Request For Redress -- Unfair Sailing

I receive a number of requests saying the sailing was “unfair” and asking for a resail or the race to be abandoned, generally what is requested is not specified.

The Jury, like the Race Committee and the Competitors are bound by the RRS, and can only act when the power to do so is given to them by the Rules.

Thee appropriate rule here is RRS62 giving the power to a Jury to give redress.

Firstly the rule states there must have been no fault of the boat.

Then it says there can be redress if there was an act or omission of the Race Committee.

This is they failed to do something they were **required** to do or did something they **should not** do.

Race Abandonment is considered in RRS 32 and some items are set out but the rule says the race committee “May” Abandon.

There is no requirement to abandon a race in any circumstances.

As there is no requirement to abandon a race the race committee cannot commit an “action or omission” and thus the Jury cannot give redress.

Below is an extract from the World Sailing Manuel giving guidance.

Improper Action or Omission

F.22.8 Improper Action or Omission

An improper action is when the race committee, protest committee, organizing authority or technical committee does something that is not permitted by the rules of the event.

An omission is when the race committee, protest committee, organizing authority or technical committee fail to do something, whether or not required by the rules, that causes the boat’s score to be significantly worsened.

For an example, see Case 116, where a boat was given redress for three races based upon her finishes in the first two races only. The Case states that, although the protest committee did not break a rule, they did not make as fair an arrangement as possible for all boats affected.

Race management policies, jury policies and advice to competitors are not rules. If the race committee or protest committee did not act on those policies or that advice, that would not be grounds for redress.

World Sailing Case 129 provides an example of a race committee action that was not good race management practice but was not an improper action of the race committee. In one example, If a race committee signals course 3 when only courses 1 and 2 are described in the sailing instructions, this would be an improper action because the course was not in the sailing instructions.

In another example, If the race committee signals course 2 and subsequently the first boat could not finish the race within the time limit, and the course is not shortened, this would not be an improper action or omission. This course is permitted by the sailing instructions and **shortening the course is discretionary;** it is not an improper action or omission.

This is a “May” Like abandonment.

So not to Abandon for a wind shift may be an Omission, but it is not improper.

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Jury