

## MHYC - Request for Redress Hearings

Note: This is a rehearing following a successful appeal to Australian Sailing (AS) by RUMBA on procedural grounds. AS ordered a rehearing and appointed Steven Hatch as Chairman.

Request for Redress were lodged by the following boats claiming errors by the Race Committee;

RUMBA                      FOURTY TWO

Race    02-11-2019    MHYC Inshore Division 1

Hearing Conducted - Wednesday 8<sup>th</sup> January 2020 – 7.00PM

The two requests for redress related to the same incident so were heard together.

The requests were declared valid.

The Protest Committee consisted of Steven Hatch, Geoffrey Charters, Colin Gunn. Geoffrey Charters was sailing in a different division on the day and declared that and gave evidence in the presence of all parties and was cross examined.

### FACTS FOUND

- On this day MHYC were conducting an event for MC38's and using a combined start vessel for this and their regular inshore racing consisting of three divisions being Adams 10 (A10), Div 1 & Div 2.
- The advertised start time for all three divisions is 13.00
- When the boats were on the way to the starting area a radio broadcast was made by the RO about his plans for the day and that there may be a delay of up to 15mins and some information about possible courses being 29 and 29 Shortened. Rob Carr of RUMBA stated that this message was not very clear as their radio was turned down.
- At approx. 12.52 the RO radioed the fleet saying he would start on time at 13.00 with the Adams 10's and Div 1 course 29
- RUMBA radioed the RO asking for clarification as to the location of the finishing line, due to the startline not being in its usual location, and was informed that the finish was in its standard position. RUMBA did not elect to confirm the course.
- RUMBA had sailed a significant distance downwind away from the startline and had to hoist its headsail and sail upwind to the start.
- The RO went into sequence displaying the A10 over DIV 1 class flags and course 29 (NO "S" flag).
- RUMBA, FOURTY TWO and GALAN did not observe the flags at the start
- WAILEA sailed the full course whilst RUMBA, FOURTY TWO and GALAN sailed the shortened course.

### CONCLUSIONS

- The Race Committee made a number of radio broadcasts covering racing for the A10, Div 1 and Div 2 fleets that were either not heard clearly by some competitors or misunderstood.
- RUMBA and FOURTY TWO were not close enough to the CV at the start to observe the flags and chose not to confirm their understanding of the course and thus cannot meet the requirement for redress of "through no fault of her own".
- The Race Committee did not make an error.

RULES APPLICABLE    RRS 62.1

DECISION    Redress is denied

THE PROTEST COMMITTEE    Steven Hatch, Geoffrey Charters, Colin Gunn