

**INTERNATIONAL ONE METRE  
INTERNATIONAL CLASS ASSOCIATION**

# Dispute resolution

## Discussion Paper

Version 0.1  
19 February 2005

Adapted from  
RYA Racing Best Practice  
Judges Conference  
Holme Pierrepont, February 19/20 2005

Two additions to the standard RRS protest and redress procedures are described. The intention is to provide a faster and less formal dispute resolution for club racing. Either or both procedures may be invoked for an event by the Sailing Instructions.

These alternative procedures are most suited to questions of the interpretation or understanding of the rules, and are not suited to situations when the facts are in dispute. The penalties of the alternative procedures are deliberately low in order to encourage a competitor to seek the resolution of a grievance rather than do nothing. It is advisable that the Advisor or Mediator should be a qualified judge, or at the least a respected member of the sailing community with knowledge of the rules.

For information, the following table compares the alternative procedures with the standard RRS procedure.

	<b>Advisor</b>	<b>Mediator</b>	<b>Protest committee</b>
Paperwork	None	Mediator assisted	Protest form
Penalty	Voluntary 25%	Mandatory 33%	DSQ
Witnesses	No	Race Committee only	Any eligible
Redress	Correction of score error only	If mutually agreed	Yes
Damage, injury, significant advantage	Voluntary retirement	Mandatory retirement	DSQ
Appeal	Available, but only following valid protest through protest committee		
Time limit	None, but must meet limit to access protest committee	Yes	Yes
Formality	None	Protest form	Protest form
Character of process	Advisory	“Fast-track” protest	Full judicial protest

---

## 1. GRIEVANCE RESOLUTION ADVICE

- 1.1. A boat or race committee may request the opinion of a rules Advisor (or of an Advisory group, hereafter called “Advisor”) appointed by the Organising Authority to assist with rule grievances. If the rule grievance concerns redress, the Advisor shall only deal with such a request if the redress concerns the correction of an error in the score of a boat.
- 1.2. The request may be made verbally to the Advisor. If the request is made within the protest time limit,
  - 1.2.1. The requestor maintains their right to protest using Mediation or in accordance with Part 5.
  - 1.2.2. The protest committee shall use the provisions of rule 61.3 to extend the protest time limit to allow the requestor to submit a protest promptly after the conclusion of the grievance resolution advice meeting.
- 1.3. The Advisor shall call the requestor and the other parties involved to a meeting. Only the parties to the request shall have the right to speak. No witnesses shall be called. Observers to the meeting are allowed. After discussion with the parties, the Advisor gives their opinion as to whether any rule was broken and why.
- 1.4. If a rule was broken but no party takes any further action, there shall be no penalty for this infringement.
- 1.5. If a boat is identified as having broken a rule and a party thereafter submits a protest, the boat may exonerate herself by taking an exoneration penalty at any time prior to the protest committee hearing, and if the party so takes an exoneration penalty the protest committee shall hold the boat exonerated for the purposes of rule 64.1.
- 1.6. The exoneration penalty is 25% of the number of boats scheduled to race in the heat concerned, with any fraction rounded up. However, if a boat caused injury or damage, or gained a significant advantage in the race or event by her breach, her exoneration penalty shall be to retire.
- 1.7. The Advisor may be a member of the protest committee.

## 2. MEDIATION

- 2.1. A boat or race committee may submit a protest to a Mediator (or to a Mediation group, hereafter called “Mediator”) appointed by the Organising Authority to provide a dispute resolution service using mediation. If the protest concerns redress, the Mediator shall only deal with the protest with the consent of all parties.
- 2.2. The protest shall be made to the Mediator within the protest time limit. The protest committee shall use the provisions of rule 61.3 to extend the protest time limit for the protest if the protest is promptly submitted to the protest committee at the conclusion of the Mediation meeting.
- 2.3. The protest shall identify the parties, state whether a hail of “Protest” was made, state whether there was damage and/or injury, and provide brief details (including a diagram if relevant) of the incident. The Mediator shall assist in the completion of the protest form when asked.
- 2.4. The Mediator shall meet with the parties to the protest. Only the parties to the protest shall have the right to speak. The Mediator may call members of the Race Committee as witnesses. Observers to the meeting are allowed. After discussion with the parties, the Mediator gives their judgement as to whether any rule was broken and why.
- 2.5. If the protestor accepts that no rule was infringed, the protest will be considered withdrawn.

- 2.6. If a boat is identified as having broken a rule, the boat shall be given a mediation exoneration penalty, and if the protest is thereafter submitted to the protest committee, the protest committee shall hold the boat exonerated for the purposes of rule 64.1.
- 2.7. The mediation exoneration penalty is 33% of the number of boats scheduled to race in the heat concerned, with any fraction rounded up. However, if a boat caused injury or damage, or gained a significant advantage in the race or event by her breach, her mediation exoneration penalty shall be to retire.
- 2.8. The Mediator may halt the Mediation meeting at any time if they believe the protest requires submission to a protest committee for correct resolution.
- 2.9. The Mediator may be a member of the protest committee.