

# DECISION

Protest

Request No.: 01

Heard Jointly With Number(s): 02

Event: 2024 JJ Giltinan 18 Foot Skiff Championship Race Number: 3  
Hearing Schedule: 2024-03-05 19:15

## PARTIES AND WITNESSES

**Request No.: 01:** 18 foot skiffs - The Bloody Danes - Tobias H

18 foot skiffs - smeg - Jeo Cruickshank

**Request No.: 02:** 18 foot skiffs - smeg - jeo Cruickshank

18 foot skiffs - the bloody danes

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Yes

**Decision:** Request Valid

## PROCEDURAL MATTERS

The hearing was held on-line.

The panel of the International Jury was composed in accordance with RRS N1.4(b).

Hearing No. 2 was heard together with Hearing No. 1 in accordance with RRS 63.2 since both hearings arose from the same incident.

## FACTS FOUND

1. Sailing upwind in 16 knots, *The Bloody Dane* and *Smeg* were sailing on converging courses with *The Bloody Dane* on starboard and *Smeg* on port. If neither boat had changed course there would have been contact between the bowsprits of the two boats.
2. When the boats were three boatlengths apart, *Smeg* initiated a tack onto starboard.
3. When *Smeg* completed her tack she was to leeward of *The Bloody Dane*.
4. *The Bloody Dane* promptly luffed but was unable to keep clear.
5. There was contact between the racks of the two boats. There was no damage or injury.
6. Both boats capsized.
7. Neither boat took a penalty.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 13, RRS 15, RRS 14, WS Case 49

1. When acquiring right of way through her own actions, *Smeg* failed to initially give *The Bloody Dane* room to keep clear, and broke RRS 15.
2. *Smeg* did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for *The Bloody Dane*, the boat sailing within the room to which she was entitled to avoid contact with *Smeg* when it was clear that *Smeg* was not giving room. *The Bloody Dane* did not break RRS 14.

**DECISION**

Date &amp; Time: 2024-03-05 20:15 AEDT

*Smeg* is DSQ in race 3.

**PROTEST COMMITTEE****Committee Type** International Jury**Chaired By:** Mike Alison (NZL)**Committee Members:** Howard Elliott (AUS), Damien Boldyrew (AUS), Lesley Anderson (CYP), Steven Iles (AUS), David McIntyre (NZL)

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