

RULE 1.1 – HELPING THOSE IN DANGER

A boat, competitor or support person shall give all possible help to any person or vessel in danger.

This rule is the first fundamental rule, reaffirming that this principle must be the one to which all sailors and those supporting sailors hold above all others. Remember that the word “shall” is mandatory. If it were proved that a sailor or *support person* was in a position to help, but did not do so, he or she would be liable for disqualification. Note that the rule requires the giving of all “possible” help; this is to leave no question about the extent to which sailors and their *support persons* should help each other when in danger.

The rule book is very supportive of this principle.

- Rule 22 (Capsized, Anchored or Aground; Rescuing) reads in part, “...a

boat shall avoid a boat that is...trying to help a person or vessel in danger.”

- Rule 41 (Outside Help) reads, “A boat shall not receive help from any outside source, except (a) help for a crew member who is ill, injured or in

(b) after a collision, help from the crew of the other vessel to get clear...”.

- **Rule 42.3(g) (Propulsion, Exceptions) reads, “Any means of propulsion may be used to help a person or another vessel in danger.”**

- Rule 48 (Limitations on Equipment and Crew) reads in part, “No person on board shall intentionally leave, except...to help a person or vessel in danger...”.



“If I do stop and help a boat or person in danger, can I get some compensation for the places and/or time I may have lost?”

You bet! When you have lost places and/or time as a result of a rescue, you are permitted to request redress under rule 61.4(b)(4) (Redress Decisions), and the protest committee, acting under rule 61.4(c), can give you appropriate compensation for the places and/or time lost. In the event you go to a rescue, try, if possible, to accurately note the time and your position when you began sailing to the rescue and when you got back in the race. On boats in offshore races it is common to keep a log, supported by GPS data, of times and positions to help the protest committee provide the fairest compensation.

A now famous instance of these rules at work is the rescue made by Canadian Finn sailor Larry Lemieux in the 1988 Summer Olympic Games held in the rough seas off Pusan, South Korea. While in second place midway through a race, Larry noticed a 470 sailor in the water separated from his boat and having great difficulty. Larry went to the sailor’s rescue, succeeded in getting him safely back to his boat, and after the race requested redress. The Olympic Jury awarded Larry points equal to finishing second in that race!

Case 20 reads: **“SUMMARY OF THE FACTS:** Dinghy A capsized during a race and seeing this dinghy B sailed over to her and offered help. A accepted help and B came alongside, taking the crew of two aboard. Then all hands worked for several minutes to right A, whose mast was stuck in mud. Upon reaching shore, B requested redress under rule 61.4(b)(4). The protest committee considered several factors in its decision. First, A’s helmsman was a highly experienced sailor. Secondly, the wind was light, and the tide was rising and would shortly have lifted the mast free. Thirdly, she did not ask for help; it was offered. Therefore, since neither boat nor crew was in danger, redress was refused. B appealed, stating that rule 1.1 does not place any onus on a boat giving help to decide, or to defend, a decision that danger was involved.

“DECISION: B’s appeal is upheld. A boat in a position to help another that may be in danger is bound to do so. It is not relevant that a protest committee later decides that there was, in fact, no danger or that help was not requested.”

“If a boat is capsized and receives help to right the boat, does that boat have to retire from the race?”



Well, it depends on whether any of the crew were “in danger.” Rule 41 (Outside Help) states “A boat shall not receive help from any outside source, except (a) help for a crew member who is ill, injured or in danger.”

Appeal 127 reads: **“Question 1:** If a boat that is racing receives outside help for a crew member who is in danger, has the boat broken rule 41? **Answer 1:** No. Rule 41(a) specifically permits a boat to receive outside help from any outside source for a crew member who is ill, injured or in danger. Furthermore, rule 1.1 requires a boat, competitor or support person to give all possible help to any person or vessel in danger. If a boat that is racing receives outside help for a crew member who is in danger, she does not break rule 41 and she may continue racing.

Question 2: Is there a special meaning of the phrase “in danger” when used in rule 1.1, rule 41(a), and in other rules in *The Racing Rules of Sailing* (RRS)? **Answer 2:** No. The phrase “in danger” is not defined in the RRS. The Terminology section of the Introduction to the RRS states that “other words and terms are used in the sense ordinarily understood in nautical or general use.” As understood in general use, the phrase “in danger” means: “the possibility of something happening that may injure, harm or kill somebody.”

Question 3: Does the fact that a person is in the water, by itself, mean that the person is “in danger?” **Answer 3:** When people are in the water, the possibility of injury, harm or death exists. Therefore, it should be considered that they are “in danger” until it is obvious that they are not. There are many reasons a person in the water may be in danger, including injury, fatigue, hypothermia, preexisting health conditions, physical disabilities, being tangled in the rigging, being separated from the boat, being in water where there are

sharks, and other reasons. Case 20 states, "A boat in a position to help another that may be in danger is required by rule 1.1 to do so." A boat, competitor or support person will likely have no knowledge as to the circumstances that led to a person being in the water, or the condition of the person, until they are close by and have had the chance to assess the situation, which will, if practicable, usually include discussing the situation with the person.

Assumed Facts for Question 4: A boat in a race has capsized and at least one of the crew is in the water. A support boat lifts the mast of the capsized boat and holds the boat while the crew climbs back aboard. The boat continues in the race. **Question 4:** Has the racing boat broken rule 41? **Answer 4:** It depends. Rule 41(a) permits a boat to receive help from any source if a crew member is "in danger." If any of the crew were "in danger" (see Answer 2), and if they would remain in danger until the boat is righted and the crew is back on board, then the boat has not broken rule 41(a). Furthermore, if the crew is unable to right the boat without outside help, then the crew is "in danger" and the boat has not broken rule 41(a)."