



Protest #1 – Maverick Request for Redress

Protest Number:	01		
Boat Protesting:	Maverick	Boat Protested:	Request for Redress
Validity:	Protest is valid		
Facts Found:	<ol style="list-style-type: none"> 1. RC issued NTC number 5 due to the forecast track and potential strength of cyclone Iris in accordance with SI 3.3. 2. The notice in part states that “Competitors should choose a position that suits them tactically (Latitude and Longitude)” and that “they will need to return to their recorded suspended position”. 3. RC subsequently issue NTC number 6 which indicated that “Competitors shall return to their suspended racing Latitude irrespective of Longitude.” 4. At the time of suspension, Maverick and several other boats were sailing a course offshore, while some where closer to shore. 5. All boats leaving Southport chose to resume racing close to shore rather than returning to their previous longitudes 		
Conclusions:	<p>For redress to be awarded to a competitor, there is a requirement that all three of the following tests have to be met:</p> <ol style="list-style-type: none"> 1. There has been an improper action of the race committee 2. That a boat’s score has been made significantly worse 3. Through no fault of her own <ol style="list-style-type: none"> 1. Improper action of the race committee Changing the restart from lat/long to just latitude was made to allow for the changing weather conditions from when the race was suspended until resumed. What may have originally been seen as an advantageous position at the time of suspension may have become a disadvantageous position by the time of the restart. The change by the RC was to negate this possibility. The Jury does not believe that this action meets the test of “improper”. 2. A boat’s score has been made significantly worse Given the vagaries of wind strength, wind direction, sea state and current from each boat’s racing suspension to their resumption, together with the length of the course still to be completed, it is impossible for the Jury to determine if a boat’s position has been made significantly worse by the removal of the longitude requirement. 3. Through no fault of her own. Maverick had the option of returning to her original longitude, or in fact even further offshore if she felt that this was 		

	<p>strategically advantageous as NTC stipulated a time to leave their safe harbour, but no time limit to resume racing. However, she chose not to do so for whatever reason. Therefore, if in fact her score was made at all worse, it was partially due to her decision to restart closer to shore rather than offshore.</p>
<i>Rules that Apply:</i>	62.1(a)
<i>Decision:</i>	Request for Redress is denied.
<i>Protest Committee:</i>	Paul Pascoe, Rob Ware, Lisa Mackay, Masaaki Tanaka, Leonard Chin