

**ISAF Case Book**

## Case 78 Addition

A submission from the Chairman of the Race Officials Committee

**Proposal:**

To add supplement to ISAF Case 78

**Rule 2, Fair Sailing****Rule 22.2, Interfering with another boat**

*A boat does not break rule 2 even when the chances of benefiting her own series result are low and a third boat benefits from her actions. It is fundamental to any sport that a competitor may attempt to improve their results no matter how low the chances of success.*

**Summary of the Facts**

During the last race of a series boat A could only finish second in the series if boat B finished below 24<sup>th</sup> place. Rounding the last mark boat A was in 14<sup>th</sup> place but in a position to cover boat B. Boat A decided to closely cover boat B and slowed her significantly, but close to the finish line boat B escaped cover and finished in 14<sup>th</sup> place. Had boat B not been slowed she would almost certainly won the event but she finished second overall by one point to boat C. Boat C was of the same nationality as Boat A and funded by the same sponsor.

**Question**

As boat A failed in her attempt to cause boat B to finish below 24<sup>th</sup> place and boat C almost certainly gained first overall as a result, did Boat B break rule 2?

**Answer**

No. It is fundamental to any sport that while the possibility of improving a result exists a competitor may attempt to do so, providing they do not break a rule. There are many examples achieving results against significant odds. When such tactics are adopted it is almost certain that another competitor will benefit and it is not reasonable to judge such a case with the benefit of hindsight.

**Current Position:****CASE 78****Rule 2, Fair Sailing****Rule 22.2, Interfering with Another Boat**

*A boat does not break rule 2 by slowing another boat's progress in a race, provided that this tactic is intended to benefit her own series result, that the boats are on the same leg and lap of the course, and that in using it she does not intentionally break a rule.*

**Summary of the Facts**

On a windward leg near the finish of the final race of a one-design class series, boat A is some distance ahead of B. Suddenly, A changes course, so that she sails back down the course towards B and positions herself in a tactically controlling position over B. A then slows B's progress, resulting

in three boats passing them. A had calculated her own and B's scores, and had determined that if B were to be passed by three boats A would defeat B in the series.

### **Question**

Was the tactic used by boat A, turning back and slowing another boat's progress, a sportsmanlike action? Is this tactic acceptable in any race or in part of a race?

### **Answer**

A's tactic broke no rule, including rule 2, which refers to sportsmanship. Provided the boats are on the same leg and lap of the course (see rule 22.2), it is acceptable for a boat to slow another boat's progress in a race and to use this tactic in any race of a series, at any time during the race, provided the tactic is intended to benefit her own series result. However, if a boat intentionally breaks a rule while using this tactic she also breaks rule 2.

USSA 1991/282

### **Reason:**

Existing Case 78 is not specific about the circumstance where a third boat gains as a result of the action of the first boat and is not specific about the chances of A succeeding. As well as being against the principle of 'trying against the odds' it is also undesirable to require judges to have to determine how likely a boat is to succeed in order to decide a particular case and they should definitely not use hindsight. If competitors do not know how judges will decide, they cannot select the appropriate tactics. International Judges are divided on this issue and so a case is required to ensure consistency of decisions.