

Protest

Protest No: 06

Received At: 2023-07-21 08:58 EDT

1. Event Name: 2023 GNS Séries Interclub Series

Protest On: 2023-07-21

Race No: Series 4 Race 3

2. Hearing Type

- | | |
|---|--|
| <input checked="" type="checkbox"/> Protest | <input type="checkbox"/> Request to Reopen |
| <input type="checkbox"/> Protest by RC | <input type="checkbox"/> Reopening by PC |
| <input type="checkbox"/> Protest by PC | <input type="checkbox"/> Request for Redress |
| <input type="checkbox"/> Protest by TC | <input type="checkbox"/> Request for Redress by RC |

3. Protestor

J30 - Division 1: PHRF 1 Spinnaker and White Sail, and PHRF 2 Spinnaker and White Sail - 40813 - Breakaway - John McGuinness

4. Protestees

1. Frers33 - Division 1: PHRF 1 Spinnaker and White Sail, and PHRF 2 Spinnaker and White Sail - 41351 - D'Ad Lib - William Thompson

5. Incident

Time Place: 10 Boat lengths from the finish line.

Rules: Windward boat did not give way, Failure to avoid a collision, Failure to exonerate

Witnesses: Crew of Breakaway, Crew of D'Ad Lib, Crew of Untamed.

6. Informing Protestee

Hail:

Hail When: Immediately when boat failed to give way

Hail Comment: Protest: I protest you

Red Flag:

Red Flag Comment Within 10 seconds of hailing. The flag was clipped with clothes pegs to my port rail and easily released and unfurled

Other:

Other Comment:

7. Description Of Incident

At or around 10 boat lengths from the finish line and while in second place, D'Ad Lib that had passed from clear astern to windward of Breakaway claimed that they were sailing their proper course to the line and that they did not have to give way. This is true at 3 boat lengths, not 10 and I would have given him room at that point. Both boats were on a Starboard tack and D'Ad Lib was the windward boat. D'Ad Lib bore down on Breakaway, I asked them to go "up" and when they failed to do so, I had to alter my proper course, which was to the pin, so as to avoid a collision. I immediately hailed "Protest, I protest you" and flew the red flag which was conveniently furled on my port rail. D'Ad Lib continued to bear down and through some kind of manouvre ended up colliding with Breakaway. No damage was done. He failed to avoid contact - I was trying to avoid contact at that time and hailed them to tell them I was avoiding contact. D'Ad Lib continued to sail to the finish and did not exonerate themselves prior to crossing the line.

Without the incident, Breakaway would have beaten Untamed, who was very close by and managed to pass Breakaway, as Breakaway no longer hand wind it her sails due to her proximity to D'Ad Lib and subsequently, as Untamed approached. If Breakaway did not beat Untamed on corrected time, I am seeking redress as we had kept Untamed at a fairly consistent 3 boat lengths behind us during the entire leg and indeed from about 250m before the first windward mark.

Bill texted me to say he will retire if I file a protest - so here it is and I hope we can avoid bringing in the judges, although it would be my first protest and I am sure a good learning experience. The time is now 0900 on Wednesday, prior to the deadline of 1300h

8. Damage Or Injury

No visible damage or injury occurred. Contact was light.

Attachments