

## **From The Jury Desk – The CYA Judges Newsletter**

**Notice 23 – September 2009**

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### **Welcome to Autumn!**

Sailing season is winding down for those of us that live in the centre of the continent and in the more northern latitudes. For those in the Sunbelt – the season is just starting.

### **CYA Appeal Committee**

The September 2009 CYA Appeals Book for 2009-2012 is now available on the CYA website at [http://www.sailing.ca/racing/rules\\_and\\_regatta\\_management/appeals/](http://www.sailing.ca/racing/rules_and_regatta_management/appeals/)

Of note - The September update eliminates Appeal 96, since it was a question posed to the Appeals Committee, and not an appeal of a protest committee's decision or a protest committee's request for confirmation or correction of its decision.

### **Regatta Survey Results**

The June newsletter carried a survey. The point of the survey was to gather information from the judges relating to the regattas they attend. Hopefully the information can be used to help the sport take a more planned approach to securing officials and thus provide a better service to the sailors. Some specific comments are also contained.

### **Response Summary**

The Jury Desk is circulated to approximately 130 judges in total of all levels. Just over 20% of the recipients responded. Of the respondents, 80% of them were National or International Judges. With the skewed response, the results are valid for the more experienced judges and may not apply to judges not at a national level. With that said, it does not mean that any conclusion drawn or change in practice does not or should not also apply to them.

In summary the more experienced judges are booking their events at least a year in advance. They do between 6 and 8 events per year lasting 3 to 7 days and are outside of commuting distance from their residence. The events are most likely to be keel boats under 40 feet and dinghy or Olympic Classes. Dinghy and Olympic classes all have appendix P in place. If IJs are in attendance the panel is most likely an international jury although they sit on a protest committee about one third of the time.

Travel costs are most often paid and accommodation and most meals provided. Even at that, on average, the judges reported spending \$250 on unrecovered expenses per event.

When a companion travels with the judge they travel at their expense including paying for meals and social events but several reported that the OA included them in special events without charge.

As to gifts, all reported that it was not expected but was appreciated. The most common gift was a polo shirt or jacket embroidered with the regatta logo.

### **Details**

Length of the Event – The most common event was 3 to 7 days however there were more reported shorter ones event than longer ones. In the comments received it would appear the common length for events are 1 to 3 days and 5 to 7 days. There are a few regattas that last between 10 and 14 days but most often they are special cases.

Number of Events – The number of events reported ranged from 3 to 15 per year. There was a difference in activity levels with Non-IJs on average reporting 3 to 5 events and IJs, on average, reporting 6 to 8 events per year.

Travel Distance – Almost all events were outside commuting distance.

Type of Committee - As might be expected, the national judges worked most of the time on a protest committee while the international judges were part of an international jury. It is also noteworthy that, from the comments received, at least one non-IJ was included or rotated into the international panel.

Imported Talent – If a protest committee was in place, at least one of the members was ‘imported’ i.e. outside of commuting distance. With an international jury this is a given.

Type of Boats – Not surprising here – the type of boats most often involved were handicap or class keel boats under 40 feet, or dinghies or Olympic Class boats. Unless it was a well know event, (examples. a NOOD event, Chicago/ Mac, Bayview/Mac etc) the handicap keel boats tended to have protest committees while a large event of a single class keel boat tended to have an international jury.

On a similar note, a large multi-class dinghy event with non- Olympic classes tended to have a protest committee while OCR’s or a single Olympic class event had international juries.

Regardless of the fleet involved, if it was a dinghy event, appendix P was applied.

Size of Fleet – The most common size of fleet was 50 to 100 boats if it was a single class. Smaller multi-class events (they tended to be a local regatta) were in the same size range. Large multi-class events – either keel or dinghy – exceeded this number, sometime either double or triple in size.

OA Approach – As several respondents pointed out – this was a catch 22 question – the best interests of the sailor and protection of the bottom line are not mutually exclusive. As you will see in the comments, however, if an OA is forced to closely budget, spending money on officials tends to be the first ones cut.

Planning Lead Time – Over 60% of the respondents reported having calendars booking events 12 months in advance. Most noted some comment regarding the OAs not thinking of officials until the later stages of planning and most also reported receiving invitations with less than 3 months before the event (not related to a withdrawal of a jury member because of an unforeseen circumstance).

It made little difference in the timing whether the invitation was to chair the panel or be a member of it.

Viewing SIs – Almost all reported has having access to the SIs prior to the event if they were the Chief Judges but only 50% if they were a member.

Expenses – This tended to be ‘touchy’ subject. It would appear that OAs tend not to budget for officials properly or at all. At local events using local talent this might seem appropriate but as invitations are extended to judges making travel necessary there is an expense to that invitation. Officials underwrite or subsidize the regatta by paying those expenses. The respondents on average spent \$250 per event in uncovered expenses.

Travel - All of us have heard the statement “We have no travel money but can put you up when you get here.” Here is a breakdown of costs by car or by air – what the judges will support and conversely what they will not support.

Travel by Car - No Expenses Paid – Although one judges reported they were willing to drive 10 hours to an event, the next person capped it at 5 hours. The balance reported they would not drive more than 3 hours if their expenses were not covered.

Travel by Car - Expenses Paid – Although 20% of the respondents still only travel 3 hours or less, the balance jumped to 5 to 10 hours. That equates between 500 km (300 miles) and 1000 km (600 miles). That covers a large territory.

Travel by Car – Rate of Recovery – About 50 reported being reimbursed using the business rate published by CRA (Canada) or IRS (USA); others reported recovering actual expenses paid by submitting a receipt. Another method reported was equivalent to air fare. (The advantage here is the judge has a car while at the event.)

Travel by Air – Using Points or Pay Your Own Fare – These have been lumped together because there was no difference in the responses. About 15 % had an outright “No” for either. The balance had either a “Yes” or a “Maybe” but they all had the same qualifying comment “It would have to be an event that I really wanted to do.”

Accommodations – From the responses given the choice the respondents would prefer a hotel but actually billets are the method most often offered (and accepted) - about 80% of the time.

#### Meals

Breakfast - At some events – approximately 1/3

Lunch – All events when the jury is on-the-water – at some events when they are on shore only

Dinner – At almost all events. If the panels are sitting late arrangements are usually made.

Special Events – Normally included at any VIP event or any event to which the athletes are invited.

Travel Companions – The expenses of the travel companion are not covered nor are they expected to be covered. Some events the OA, at their choice, will include the companion in dinners or special events. Most events will offer a special rate purchase for companions. There was a comment or two that some OAs price their extra meals knowing that they have a captive audience and “... \$50 or \$60 a head for a regatta dinner seemed a little over the top”.

Recognition Gift – Although not expected, almost all events give a gift to the officials (visiting or not), usually a regatta shirt or jacket. Other token gifts have been received – a plaque, fruit basket, regatta print, bag or brief case to name a few. All were appreciated. In addition, all respondents but 3 reported they purchase or sometimes purchase additional regalia.

#### **Comments from an OA**

The newsletter is sent to the e-mail address of the provincial sailing associations in Canada. One PSA responded. The following is the response to the opening questions of the last newsletter. The comments have been included in full. It indicates a couple of problems – in sparsely populated areas – travel costs present a barrier both for officials and participants, and, the lack of certified officials in the area. It also shows that we, the judging community, may not have shown to the sailing community at large the value we bring to the sport. We are part of the game.

With such a barrier, it may be incumbent on the judging community to offer a solution to the PSA: - a single judge rather than a panel – have members of the race committee become the protest committee (all race officers in Canada must also be a judge at some level) – panel by phone, fax, or e-mail. Depending on the solution found it may make redress for a race committee error a bit sticky and may also make applying appendix 42 impossible, but they are possible solutions. Only the competitor’s reactions will decide the validity of these alternate solutions.

The Original Response from the OA

*Question - "Am I out of touch or are my expectations consistent with the rest of the judges' community?"*

I think your expectation may be in line with the judging community but out of touch or beyond the current reality of the sailing and racing community. Royal clubs in major centre are one thing while smaller organizations making a huge community effort to put on an event that might require a judge.

*Questions - "Does the OA truly not understand the number of requests judges receive annually?"*

No they don't know and they don't care. They are frustrated that someone demands they have a high level judge who will cost them money and organizing time with little visible value added. Honestly most don't know what an OA is.

*Questions - "Have we, as a group, failed to communicate our expectations or requirements to the OAs?"*

Yes. You have also failed to sell them on your value. It is often seen as someone in the centre of the universe made a rule that high level and high priced judges are needed. Their cost becomes a barrier to involvement.

*Question - "Are our expectations the consequence of a "sense of entitlement"?"*

I am not sure who you feel has a sense of entitlement? Is it the judges or the event organizers?

*Question - "Are our expectations the consequence of the limits of our own monetary resources?"*

Not sure where you are going with that question. Does it have to do with moving race operation from a volunteer grass roots activity to a respected profession?

*Question - "Do the sailors understand or care whether certified officials are at the event?"*

No they do not. Paying extra registration fees to import officers they feel they will never see the benefit of is not appreciated. They see little or no difference between a person who can do the job and someone who is certified to do the job. I and many others have seen too many questionable or bad calls to feel comfortable with certifications.

*Question - "Are sailors willing to pay extra on their entry fee to ensure certified officials attend the event?"*

If the judge is local the cost is small and it is spread over 125 sailors, no problem. If we import from the other side of the country and share the cost with 25 sailors it has a large negative impact.

## **Comments from the Respondents**

On Planning

- ... seems the problems are the same everywhere---it never occurs to OA that they need to PLAN---and that those of us who donate our time do have other do have other obligations in our lives....

- How about trying to get CYA (and US Sailing) to put some guidelines in their email newsletter, perhaps as a news item reporting that some OA's do not appreciate the contributions judges make to the success of a regatta. Along with some guidelines or best practices. Of course it is all in the Race Management Manuals, but I suspect few OAs actually read them.
- ... as it currently stand, my 2009 calendar is full, my 2010 calendar is one event from being full, and my 2011 calendar has three events now. All involve 5 to 10 day commitments. Any additions in 2010 will be strictly a local one or two event or a very special case.
- OAs generally do not seem very savvy about planning for and budgeting for judges. The MNA could have something written that are guidelines relating to judges for awarding the events it controls - including timing, scheduling expectations and responsibilities, expenses etc. Many regatta chairs are doing it for the first time and don't have a clue.
- On lead time - the closer to the event the less likely I am able to attend
- Regarding Budgets - For the most part, yes for events I have been involved with (the OA has the best interests of the sailors in the planning stage). However, I am lucky to be able to pick and choose and my calendar fills up long before the OAs that consider protest committees as a afterthought get around to asking...

#### On Committee Structure

- For a regatta, including a championship, I will organize at least 3 judges. A second and / or third jury are ready, composed of RC and competitors from other fleets. Fleet "judges" are generally the best sailors in a fleet, who are pre-arranged to hear protest from fleets other than the one they are competing in. (At least one certified judge will be on each panel). At my club, the judges and RC are generally the same individuals, and we swap who is doing what, when.
- I think that our sport needs to consider if it wants judges at mid level events and if so find a greater involvement for them in events. I have frequently served in a minor role on the signal boat which has made the event more interesting. This only works if the event has enough judges that I could stand down from the Protest Committee if a competitor was asking for redress from Race committee action.

#### On Expenses

- I find it unrealistic for an OA to ask a judge or umpire to pay for their accommodation, meals, and transportation. We are doing a service for free, for which we are asked to be certified, and to keep up our certification by going to events, taking courses, taking tests, being evaluated, doing paperwork, keeping logs, giving up our vacation time and/or family time to provide this service. We do it to give back to our sport. Many of us have a hard time justifying spending money on the above three things to a spouse, when you are taking time away from being with them.
- My club will billet and feed an out of town judge, buy them a drink, but that's all.
- I coach high school basketball and it costs us over \$1000 for 2 referees for a tournament on Friday night and all-day Saturday. Our tournament hosts 8 teams, 80-100 athletes, and 12 games total. Basketball referees are paid mileage, as well as per game, and do two games and then take a break. Our local regattas are around 20 competitors, last 2-3 days, and pay officials fuel or meals or nothing. Quite a contrast.
- I've been an official in other sports which pay me for that officiating, I profit. In sailing I struggle to break even.
- I sometimes get the feeling that the old adage is true - "Sailors think since the wind is free - everything else should be too." The last five international juries I put together the travel costs did not exceed \$1200 - for the size of the regattas (week long events and continental or world championships) it meant a budget line of less than \$20 per boat.

- A major expense for some of us which you have not included is out of country travel (and health) insurance. My insurance now costs well in excess of one thousand a year. As one gets older, and with a health history the annual increase will soon be prohibitive.
- (Ed Note – One of the topics in ISAF's upcoming meetings is exactly on this topic – paying for officials)

#### On the Judges' Added Value

- I feel that the judging situation is deteriorating these days because there is very little happening at a regatta for judges. As a credit to the modern rules there seems to be many fewer protests and even a reduction of yellow flags given. OAs find it hard to justify the expense of juries when over 5 days there are two protest hearings and maybe 6 - 10 yellow flags.
- (Editor's Note – The numbers may also reflect the fact the jury was there and part of the game.)
- ... We should remember that while our reputation is created amongst our peers, the real impression of Judges is created by what we do in the presence of other sailors.

#### On the Role of the Judges Sub-Committee

- There is a need for the CYA judges committee to set and publish some norms. Without any framework, judges are forced to guess. This leads directly to a lack of recognition of the role. There could be a Regatta Management manual, and it could include the estimating of officials' expenses. It could also include a table showing the suggested "normal" distance that a Chief Judge should travel depending on the level of judge needed, the rank of the event, expected fleet size. Also allow for norms on the expenses of members. For Sport Canada funding, there has to be French. That is a parameter you have not discussed here. All National Level events, especially MNA-sanctioned ones, need to have bilingual or translator capability.

(Editor's Note – Some PSAs already have this in place. In addition, all CYA titled events the requirements are in place and published. It is those requirements the OA above referred to when he wrote "someone in the centre of the universe made a rule")