

From The Jury Desk – The CYA Judges Newsletter

Notice 9 – December 2005

Further Comments on Coaches

I would like to echo Tommy's article as a prudent working relationship between Coaches and Race committee. The present situation has only developed in North America in the last 10-15 years but the practice (and problems) with coaches is rooted farther back in the 70's in Europe, this is where the abuses of the relationship (RC vs Coaches) started, when European National teams had their coaches and often abused their parameters, and has spawned the friction that Paul Henderson was always railing on about. However in North America by in large the coaches have been exemplary at most events and often pivotal in maintaining decorum among the racers and assisting in making many regattas successful, if anything over the past few years I notice significant improvement of coach positioning on the race course and respect for the race committee. I would even venture to say that regattas where there has been a good working relationship between the coaches and race committee the incidents are rare and usually dealt with within the coaching ranks.

Suggestions:

- 1) Have coaches invited to the first on site RC meeting of the event
- 2) Select a coaches' representative that would attend RC meetings daily
- 3) Invite coaches to RC functions during the event (not that we have that much time) but RC and Coaches could get to know each other for more trust.

Coaching is an integral part of the development of the overall sailor (athlete), for the coach to work effectively they have to see the race course to gather information for their racers, so it important for them to work with the RC to insure confidence.

Brian Todd
CST Coach
Halifax, NS

What We Do is Appreciated

From the Editor: The following e-mail was sent to me by Lorne Champman of BC. As it happened, I met Mike Ingham about a month later at the J24 NA's sailed in Marblehead, MA. Apart from being a little nervous when he saw a notice posted that a member of the jury wanted to see him, he willing gave me permission to publish his letter. I might add that less two weeks later, Mike won the US Champion of Champions sailed out of Bayview Yacht Club in Detroit, MI.

I am sure not every competitor feels the same way however I strongly believe that the sentiment is more prevalent then we realize.

From: Joe James
Sent: Monday, August 29, 2005 7:55 PM
To: Charlie Macaulay; Will Anderson; Dick Rose

Cc: Keith Whittemore; Eric Sanderson
Subject: J-24 Nationals Appeal

As you know, the Appeal Board has denied the appeal of J-24 #1208 and in doing so upheld our decision to deny the Request for Redress of #1208. I thought you would like to hear the contents of the letter I received from Mike Ingham, the skipper of #1208. His letter was addressed to me and the J-24 Nationals Protest Committee.

Mike Ingham writes:

"We received the decision on our appeal and we wanted to let you know that we appreciate your time and attention to our request for redress. We recognize that you are volunteers helping monitor our sport, taking your personal time and energy. You and the Appeals Committee are there to resolve disputes, and usually you have to make a decision that is unpopular with one of the parties involved. I do a lot of judging myself and too often one of the participants leaves unhappy with the protest committee because they think they are right and they disagree with the decision, and I don't enjoy that part of the job.

We want you to know that we do not see it that way and are instead glad that you take the time to be on the protest committee at the regatta.

Thank you again for your time.

Mike Ingham
J-24 USA 1208

What to Take?

From the Editor: Last summer I was asked via the CYA Office, what a member of the protest committee should bring to a regatta. At first thought it would seem self evident, but I make that assumption because my sea-kit and protest-kit are always packed. However, for newer judges, this may be helpful.

Rule book (Current version)
Note pad & paper
CYA appeals (If you have them – if you don't, not to worry, but you should get them.)
Clothing for the water – rain gear, life jacket etc.
VHF Hand Held Radio (if you have one)
Whistle (should be attached to the life jacket.)
Hat & sunscreen
Good sense of humour.

Blazer jacket (just in case there is a formal function.)
Other 'stuff' to see them through the week.

Rule Change

Following the ISAF Annual Conference in Singapore there has been a change to the ISAF Racing Rules of Sailing 2005-2008; - Rule 40.2 relating to quick release trapeze harnesses will not take effect until January 1, 2009. - www.sailing.org

Notice of Correction – US Sailing Appeals Book

Correction to the US Sailing publication, 2005-2008 US Sailing and ISAF Cases.

If you have a copy of the USSA Appeals & ISAF Cases, please make this correction to your copy.

In the index to the ISAF Cases, on page C-14, listed under Rule 69 is Case 6. The correct reference is Case 65, and not Case 6. The index is the only place where this correction is needed, and Case 65 is the relevant Case to Rule 69.

CYA Appeals

The CYA Appeal Committee recently finalized Appeal 97, the précis of which is below.

A race committee must be properly organized to fulfill its responsibilities and keep records accordingly. In making a decision on redress for an OCS boat, a protest committee must consider the division of responsibilities between the competitor and the race committee. When the facts of this situation are not conclusive, a protest committee should resolve the matter in favour of the competitor.

Request for redress for an OCS call are often handled incorrectly. The appeal outlines the responsibilities of both the boat and the RC and guides the response of the protest committee. Read the full appeal on the link below, or better still, buy the book.

The CYA Appeals have been updated to conform to the 2005 – 2008 Rules. They can be found on the CYA website or by clicking on the link below. Happy Reading!

http://www.sailing.ca/competitive/content/CYA_Appeals_2005_08.pdf

Response to Question in Notice 8

At an international regatta, a boat was accompanied by a coach. The boat became involved in a boat-on-boat incident in which a protest was lodged. The decision went against them and they were disqualified. When they returned to their residence they discussed the matter with their coach who had been at the regatta site but left before the hearing started. The coach, who had been video taping much of the race claimed to have the incident on tape. The next day, the boat requested that the hearing be re-opened because of the new evidence.

You are on the international jury. Do you re-open the protest?

Editors Note: There are two possible answers to the question: yes or no. There were a number of responses, some supporting yes and some supporting no. Given the information as written, it is slanted to a yes answer however the question was meant to generate the thought process on how you would react and the questions you need to ask. Two responses below illustrate the problem and the thought process.

Response 1

I would say 'Yes', I would reopen the hearing as allowed by Rule 66 since the video meets the criteria for significant new evidence, and the request was made within 24 hours of the decision.

One could argue 'No', the competitors knew they were being video taped by their coach and chose not to show that evidence nor state that they may have that evidence, but that would be an unfair assumption on the part of the Jury I would think.

Response 2

Hi Leo,

I was intrigued by the problem that you posed in Notice #8. It has a very quick answer, (assuming that there was no time limit difficulty) but which I feel is an “unreal” response. In principle, the answer is “yes”. (Rule 66).

But then “it depends” in my view, on the many other factors which are relevant to a reopening being justified. Based on personal experience I would want to consider/know the following before rushing to a rehearing:

i) What was the nature of the incident? What Rule applied? A collision? What sort of collision? A need to alter course to avoid same? A SI violation? A luffing exercise? The video might be wholly irrelevant to the action(s) that led to the protest and be only an exercise in gamesmanship by a competitor who wants his day in court all over again!

ii) Were protest flags a feature? Was a mark involved? What other boats were, in the hearing, identified as being or claimed to be nearby? If so they may serve to properly identify the video as germane to the actual protest: i.e. properly and conclusively couple the video to the protest events.

iii) Why was there no communication between the competitor and the coach prior to the hearing?

iv) Which of the “facts found” on the protest form does the claimant argue will/may be overturned by the video?

*v) What are the attitudes and behaviour of the coach and competitor towards you, the chair of the PC, when this request is made?
And so on!*

Depending on the answers to the above, I might/will also wish to see the video with the PC before committing to a rehearing.

In summary, and with some or all of the above caveats being satisfied, if the claim seems very likely to lead to a better outcome of the protest I would have no hesitation whatsoever in reopening the hearing with the sailor (not the coach) explaining the video to the protest committee and his adversary.

Ha! This was meant to be a brief reply and already is a page long. However the question seems to deserve some discussion. That’s quite enough from me.

The Actual Decision

The international jury decided not to reopen the hearing. Their decision was based on the phrase “significant new evidence”, and that the evidence must be both significant and new. During the

preliminary hearing whether to reopen the protest, it became very clear the competitor was aware that the tape existed and chose not to present it at the hearing thus it did not meet the test of 'new'.

Question

Situation

At the start of a race, the race committee displays flag Z as the preparatory signal. At the starting signal, a large number of boats are on the course side of the line and there is a general recall. Boat A is identified as breaking rule 30.2.

For the next start, the race committee again displays flag Z at the preparatory signal. Boat A is once again identified as breaking rule 30.2, but she returns to the pre-start side of the line before the starting signal. The race is started without an 'individual' or 'general' recall. Boat A finishes the race.

The scorer asks the jury "Should Boat A receive a 20% penalty or a 40% penalty?"

Publication Dates for 2006

The *From the Jury Desk* was started as a method to communicate with the judges within the CYA Judges Program. This year's *Notices* were note sent on a regular basis but only when enough material was gathered, and time allowed. In the coming year it is our intent to send four notices, once per quarter, February 15, May 15, August 15, and November 15. Those of you that may wish to contribute and article, question, or other materials now have the target dates. Short bulletins may be issued if something of an urgent matter needs to be distributed.

From the Jury Desk is posted on the CYA Website. Previous issues can be found at <http://www.sailing.ca/services/individuals/raceofficials.shtm>

You have received this message because you are recognized by the CYA Judges Program as a CYA or ISAF certified Judge. If you have received this message from a colleague or your PSA and have not received it directly, the chances are very good your information is not contained in the Judges Data Base. To receive it directly please reply and provide your address details.

If you have received this message in error or if you prefer not to continue receiving e-mails containing information for the judging community, please reply to this message and request your address be removed from the group list.

Keeping your e-mail address current will allow us to continue to provide updates. If you change your e-mail address information, please reply providing the new details. Contact the judges you know in your area and ask if they received this. If they have not, please forward the message to them.

If you have a question regarding the program, RRS, or have information you think should be shared, reply to this e-mail.

CYA Judges Committee

Lynne Beal
Leo Reise

Dave Cramb

John Holmes

David Pelling

Peter Wood

Warren Nethercote