

# Understanding Redress

By Don Ouimette

The topic of Redress in the Racing Rules of Sailing (RRS) Rules 62 and E6.6 is often misunderstood and in need of clarification. The whole point of Redress is to give a sailor that has been grievously fouled by another boat through no fault of their own, some measure of relief when their position in a race has been significantly compromised.

If you don't have a copy of the RRS (<https://www.sailing.org/documents/racingrules/>), below is the complete Redress rule. Note that the standard Redress rule 62 has four reasons for considering Redress (a, b, c, d) and then the Radio Sailing Appendix E has two more reasons (e, f) added to rule 62.

## **62 REDRESS**

**62.1** *A request for redress or a protest committee's decision to consider redress shall be based on a claim or possibility that a boat's score or place in a race or series has been or may be, through no fault of her own, made significantly worse by*

*(a) an improper action or omission of the race committee, protest committee, organizing authority or technical committee for the event, but not by a protest committee decision when the boat was a party to the hearing;*

*(b) injury or physical damage because of the action of a boat that was breaking a rule of Part 2 and took an appropriate penalty or was penalized, or of a vessel not racing that was required to keep clear or is determined to be at fault under the IRPCAS or a government right-of-way rule;*

*(c) giving help (except to herself or her crew) in compliance with rule 1.1; or*

*(d) an action of another boat, or a crew member or support person of that boat, that resulted in a penalty under rule 2 or a penalty or warning under rule 69.*

### **E6.6 Redress**

**Add to rule 62.1:** ← Note that e & f are added to rule 62.1 from the radio sailing appendix E

*(e) external radio interference acknowledged by the race committee, or*

*(f) becoming disabled because of the action of a boat that was breaking a rule of Part 2 or of a vessel not racing that was required to keep clear.*

The main reason for granting Redress is based on the initial statement in rule 62 which reads as follows.

***“A request for redress or a protest committee’s decision to consider redress shall be based on a claim or possibility that a boat’s score or place in a race or series has been or may be, through no fault of her own, made significantly worse by”***

The fundamental consideration is that boat’s score in a race or series has been made significantly worse for a variety of reasons through no fault of their own. Let’s look at each of the possible reasons that this can occur.

***62.1 (a) an improper action or omission of the race committee, protest committee, organizing authority or technical committee for the event, but not by a protest committee decision when the boat was a party to the hearing;***

This statement gives the protest committee the authority to grant Redress due to any possible mistakes made by the race committee that may have made the competitors position significantly worse. For example, if the Race Director (RD) makes a late call of the wrong boat number being over the line early, the competitor would have to wait for the fleet to sail by and then goes back to restart. If it is discovered that it was the wrong boat number called, the RD may grant Redress.

***62.1(b) injury or physical damage because of the action of a boat that was breaking a rule of Part 2 and took an appropriate penalty or was penalized, or of a vessel not racing that was required to keep clear or is determined to be at fault under the IRPCAS or a government right-of-way rule;***

A boat is entitled to request Redress for any incident that results in injury or physical damaged cause by another at fault boat. If a Right of Way (ROW) boat was physically damaged by an at-fault boat which, for example, cause the boats performance to degrade and resulted in a significant loss of position, they would be entitled to Redress even if they were not fully disabled.

***62.1(c) giving help (except to herself or her crew) in compliance with rule 1.1; or***

If a boat stops racing to help anyone in need of rescue or help, the RD may grant Redress. This is more likely to apply to full scale boats and racing.

**62.1(d)** *an action of a boat, or a member of her crew, that resulted in a penalty under rule 2 or a penalty or warning under rule 69.2(h).*

If an at-fault boat is penalized by rule 2, “Fair Sailing” or by rule 69 “Misconduct” that resulted in significant loss of position of the offended boat, the offended boat may request Redress.

From the Radio Sailing Appendix E

E6.6(e) and E6.6(f) are reasons that are ADDED to rule 62.1.

**E6.6(e)** *external radio interference acknowledged by the race committee, or*

With 2.4 Ghz radios predominantly used today, the likelihood of radio interference is negligible, but it is still on the Redress list of reasons to grant Redress.

**E6.6(f)** *becoming disabled because of the action of a boat that was breaking a rule of Part 2 or of a vessel not racing that was required to keep clear.*

E6.6(f) is the most common reason for granting Redress in radio sailing. If a boat breaks a rule in part 2 and disables another boat, the disabled boat is entitled to request Redress. This can occur by getting entangled with another boat or by causing damage that results in the offended boat not being able to continue racing. There is a definition at the beginning of the radio sailing appendix E under section **E1.1 Definitions** that clearly defines what “Disabled” means:

### **E1.1 Definitions**

**Disabled - A boat is disabled while she is unable to continue in the heat.**

There is some common belief that for a boat to get Redress, the boat must be permanently disabled. This is simply not true and likely goes back to old rules editions that no longer apply.

The offended boat need not be permanently disabled! Boats can become entangled for some time and are temporarily disabled during which time the rest of the fleet sails away. If during the time that the boat is disabled, there is a significant loss of position, that boat may request redress whether the boats become untangled on their own, with help, or not at all.

It is important that when a potential redress incident occurs, the offended boat must properly protest the at fault boat and immediately notifies the RD so the RD can witness how significant the loss of position is. The RRS rule 69.2 generally requires the request for redress be in writing

just like any other protest. If the Race Committee wants to allow verbal request for redress, this should be stated in the Sailing Instructions. Although you can still request Redress in a protest hearing and Redress may be given as the results of a protest outcome, it is preferable to not wait until the end of the race to notify the RD that you are requesting Redress. It may be difficult for the protest committee to assess the resulting loss of place if they did not see what has happened.

All requests for redress, as required under rule 62, require a hearing, especially if the protested boat does not accept fault and requests a hearing. If there is a protest hearing, the redress hearing is generally heard after the outcome of the protest hearing is determined.

If the protested boat does accept fault for the incident and takes an appropriate penalty, often in RC racing, the PRO or RD can serve as a one-person protest committee and conduct the redress hearing with the offended boat skipper and make a hearing decision to grant or deny redress. If redress is granted, the offended boat must retire and take the redress score.

Now that we have covered all the reasons why Redress may be granted to an offended boat, it is very important to note that nowhere in any of the Redress rules in the RRS does the language talk about what happens to the “at fault” boat. Fundamentally, the “at fault” boat has fouled another boat and must take its penalties as prescribed in the racing rules just like any other foul. There is a common belief that if someone is granted Redress, then the “at fault” must retire. This is not true! Forced retirement only applies if the offended boat is disabled as shown below.

The place where a mandatory retirement is imposed is in the “Taking a Penalty” rule E4.3 section (see below) which generally applies to breaking any rule in part 2 of the RRS and is not fundamentally tied to Redress. E4.3(c) below clearly states that if a boat **“causes another boat to become disabled and retire, her penalty shall be to retire.”** Often, when this happens, the offended boat usually requests Redress, but Redress is not automatic and must be requested by the skipper to the Race Director. Retirement is mandatory for the “at fault” boat when it permanently disables another boat.

### ***E4.3 Taking a Penalty***

*Rule 44.1 is changed to:*

*A boat may take a One-Turn Penalty when she may have broken one or more rules of Part 2, or rule 31, in an incident while racing. However,*

*(a) when she may have broken a rule of Part 2 and rule 31 in the same incident, she need not take the penalty for breaking rule 31;*

*(b) if the boat gained an advantage in the heat or race by her breach despite taking a penalty, her penalty shall be additional OneTurn Penalties until her advantage is lost*

***(c) if the boat caused serious damage, or as a result of breaking a rule of Part 2 she caused another boat to become disabled and retire, her penalty shall be to retire.***

Once Redress is granted, someone must calculate a score for the offended boat in the heat. There is no definitive method prescribed in the RRS for this. Section A10 provides some guidance, but it is up to the race committee to decide how to adjust the score. A10(a) below suggest averaging all the scores in the race and this method is commonly used. This provides the best statistics to represent the average performance score of the offended skipper. A10(b) suggest averaging all races prior to the incident but if the incident occurs in race 2, there are too small a number of races and it is a poor representation of the sailor's general performance. Below is the Guidance section of the RRS.

## **A10 GUIDANCE ON REDRESS**

*If the protest committee decides to give redress by adjusting a boat's score for a race, it is advised to consider scoring her*

*(a) points equal to the average, to the nearest tenth of a point (0.05 to be rounded upward), of her points in all the races in the series except the race in question;*

*(b) points equal to the average, to the nearest tenth of a point (0.05 to be rounded upward), of her points in all the races before the race in question; or*

*(c) points based on the position of the boat in the race at the time of the incident that justified redress.*

### **Summary:**

When you have been fouled by another boat and you believe it results in a significant loss of position in a race or series, you must first properly protest (E6.3) the other boat. If you intend to request Redress, you should immediately inform the Race Director so that he can witness the "significant loss of position" because it is often the RD that will hear the redress request and

make a decision to grant or deny the Redress request. If you are disabled and cannot continue in the heat and must retire, then and ONLY then, the “at fault” boat must retire. This can occur if you are entangled and do not become free or if your boat is damaged.

If you get free of each other and the rest of the fleet has sailed much further down the course, you must still protest the other boat for its foul and you have the option to request Redress, but it is not mandatory. You can continue to race in the heat. The “at fault” boat is required to do their turn(s) for the foul they committed but they can continue to race in the heat. Remember, mandatory retirement for the “at fault” boat is only if an offended boat is disabled and has to retire (E4.3c).

Keep in mind that under rule E4.2(b) and E4.2(c), a competitor may accept help without penalty from the other competitor or the race committee if boats are entangled IF YOU CHOOSE, but it is not mandatory. If the offended boat chooses to let someone untangle the boats, they may then continue to sail in the heat or request Redress based on significant loss of position. What the offended boat chooses to do has implications for the “at fault” boat. Remember that no one can touch your boat unless you give permission, including the race committee. If you choose to let the other competitor or the race committee untangle the boats, the at fault boat may continue racing after doing its penalty and scores whatever position they attain in the heat. If you choose to not let anyone help untangle the boats, you should declare to the RD that you are “Disabled” and are unable to continue the heat and will retire and then request Redress. This forces the at fault boat to retire under rule E4.3c which scores as the number of boats in the heat plus one.