

DECISION

Request No.: 05

Protest and Request for Redress

Event: 2022 RVC One Design Series Race Number: 1
Hearing Schedule: 2022-10-28 19:30

PARTIES AND WITNESSES

Request No.: 05: Dragon - 118 - Mistral - Norman Allyn
Race Committee

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

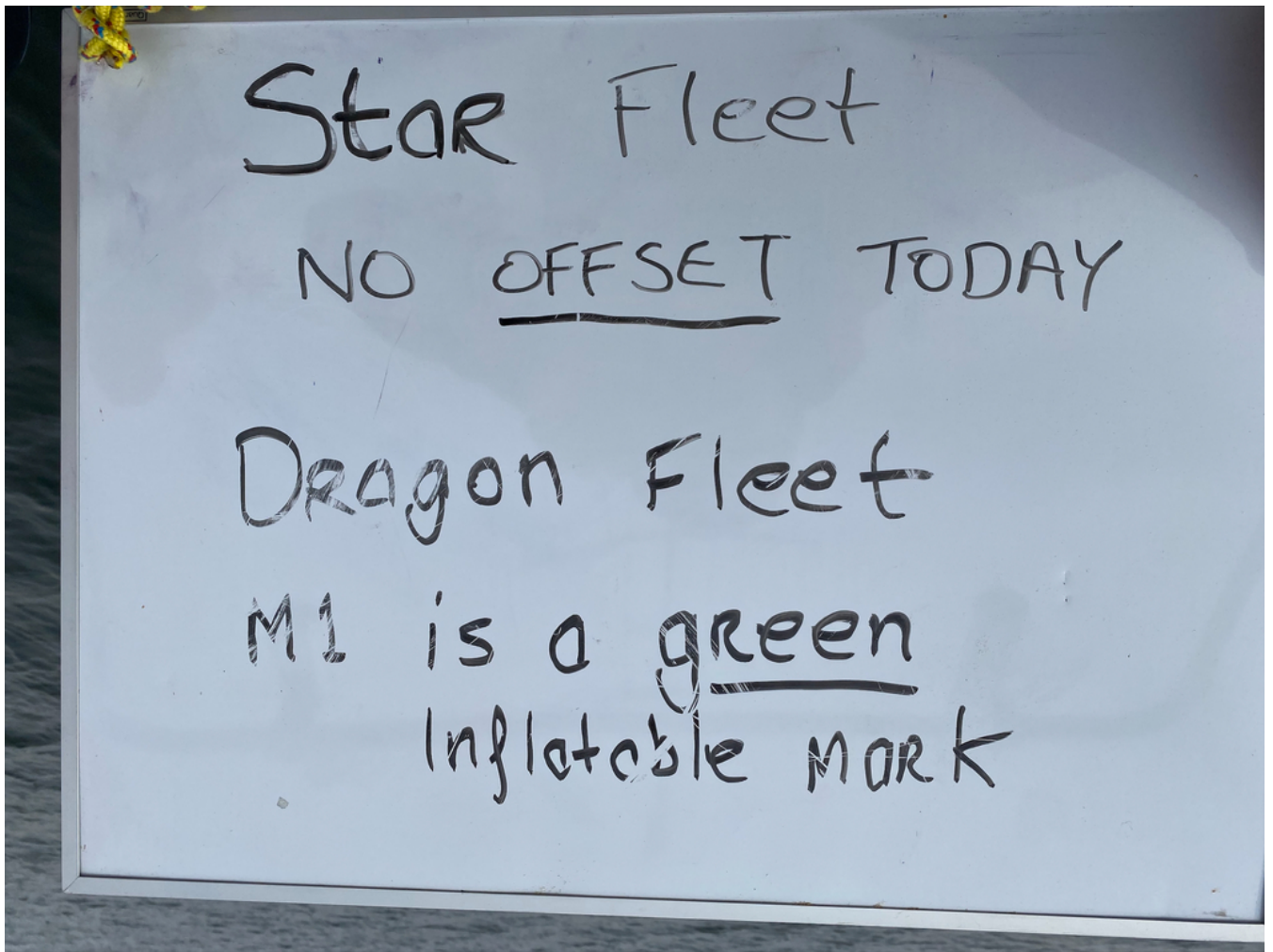
Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Racing was scheduled for Saturday (Oct. 22) & Sunday (Oct. 23). No racing took place on Saturday due to no wind, but on both Saturday and Sunday RC had displayed on the back of the signal boat a whiteboard stating: "Star fleet - No offset today. Dragon Fleet M1 is a green inflatable mark." Picture attached below.
2. Prior to start of racing, when on station, RC had displayed flag Lima and the same whiteboard was on the back of the RC vessel.
3. Crew of Mistral saw and read the whiteboard prior to the start of racing.
4. Published Sailing Instructions show a diagram of a windward/leeward course, marks to port, with mark 1 as first windward mark, 1a as offset mark and 2 as leeward mark and describing marks as: Marks 1, 1a and 2 will be pink inflatables. SIs attached as a file.
5. RC set an inflatable pink mark 200 hundred feet to windward of green inflatable mark. No offset marks were set next to either of these marks.
6. Star fleet was first to start and boats raced to the pink inflatable - this was observed by crew on Mistral.
7. Dragon fleet was second to start and Mistral, sailing in first place after the start, proceeded to sail to windward to the pink mark, in the process leaving the green mark on its port side. Rounding the pink mark to port and then observing that all other Dragons behind her rounded the green mark instead.
8. Mistral sailed passed the green mark, leaving it to port.
9. At finish Mistral contacted RC to advise that they would protest the race.
10. Mistral finished race 1 in last place (5th) and requested to be reinstated in 1st place.
- 11.



Redress Mistral Oct 23 2022 - pic of whiteboard on RC.jpeg2.65 MB

RVYC Supplementary SIs One Design 2022.pdf 132 KB

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 62.1

1. Mistral was fully aware of the changes to the sailing instructions.
2. Mistral observed the Star boats ahead sailing to the pink mark as their windward mark (with no offset), and that there was no offset mark to the left side of the green mark (as should have to be its position per diagram in the published SIs).
3. Mistral was aware that mark 1 (its first windward mark) was the green mark and that it was to be a rounding mark, but she did not round it until after she rounded the pink mark, which was not a mark of her course.
4. Though the revised sailing instructions on the whiteboard were not completely clear, it was Mistral's error in sailing to the pink mark instead of rounding the green mark, as described in the revised sailing instructions.
5. No other Dragons sailed to the pink mark.
6. Not sailing the shorter course, around the green mark, was Mistral's own fault.

DECISION

Redress is not given.

Date & Time: 2022-10-28 20:15 PDT

PROTEST COMMITTEE

Chaired By: Tom Sitar (CAN)

Committee Members: Gordon McKee (CAN), Jennifer Ross (CAN)