

# DECISION

Request No.: 03

## Protest and Request for Redress

Event: Howth YC Club Racing Race Number: 4  
Hearing Schedule: 2023-06-29 19:30

### PARTIES AND WITNESSES

**Request No.: 03:** Class 2 - IRL 1972 - No Excuse - Jonathan Wormald

Race Committee

**Witnesses:** Scorie Walls (Principal Race Officer)

**Interpreters:** None

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit LBFT 20:59:06. SI 21(a) sets PTL as LBFT + 24hours = 22.06.2023@ 20:59:06.  
Hearing request lodged 22.06.2023 @ 12:39

**Incident Identified:** Yes

**Proper Hail:** Hail not required

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

Arbitration Inappropriate - The incident includes a request for redress

### FACTS FOUND

1. Class 2 and Class 3 race as one single class, starting at the same time, with the same course to be sailed. See SI 4. The Sailing Instructions do not explicitly state that Class 2 and Class 3 are scored together but that is the intention, agreed by both classes before the season began.
2. The course set for Class 2 and Class 3 was 322. The order of marks and sides to be passed was as follows: Z C D P C I
3. The RC shortened the course for Class 3 and Class 4 at Mark D. The shortened course was signalled from a RIB making sound signals and displaying the S Flag and Class 3 and Class 4 flags .
4. Class 3 boats 680 and 9541 were finished and timed at the D mark per the results sheet attached.
5. The RC shortened the course for Class 2 at Mark P. The shortened course was signalled from a Committee Vessel making sound signals and displaying the S Flag and Class 2 flag.
6. Class 2 was finished and timed at the P mark per the results sheet attached.

#### 21st Jun - Class 2 IRC Fleet

Start: Start 1, Finishes: Place

Rank	Boat Name	Sail No	Club	Owner Name	Rating	Start	Finish	Elapsed	Corrected	Points
1	Kilcullen	680	HYC	HYC K25	0.880	19.20.00	20.11.20	0.51.20	0.45.10	1.0
2	No Excuse	1972	HYC	Wormald, Walsh, O'Neill	0.922	19.20.00	20.45.43	1.25.43	1.19.02	2.0
3	Xibec	3022	HYC	Bourke McGinn Ball	0.922	19.20.00	20.48.57	1.28.57	1.22.01	3.0
4	Chinook	17793	HYC	Brian Skahan	0.942	19.20.00	20.56.48	1.36.48	1.31.11	4.0
5	Impetuous	2507	HYC	Fergal Noonan/Robert Chambers	0.924	19.20.00	20.59.06	1.39.06	1.31.34	5.0
6	Gecko	7115	HYC	Kevin Darmody	0.897			DNF		7.0
7	Maximus	7495	HYC	Paddy Kyne	0.925			DNC		11.0
7	Dux	988	HYC	Caroline & Nico Gore-Grimes	0.924			DNC		11.0
7	Insider	4444	HYC	Stephen Mullane	0.992			DNC		11.0
7	Leeuwin	971	HYC	Eamonn Burke & Jason Murray	0.910			DNC		11.0

#### 21st Jun - Class 2 MPH Fleet

Start: Start 1, Finishes: Place

Rank	Boat Name	Sail No	Club	Owner Name	Rating	Start	Finish	Elapsed	Corrected	Points
1	Kilcullen	680	HYC	HYC K25	0.886	19.20.00	20.11.20	0.51.20	0.45.29	1.0
2	K-Nine	9541	HYC	Mukhill & Murphy	0.810	19.20.00	20.33.31	1.13.31	1.00.08	2.0
3	Xibec	3022	HYC	Bourke McGinn Ball	0.923	19.20.00	20.48.57	1.28.57	1.22.06	3.0
4	No Excuse	1972	HYC	Wormald, Walsh, O'Neill	0.973	19.20.00	20.45.43	1.25.43	1.23.24	4.0
5	Chinook	17793	HYC	Brian Skahan	0.883	19.20.00	20.56.49	1.36.49	1.25.28	5.0
6	Impetuous	2507	HYC	Fergal Noonan/Robert Chambers	0.938	19.20.00	20.59.06	1.39.06	1.32.57	6.0
7	Gecko	7115	HYC	Kevin Darmody	0.901			DNF		8.0
8	Maximus	7495	HYC	Paddy Kyne	0.928			DNC		13.0
8	Dux	988	HYC	Caroline & Nico Gore-Grimes	0.910			DNC		13.0
8	Insider	4444	HYC	Stephen Mullane	0.988			DNC		13.0
8	Midnight Sun	5555	HYC	Bolger / Howard	0.776			DNC		13.0
8	Leeuwin	971	HYC	Eamonn Burke & Jason Murray	0.878			DNC		13.0

C2/C3 results posted 21.06.2023 – Pre RfR

C2 and C3 results posted 21.06.2023.pdf90.8 KB

**Diagram:** No Diagram Needed

#### CONCLUSIONS AND RULES THAT APPLY

**Rules:** SI 4, RRS 28.1, RRS 62.1(a)

1. By sailing the course, C3 complied with RRS 28.1
2. By sailing the course, C2 complied with RRS 28.1
3. By not explicitly stating that Class 2 and Class 3 are scored as one, it was reasonable for the Race Officer to assume that Class 2 and Class 3 could have been scored separately and they could have sailed different or shortened courses.
4. The scores of the C2 boats in the race were made significantly worse through no fault of their own by an improper action or omission of the Organising Authority.

#### DECISION

Redress is given to Class 2 boats as follows

IRC:

1972 scored 1

3022 scored 2

17793 scored 3

2507 scored 4

**Date & Time:** 2023-06-29 20:00 IST

The scores of 680, 9541 and 7115 are unchanged

HPH:

3022 scored 1

1972 scored 2

17793 scored 3

2507 scored 4

The scores of 680, 9541 and 7115 are unchanged

Club Racing SI to be amended to explicitly state that Class 2 and Class 3 are scored together.

#### **PROTEST COMMITTEE**

**Committee Type** Protest Committee

**Chaired By:** Emmet Dalton (IRL)

**Committee Members:** Liam Egan (IRL)