

Judges Newsletter - From the Jury Desk

Notice 31 – November 2013

Oooopppps!



For your own enjoyment – write the facts found – conclusion and decision.

The picture was sent to me by one of our readers – race not identified)

Are We a Self-Policing Sport?

Most of us grew up playing some sport that required umpires or referees. When the referee whistled, a rule was broken. Then we came to enjoy sailing. Racing we were told was self-policing. You followed the rules. You protested. You accepted a penalty. As the rules changed, we were told only the word “protest” was allowed to make a protest valid so the training began, unless you hear that word – keep on sailing!

In a “White Paper” on the status of Judges in Canada, one of the points made by the Judges Sub-Committee (JSC) was how judges might expand their services to an event and thus the sailors, if they are already on the water applying appendix P, why not add calls for part 2 violations a.k.a. - direct judging. The comment made by a group of readers of the report was that we were self-policing and this goes against the basic principle of our sport.

While a basic principle of our sport states “*when a competitor breaks a rule they will promptly take a penalty, which may be to retire*”, all of us have first-hand experience that this is not always the case. When did we stop being the self-policing sport we profess to be?

A little bit of research found Rule 60 (Means of Propulsion) was in the 1981 -1984 rule book. It is interesting that the rule 60.4 required a competitor to “warn” another that they intended to protest unless it was at a critical part of the race, e.g. the start or finish. Also interesting was that if the yacht (they were

yachts not boat in 1981) came before a protest committee the onus was on the competitor to convince the PC that their actions were permissible.

There may not have been much action from the competitors because in 1989 Rule 70.1(b) (DSQ Without a Hearing) was added, allowing a judge to DSQ a boat without a hearing for breaking rule 54 (old rule number 60). The sailor would have no knowledge of the DSQ until they looked at the score sheet. We have not been truly self-policing since and that was almost 25 years ago! Appendix P came along later. Still later introduced as Appendix Q a few years ago, Direct Judging in the finals at the Olympics.

About four years ago, at the urging of a friend, I started racing club races again – club fixed marks after work stuff – the kind that goes on at most clubs. Rarely a race I did not observe a violation of a part 2 rule between two boats and nothing, absolutely nothing (apologies to Wind in the Willows) happened. No flags! No turns! No retired after the race! Is this the game we signed on to play?

Many of us are on the water during events exercising the fleet's wish to apply appendix P and/or to enforce class rules (sprit poles extended when they should not be, hiking positions not allowed, etc.). While we have been undertaking these tasks we have observed boats breaking right-of-way rules or hitting marks and no penalties taken. The general approach has been that it is up to the competitors around them to protest.

Some fleets have seen the 'folly' in this approach and taken steps to improve the standard of conduct on the race course. Via the NOR / SIs they have given the jury to power to penalize a boat for a violation of a part 2 racing rule or rule 31, hitting a mark on the water without a hearing. The approach the fleets have taken is to change rule 44.1 to a single turn is a voluntary penalty is taken. A jury called penalty is 2 turns.

The most common objection to this is we have taken the right of protest from the racers. Absolutely not! The sailors still retain all the rights to protest another boat.

The second common objection is we cannot be everywhere on the course. Absolutely true! Have you observed what happens when a "ghost" car is parked on the side of the highway? Besides, most violations are at the start marks or turning marks. One or two boats can easily cover them.

The upside is that the sailors quickly become familiar with the rules; those interested in the rules could ride along with the judge; our value to the event and the sailors is increased and, it may attract more officials. It also eliminates a hearing or two so the sailors can go to the party.

In order to do this the NOR and Sailing Instructions must be written in a manner that allows the direct judging activity. There are several sailing instruction variations of this in the following examples:

A - The polite but "We are not going to tell you who broke a rule" approach:

A.1 Judges, comprised of members of the protest committee or jury may be on the water. The judge boat will display a white flag with a black "J" in the centre of the field. When the PC member sees an infringement, the PC member will make one sound signal. No sail number will be hailed. This means that the PC member has seen a situation which may be protested and the PC member may provide testimony as a witness. One or more competitors should take a penalty. If no penalty turns are taken, the PC may protest one or more boats.

A.2 Action or no action by the PC member under this SI shall not be grounds for redress. This changes RRS62.1(a)

Note – This method still results in a hearing – possibly one initiated by the PC.

B - "We saw what you did" approach:

B.1 Judges, comprised of members of the protest committee or jury may be on the water. The judge boat will display a white flag with a black "J" in the centre of the field. If a PC member observes a violation of a Part 2 rule, the judge may blow a whistle when they expect one or more boats to take a penalty. In addition, the judge will attempt to indicate the boat(s) involved in the incident. If the incident results in a protest hearing, the judge may provide testimony as a witness.

B.2 Action or no action by the PC under this SI shall not be grounds for redress. This changes RRS62.1(a)

Note – a little more active but still requires the matter to be settled in the protest room.

C - “We will penalize” approach:

C.1 Judges, comprised of members of the protest committee or jury may be on the water. The judge boat will display a white flag with a black “J” in the centre of the field. If a judge witnesses an infringement of Part 2 rules they may indicate their observation by hailing the sail number of the boat(s) involved, make a sound signal and display cod flag “B” – “bravo”. The boat shall then exonerate itself by promptly taking a two-turn penalty. If no penalty is taken the Jury may protest.

C.2 Action or lack of action by the jury under C.1 shall not be grounds for granting redress. This changes rule 62.1(a).

C.3 Jury boats may be positioned anywhere on the course. Their position at any time shall not be grounds for granting redress. This changes rule 62.1(a).

Note: When the PC member files a protest it will be for violating the SI C.1, not the incident

Will this approach work in every event – probably not! Will this approach work in some event – already does!

Think about it. Propose it. Try it. Ask the sailors – they just might like it!

As a last comment – only the sailors can invite the judges on the water to become active. If the sailors are truly self-policing, the judges’ whistles will remain silent!

Crossing the Border

Have you had trouble crossing the border going to an event as an official? Well the stories told: the umpire that was refused entry into the US because they were going to take a job from an American; the US race officer when crossing into Canada trying to explain to the CBS guard why they were carrying ‘handcuffs’ – you know the 15 inch nylon wire ties; and both ways: the cartridges in our inflatable vests etc. I am sure there are many, many more stories but this was recently sent to me by Wendy Loat, a National Judge in Canada

“I was recently run through extra security at Logan Airport in Boston. I normally pack my judging kit in checked baggage, but had left it in my backpack following a regatta at which I served on a panel. When my backpack was screened by TSA, I was immediately pulled aside and questioned about its contents. Initially what went through my mind was that I might have left a bottle of sunscreen in the kit. There were two security personnel present to question me, and when they retrieved the bag, they asked me if it was safe to unpack.

At least they believed me when I said yes, and began to unload the contents. Book, sunglasses, jacket, judge kit... They gingerly opened the judge kit and found my set of magnetic boats. "What are these?"

"They're little model boats. I am a sailing judge and I use them for judging".

"What?!?! They look like shrapnel to the machine".

So, after a few minutes of explaining, they ran everything through the machine again, and I was free to go with a warning that the bows of the boats were "pointy" and could be perceived as "sharp weapons".

Moral of the story? Always pack your model boats in your checked baggage.”

PS - I was at an event when Wendy sent me this and the members of the jury chuckled. One of the US judges had the same problem coming the other way. Their solution was to reverse each boat on top of the next. The 'pointy' ends disappear.

Request for Assistance

Looking for some old rule books. Do you have a copy of a rule book between the years 1963 and 1981 that are collecting dust but you really do not want to throw them out. I am trying to complete a library to follow the path the rules have taken. If you have such a book and are willing to part with it, contact me through the address to submit an article.

Log Book Entry

“Greatness is not in where we stand, but in what direction we are moving. We must sail sometimes with the wind and sometimes against it, but sail we must, and not drift or lie at anchor.” -- Oliver Wendell Holmes

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