

# DECISION

Request No.: 05

## Protest and Request for Redress

Event: 2024 JJ Giltinan 18 Foot Skiff Championship Race Number: 6  
Hearing Schedule: 2024-03-07 19:45

### PARTIES AND WITNESSES

Request No.: 05: C-Tech - George Morton

Hoefle Haus - Holger Hoefle

### 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

Prior to the hearing the protest committee clarified in accordance with RRS 64.1(c) that the hearing request was not only a request for redress but also a protest and proceeded with it accordingly.

### FACTS FOUND

1. The wind was 15-18 kts.
2. *Hoefle Haus* and *C-Tech* were sailing upwind on starboard tack approximately 3 minutes before the start of Race 6.
3. *C-Tech* bore away to a starboard downwind course at approximately 8-10 knots of boat speed, and several seconds later *Hoefle Haus* also bore away to a starboard downwind course.
4. *C-Tech* was to windward and overlapped.
5. The boats were approximately 3-5 boatlengths apart.
6. The boats remained on this point of sail for a few seconds.
7. *C-Tech* gybed to port tack and to a collision course with *Hoefle Haus*.
8. *Hoefle Haus* bore away burying the bow and slowing the boat, but there was insufficient room to change course to avoid *C-Tech*.
9. 3-5 seconds later a collision occurred between the spinnaker pole of *Hoefle Haus* and the port side of *C-Tech* causing serious damage.
10. *C-Tech* attempted to luff but there was insufficient room to luff to avoid *Hoefle Haus*.
11. *C-Tech* retired due to the damage.
12. *Hoefle Haus* did not take a penalty but sailed and finished the restarted race.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 11, 14, 62.1

1. When both boats were on starboard gybe, *C-Tech* was to windward and keep clear boat under RRS 11.
2. When *C-Tech* gybed to port she remained keep clear boat under RRS 10.
3. *C-Tech* on port failed to keep clear of *Hoefle Haus* on starboard, and broke RRS 10.
4. *C-Tech* did not avoid contact when it was reasonably possible, and broke RRS 14.
5. It was not reasonably possible for *Hoefle Haus*, the right-of-way boat to avoid contact with *C-Tech* when it was clear that *C-Tech* was not keeping clear. *Hoefle Haus* did not break RRS 14.
6. *C-Tech's* place in race 6 was made worse through her own fault. Therefore, the requirements for redress in RRS 62.1 are not met.

**DECISION****Date & Time:** 2024-03-07 21:20 AEDT

Since *C-Tech* took an applicable penalty, she is not further penalized under RRS 64.2(a).

Redress is not given.

**PROTEST COMMITTEE****Committee Type** Protest Committee**Chaired By:** Mark Townsend (USA)**Committee Members:** Howard Elliott (AUS), Mike Alison (NZL), Lesley Anderson (CYP), Steven Iles (AUS), David McIntyre (NZL)**Printed:** 09 Mar 19:30