

PROTEST COMMITTEE DECISION

Case No: 1

Race: 16/12/23

PARTIES

Boat or Committee or Person	Class/Fleet	Represented By/ Not Present
Flying High	Div 2	Peter Harvey

WITNESSES

Name	Boat - Role
Hugh Howard	Race Officer

Valid – Yes/~~No~~ (if 'No' use Facts Found to document this decision)

Case Summary:

Flying High seeking redress due error by RO in Course Setting

Procedural Matters (including Case type: e.g. Protest, Request for Redress, Reopening request etc)

Case type: Request for Redress.

Flying High was represented by Peter Harvey

The Race Committee was represented by Hugh Howard RO.

Facts found:

1. Course 13 was chosen from the published Sailing Instructions.
2. The RO also drew the course on the course board.
3. The Wind was from the S/W at approximately 20kts.
4. The published course from the SIs has Mark 1 as the leeward mark, and Mark 2 as the windward mark, both in Lake King.
5. The course drawn by the RO on the course board had Mark 1 as the windward mark, and Mark 2 as the leeward mark, both in Lake King.
6. The error was not noticed by the RO or any boats before the race was started.
7. Mark 1 is usually laid first, which was done in this instance.
8. Division 2 boats started 15 mins before Division 1 boats.
9. Division 2 boats saw the mark laying boat in the vicinity of a mark and proceeded directly to that mark.
10. There was only one mark laid when the Division 2 boats entered Lake King.
11. Division 2 boats later saw the Mark laying boat lay another mark, which was to leeward of the first mark, and on or slightly aft of their beam.
12. Division 2 boats proceeded to the first mark laid and were confused by what leg to sail next (to windward or leeward).
13. When the Division 1 boats entered Lake King, they saw two marks laid, and proceeded part way towards the windward mark then changed course towards the leeward mark, as they would normally, if following the SIs.
14. Boats from either division sailed around different marks and completed a different number of legs.
15. The windward mark drifted several hundred metres downwind thereby shortening the course as the race progressed.
16. All boats crossed the Finish Line and were scored by the finish time keeper who was

unaware of the confusion on the course.

17. Flying High retired following their confusion as to what course to sail.

Conclusion:

Flying High's score (and that of the entire fleet) in the race was made significantly worse through no fault of her own by:

- an improper action or omission of the race committee.

Therefore, the requirements for redress in RRS 62.1(a) are met.

Rules: 62.1(a)

Decision:

The Race on 16/12/23 is abandoned.

Protest Committee:

Fred Haes, RJ (Chair), Damien Daniel.

International Jury: ~~Yes~~/No

Signed:



Date, time: 20th December 2023, 1830