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## From The Jury Desk – The CYA Judges Newsletter

### Notice 13 - December 2006

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#### Best of the Holiday Season

The members of the Judges Committee would like to wish you a wonderful holiday season. The 2006 year is coming to a close. May your memories of the past year be happy ones and your expectations for 2007 are fulfilled.

#### Judges Write Back

Hi, Leo –

Some comments on the latest issue –

With regard to the position and visibility of judges at the club level, we have been giving out a golf shirt, or a fleece vest, or a shell jacket (in different years) with the club logo and PROTEST COMMITTEE 200x emblazoned. This is done at the awards night ceremonies. Our people wear them proudly. To deserve one they have to have been active during the season. Seems to help the status and visibility issue.

Regarding recruiting, rather than requiring service on protest committees we encourage observers at all hearings so folks can see what we do to earn our shirts.

All the best,  
D.C.

Hi Leo, it's nice to be able to correspond with you again.

I have found that young people have been avoiding protesting because, when there is contact (and there is plenty of it in small boats), they have to prove that the contact could have been avoided. Failure to be able to satisfy a protest committee often results in the disqualification of the protestor. The result is that they are getting out of the habit of protesting and overlook infringements.

The requirement that a protest committee has to have what is in fact a secondary hearing in contact cases is one that I have disagreed with, and I feel it is contributing to the complaint that there is not enough protesting.

L.W.

Hello Leo

Re Protests and Club Racing

Don't get me started again... oops, too late! Isn't it interesting that this sort of "no whining" policy happens almost entirely amongst adult sailors. These are the very same sailors who are so completely ignorant of the rules that they wouldn't recognize the Basic Principle – Sportsmanship and the Rules if they fell over it. The very same sailors who whine after the 99th time out of a hundred they barge at the starting line or push a port-starboard crossing and are protested. The very same sailors whose ignorance of the rules prevents them from defending themselves in a hearing because they lack even the most basic understanding of the procedures that the protest committee must follow or the rules that apply to the incident! The very same sailors who, once DSQ'd, display a complete lack of respect for the protest committee, whom in addition to actually owning current rule books, have probably read the book at least once.

O.K., rant over! Give me young sailors any day! Those who generally avoid protests by following the Basic Principle, either by taking a penalty or avoiding potential incidents by sailing smart because they understand the rules and follow them!

K.D.

#### Birthday Notice

This will not be a regular column heading of the newsletter but as editor, I could not let this pass. Lynn Waters turned 90 on November 20.

Those of use with more white than colour in our hair will know him well. Those new to the sailing world or the judge's community may ask "Who is Lynn Waters?" From a personal point of view, I was very lucky when just starting out in this "judging thing" to have the opportunity to work with him on a few occasions. Lynn was one of the people we sought for advice as the Judges Program was created.

Lynn's volunteer efforts nationally and internationally on behalf of the CYA were tireless. For a number of years he sat on or led the CYA rules and appeals committee. He also represented Canada as member and chairman of the IYRU's (now ISAF) Rules Committee for over a decade. (Of interest to note, Lynn owned Plow and Watters a very substantial printing company. He edited and typeset free of charge the Rules he had been responsible for writing. Lynn did it for his love of sailing which is unique in today's world as everyone demands to be paid. It costs both the CYA and ISAF mega\$\$\$ for what Lynn gave back to sailing for nothing.) He was either part of the jury or the Chairman for a number of Olympic Regattas, the best guess was six consecutive events.

His efforts for, and on behalf of the CYA and ISAF, can be credited with the top reputation that Canada enjoyed in the pre-President Henderson history.

In recognition of his efforts, Lynn is CYA Councilor of Honour member and a recipient of an ISAF Gold Medal.

Soooooooo – In the key of D - 1, 2, 3

Happy birthday to you .....

We wish you all the best.

### **Changes to the Judges Program**

The Judges' Committee has done a little house-keeping over the last year. The first involves the certification term. The program as it was originally written had a floating expiration date. However, over a period of years, in practice there developed a common expiry date. The program has been changed to reflect the practice. This wording is now in all four levels of the program.

#### **X.6 Tenure**

##### **X.6.1 Original Certification**

Certification will be for a period of four years, including the year of certification, ending on December 31 of the fourth year.

##### **X.6.2 Recertification**

For applications received prior to the expiry of the current certification, the certification shall remain valid while the application is being processed. If approved, certification will be for a period of four calendar years, commencing on January 1 following the expiry date of the current certification, and ending on December 31, four years later. For applications received after the expiry of the current certification, if approved, certification will be for a period of four years, including the current year, ending on December 31 of the fourth year.

The second house-keeping change concerns the reference sought when applying for National or Senior National status. The program as it was originally written, may have led an applicant to believe that the only references that would be contacted were the ones listed on the application. This was not the intent and in practice the committee would often contact other judges to reference an applicant for a number of different reasons. The form will still have a place for the names of references however others may be contacted. The section now reads:

A.3.2 The National Certification Committee will process the application for a National or Senior National judge, soliciting and tabulating any references deemed necessary, and verifying other elements of the application. The National Certification Committee will make its report and recommendation to the Judges Committee. The report may recommend that the application be accepted, refused, downgraded, or sent to a Provincial Certification Committee for consideration.

## National and Senior National Judges

The following stats show the number of National or Senior National Judges. The figures were compiled by the CYA office according to their records in October. Ontario and British Columbia have well established provincial committees. The effects of the efforts of the PSAs are clearly shown. What these figures do not show is the number of provincially certified judges but it may be assumed that there is a 'feeder' effect.

### Number of Certified Judges

	2006 Totals	2005 Totals	2003 Totals
BC	9	5	5
AB	0	0	0
SK	0	0	0
MB	0	1	1
ON	22	15	18
QC	2	1	2
NB	0	0	0
NS	1	1	1
NL	0	0	0
NU	0	0	0
PE	0	0	0
Other	0	0	0
Total	34	23	27

\*\*These numbers as of October 12, 2006

The objective of the program is to provide a service to the sailors by encouraging and developing judges at all levels across Canada. If you think this committee may help you in assisting development at a provincial level please contact any member of the Judges Committee, the CYA VP Racing, or the CYA Office.

### CYA APC Special Recognition

Darin McRae, Club Judge for Stittsville, ON (near Trenton) was honoured with the CYA Volunteer of the Year award at the CYA Annual Planning Conference in October for his work in developing learning modules for the training division. As Chairman of the Judges Program I would extend on behalf of all judges, congratulations.

### Encouragement

We all from time to time sit on a club panel with a person who picks up the protest procedure pretty quickly, seems to have a good grasp of the sailing issues of a situation, asks pertinent questions, and knows their way around the rule book. We ask them what level of Judge Certification they hold and they look at us as if we are speaking Greek. They are barely aware of the program. It is important that we encourage these people to apply for club level judge certification. Most will decide to limit their involvement to hearing club protests but by receiving and reviewing the Judge newsletter and by communicating with other certified judges they will improve their knowledge of the rules and procedures. Some however will aspire to work their way up the system to provincial judge, national judge, and finally senior national judge. It is the constant recruitment of new people which gives programs their renewal and revitalization. So the next time we work with somebody whom we think would make a good judge encourage them about the program and encourage them to apply. In the long run everybody, sailors, regatta organizers and fellow judges will be better for it.

– Submitted by Peter Wood – Senior National Judge – Ottawa, ON

### From an International View

Any event where an international jury has been in place, the chief judge is required to file a report with ISAF collecting a number of statistics. The data below lists in summary form the results of the reports. We thought it might interest you to have a view from a wider perspective. The 2005 figures are shown in brackets. The comments added are those of the editor.

(As the data is being updated from time to time, the figures shown on the ISAF website may be slightly different that the ones below.)

Number of Regatta's Reported 103 (2005 - 122)

Approx number of Competitors in those regattas 13,282 (2005 - 14,644)  
(2006 - 129 per event / 2005 - 120 per event)

Number of Hearings 1,431 (2005 - 1,616)  
2006 - 14 hearings per event / 2005 - 13 hearings per event)

Number of Hours jury sat 840 (2005 - 1,027)  
(2006 - 0.6 hours per hearing / 2005 - 0.6 hours per hearing)

Number of Requests for Redress 401 (2005 - 462)  
(2006 - 4 RfR per event / 2005 - 4 RfR per event)

Number of Requests for wrong OCS 114 - 28% of redress requested  
(2006 - 28% of redress requested / 2005 - 105 - 22% of redress requested)

Number of OCS Redress Requests given - 69 - 61% (2005 - 66 - 63%)  
(Just under 2/3 of redress filed for OCS are successful)

Number of Regattas reporting Appendix P - 58 - 56% (2005 - 56 - 46%)

P2.1 flags 1020 - 86% (2005 - 945 87%)

P2.2 flags 138 - 12% (2005 - 127 12%)

P2.3 flags 22 - 2% (2005 - 13 1%)

Appendix P On-Water hours 1,003 (2005 - 1,050)  
(2006 - 17 hours per event / 2005 19 hours per event)

Quality of Appendix P jury boats

Regattas reporting some or all boats were good 30 52% (2005 - 66%)

Regattas reporting some or all boats were satisfactory 26 45% (2005 - 41%)

Regattas reporting some or all boats were inadequate 2 3% (2005 - 11%)

(As a footnote, the editor extracted just those events where appendix P was in force. There were 10456 entries that competing in 2384 races with a total of 1180 rule 42 protests by the jury.)

You can go to the ISAF website and view the current data on the officials' page. Editor

## Question from Notice 12

May the NOR or SIs state that although the right of appeal is not denied, final standings and awards will not be affected by any appeal decision?

No. Case 61 states rule 86.1 prohibits changing any part of rule 70 or 71 in the sailing instructions. When the decision of the protest committee is changed or reversed upon appeal, the final standings and the awards must be adjusted accordingly.

If it is essential to promptly determine the result of a race (or series) that will qualify a boat to compete in a later stage of an event or a subsequent event, the OA would be wise to deny the right of appeal under rule 70.4. In Canada, if the protest committee is not an international jury properly constituted in compliance with Appendix N, the denial of the right to appeal must be stated in the NOR and SIs and requires the approval of the CYA.

## **Question**

From a protest in an international regatta with an international jury present: the facts found during the hearing were:

1. When 8170 approached the leeward starboard gate-mark, she entered the two boat length zone clear ahead of 8153.
2. As 8170 gybed and rounded the mark, she was struck and holed by 8153.
3. 8170 hailed "Protest" and 8153 did complete a two turn penalty.
4. 8170 had to withdraw from the race due to the damaged hull.

You are on the jury. What is your decision?

## **Members of the Judging Community – Certification or re-certification**

Mark Searle – Club Judge - ON

Don McIntyre – Senior National - ON

Robert Stewart – National Judge - AB

George Amour – Senior National - ON

Also welcome Canada's newest IJ – Kathy Dyer – Hamilton, ON & Warren Nethercote – St. Margaret's Bay, NS.

## **Remember the five simple rules to be happy:**

1. Free your heart from hatred.
2. Free your mind from worries.
3. Live simply.
4. Give more.
5. Expect less.

**Have a very festive season.**