are entitled to: -



- (a) Be accompanied at the hearing, by either a Member of Volleyball Ireland or if the Member is a minor, by a parent or guardian.
- (b) Call witnesses. Such witnesses may only be present at the hearing in order to give evidence and may be questioned by the HC/ AC.
- (c) Make submissions in writing or otherwise.
- (d) Rely on any supporting documents

Where a party exercises any or all of the rights as set out in (a) to (d) above then the party shall notify the Chairperson of the HC/ AC who shall notify the other party (Complainant/Respondent) of the names of any persons accompanying them to the hearing and the names of any witnesses who will appear on their behalf.

Investigations are conducted by written and oral inquiries and by the examination of individuals if necessary. Expert opinion and/or reports may be sought and an inspection of documents or files may be necessary.

Any Participant and/or Member, shall reasonably co-operate with an investigation and failure to cooperate may result in disciplinary action being taken.

11.2 The HC/ AC shall conduct the hearing in any matter that it deems necessary subject to them being consistent with these rules and procedures.

11.3 The HC/ AC shall have the discretion to accept testimony by conference call (attended by all committee), written statement or submission by email or other means.

11.4 The HC/ AC shall have the power to decide on the admissibility, relevance and weight of any evidence (including the testimony of any fact or expert witness) and shall not be bound by any laws or rules regarding the conduct of Court proceedings in relation to such matters. Facts may be established by any reliable means, including admissions.

11.5 In the event of the non-attendance, without reasonable cause (considered by the Committee to be justifiable reason for non-attendance), of a Complainant at a hearing, the Complaint/Disciplinary Matter against the Respondent shall be dismissed

11.6 In the event of non-attendance, without reasonable cause, of a Respondent at a hearing, the HC/ AC will be entitled to proceed to hear the matter and decide the matter based on the information and evidence before it. The HC/ AC may draw an adverse inference against a Respondent who fails to appear at the hearing after being given reasonable notice of the hearing, or the Participant's refusal to answer questions put to him or her by the Complainant or by the HC/ AC.

11.7 The HC/ AC may adjourn or rearrange the hearing at its discretion. An adjourned or rearranged hearing shall take place as soon as is practicable, and the suspension of the Member, if already imposed, shall be automatically extended until the rearranged hearing takes place.

11.8 In the case of a disciplinary action a representative of the relevant Committee shall present the case against the Respondent. In the case of a Complaint the Complainant shall present the case against a Respondent.

11.9 The Complainant shall have the burden of providing the alleged rule breach(es). The standard of proof shall be whether the Complainant has established the rule breach(es) on the balance of probabilities i.e. more likely than not. Where facts are established by virtue of a Disciplinary Report the burden of proof is then on the Respondent to establish the contrary on the balance of probabilities.

11.10 Facts established by a decision of a Court which is not the subject of a pending appeal shall be irrefutable evidence of those facts against a Respondent.

11.11 The decision of the HC/ AC shall be made and notified in writing to the PADACC within 3 days of the hearing, unless the Committee deem an extension of time necessary.

11.12 The decision shall be issued on the VLY standard form which should include information and timeframes for appeal.

Pending the appeal, the original sanction imposed/reversed by the HC/ AC and, where applicable ratified by the Board, shall stand.

Written records should be stored securely in a sealed envelope by the appropriate secretary. The envelope should be dated, marked with VLY complaint reference number and a destroy-by date (3 years from completion providing no further developments) and deposited with the VLY CEO to be securely filing in the Volleyball Ireland head office.

## 12.0 SDSI ARBITRATION

12.1 Subject to all internal avenues of appeal having been exhausted, any decision made or procedure used by Volleyball Ireland or any unit shall be referred to Sport Disputes Solutions Ireland (SDSI) for final and binding arbitration by a single arbitrator in accordance with the SDSI Arbitration Rules and in accordance with the Arbitration Act 2010 as amended.

12.2 This rule shall also apply to every participant and member. Each such participant or member is bound to refer any dispute or difference which remains unresolved after all internal avenues of appeal have been exhausted to SDSI arbitration in accordance with sub-article (b) above.

12.3 The effect of this rule is to prohibit any party to such dispute or difference from commencing legal proceedings before the Courts.

12.4 The party challenging the decision of the Appeals Committee shall deliver a written notification to the secretary of SDSI within 14 days of receipt of the Volleyball Ireland Appeals Committee decision specifying: -

i. date of decision

- ii. the grounds of appeal
- iii. copy of relevant documentation; and
- iv. enclosing the SDSI fee.

12.5 A copy of the SDSI Notice of Appeal shall be sent by registered post to the CEO of the Volleyball Ireland.

12.6 No Unit or member of Volleyball Ireland shall refer a dispute to SDSI Arbitration until all available avenues of appeal Rules have been exhausted

12.7 For more details on Sport Disputes Solutions Ireland refer to <http://www.justsport.ie>

12.8 No Unit or member of Volleyball Ireland shall refer a dispute / complaint to Sport Ireland in any circumstances. All such complaints / disputes must be handled under the provisions of this Complaints & Disciplinary Rules.