

# **MHYC Short Ocean Pointscore Series 2022-23**

## **Request for Redress Shibumi, Nine Dragons, Georgia Express, and Toybox**

Hearing at MHYC on 9 November 2022 at 18:00 Hours.

**Shibumi represented by: Bryan Moore**

**Nine Dragons represented by: Bob Cox**

**Georgia Express represented by: Andy Forbes**

**Toybox represented by: Ian Box**

### **PROCEDURAL MATTERS**

#### **Conflict of interest**

Protest Committee members declared that they had no conflicts of interest and no party objected to the members hearing the protest

#### **Other Procedural Matters**

The requests for the same incident and were heard together in accordance with rule 63.2.

A written statement from the RO, who was unable to attend the hearing was circulated to all parties before the hearing and was considered on its merits.

#### **Validity**

1. All boats delivered a Hearing Request containing the information required by rule 62.2 to the race office within the protest time limit.
2. All requests for redress are valid and the hearing of that request continued.

### **FACTS FOUND**

1. The race committee signalled Course 3 which requires marks at 33deg51minS 151deg189.degE, 1.1 nm due east of Macquarie Light and a mark to windward of that mark, 2nm at a bearing (signalled by the race committee) of 060 degrees from that position.
2. The race committee laid marks appropriate to Course 1 or 2 at 33deg40.5minS 151deg10.5minE 1.2nm due east of North Head and a mark to windward of that mark, 2nm at a bearing (signalled by the race committee) of 060 degrees from that position.
3. The whole W/L leg of the course was thus displaced about 2.5nm to the north, and the bearing of the first seaward mark from South Head was NE, instead of ESE.
4. On leaving the Heads, boats initially set courses to ESE towards the signalled position of the windward mark. After sailing for some considerable distance on those courses, boats, not acquiring the mark in its expected position, acquired the mark in position to their NE, and changed course towards it, thus sailing up to three miles extra distance.
5. Slower boats at the back of the fleet potentially had the advantage of being alerted to the wrong position of the windward mark by seeing faster boats in front of them tacking towards it, and thus progressively gain an advantage by being able to shape their course more to the north towards the actual position of the mark.
6. In consistent wind conditions, slower boats generally placed significantly better than faster boats.

### **CONCLUSION AND RULES THAT APPLY**

- A. **Laying the offshore marks 2.5nm out of position was an improper action of the race committee.**

- B. The scores of boats requesting redress were made significantly worse, through no fault of their own by the improper action.
- C. Boats requesting redress are entitled to redress in accordance with 62.1(a).
- D. There is insufficient reliable information available with respect to all boats to quantify how much advantage or disadvantage boats may have suffered.

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## **DECISION**

**Redress is given as follows: the race is abandoned.**

Kerry Burke  
Chairman

**Protest Committee:** John Allan NJ, Kerry Burke CJ, John Crawford CJ