

Firstly my apologies for the delay in dealing with this manner, illness and the Olympics were factors but it still should have been dealt with much earlier.

After World Sailing received a report from Oliver Hartas (OH) concerning John Kirkjian (JK) at the 18 Footers League on 24 January 2016 in Australia in which JK was the chairman of the protest committee and OH a competitor.

Under Regulation 32, the report has been reviewed by the Chairman of the Race Officials Committee and the Vice President responsible for ISAF Race Officials and they consider that the report was categorised as Category B under Regulation 32.5.

John Kirkjian was asked if he accepted the allegations or if he require an investigation (Doc 1) to establish the facts to be undertaken. JK made comments on the allegations (Doc 2) and requested an investigation. An investigation panel formed by Andres Perez (Chair), Bill O'Hara and Tomasz Chamera was appointed. JK presented his allegations (Doc 3) and made comments on OH's report (Doc 4).

Facts:

- During the 2016 18ft Skiff Australian Championship, that consisted of five races from 10th to 31st January, boat Ilve helmed by Oliver Hartas (OH) sailed in race 1 with a crew of four.
- In race 2, on 17th January, Ilve, skippered by OH, sailed with a crew of three.
- OH was protested by Appliancesonline.com in race 2 (Doc 5), the protest was lodged on 19th January at 4.15 pm.
- OH emailed all 18ft skippers informing them that he intended to retire from race 1. (Doc 6)
- Ilve was notified by the club's manager that the hearing will take place at the club at 11am on 24th January 2016.
- Before the hearing, OH was informed that regardless the outcome of the protest lodged by Appliancesonline.com the protest committee intended to protest him under rule 69 for knowingly breaking Class Rule 8.
- OH filed a complaint with WS about the manner in which the issue was dealt with citing the behaviour of John Kirkjian as not in keeping with the standards expected from a WS International official

When reviewing the facts the panel feels that JK's behavior was clearly not of the standard expected from a World Sailing International Judge .The two failings were in procedure and attitude.

The correct procedure on the 24th January would have been to hear 'Appliances on line' protest and declare it invalid as it was lodged late. David Witt should have then been asked to absent himself.

If then the protest committee wanted to have a 69 hearing they are obliged to follow the provisions of rule 69.

This includes promptly informing 'the competitor in writing of the alleged breach and of the time and the place of the hearing'. Handing him an incomplete

pre prepared protest form and asking him to withdraw from a race so that you won't proceed with it does not comply with this obligation.

On top of the aforementioned procedural issues JK admits to not letting Oliver Hartas put his case and constantly interrupting him because the hearing wasn't opened. This is no way to conduct a discussion never mind a hearing and is just bad manners and falls far below the standards expected of a World Sailing Official.

In lieu of your previous good service to WS we feel a reprimand under regulation 32.9(b) is sufficient in this instance. A copy of this letter will be sent to Oliver Hartas who the panel feels you owe an apology.

Again our apologies for the delay in dealing with this.

Andres Perez
Panel chairman