

DECISION

Request No.: 01

Protest

Event: 2024 Australian Etchells Championships Race Number: 2
Hearing Schedule: 2024-01-09 10:00

PARTIES AND WITNESSES

Request No.: 01: 1486 - Graeme Taylor

1306 - Grant Crowle

1518 - Sam Newton

1485 - Peter Merrington

Witnesses: Julian Plante called by 1306. Roco Evans called 1306. Video produced by 1486 and 1518.

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

1. Hearing No. 1 was heard together with Hearings No. 2 and 3 in accordance with RRS 63.2 since all hearings arose from the same incident.
2. Hearing No 1 included a request for redress.

FACTS FOUND

1. The incident occurred approaching the Gate Marks of Race 2.
2. The wind conditions were N/E at 5-8 knots.
3. 1486, 1485, 1518, 1306 and 1482 approached Mark 3s on starboard with 1486 being the inside boat and 1482 being the outside boat.
4. All boats were overlapped entering the zone.
5. On entering the zone the distance between 1486 and 1306 was approximately 3-4 boatlengths .
6. 1306 sailed a course toward the mark which resulted her arriving abeam the mark 1 boatlength from the mark.
7. 1486 hailed 1485 for room but 1485 was unable to respond due to the presence of 1518 .
8. 1518 gybed to avoid 1485 and then further altered course to port to avoid 1306.
9. 1485 gybed onto port during which the mainsheet of 1485 connected with the tiller of 1486 causing damage.
10. 1486 retired from the race due to the damage.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 18.2(a), RRS 14, RRS 62.1(b)

1. 1306, outside overlapped, failed to give 1518 mark-room, and broke RRS 18.2(a).
2. 1518, outside overlapped, failed to give 1485 mark-room, and broke RRS 18.2(a). Since 1518 was compelled to break RRS 18.2(a) as a consequence of 1306 breaking RRS 18.2(a), they are exonerated under RRS 43.1(a) for this breach.
3. 1485, outside overlapped, failed to give 1486 mark-room, and broke RRS 18.2(a). 1485 did not avoid contact when it was reasonably possible, and broke RRS 14. Since 1485 was compelled to break RRS 18.2(a) and RRS 14 as a consequence of 1306 breaking RRS 18.2(a), they are exonerated under RRS 43.1(a) for this breach.

4. It was not reasonably possible for 1486, the boat sailing within the mark-room to which she was entitled to avoid contact with 1485 when it was clear that 1485 was not giving mark-room. 1486 did not break RRS 14.
5. 1486's score in race 2 was made significantly worse through no fault of her own by physical damage because of the action of 1485 that was breaking RRS 18.2(a). Therefore, the requirements for redress in RRS 62.1(b) are met.

DECISION**Date & Time:** 2024-01-09 12:50 AEDT

1306 DSQ in race 2

Redress is given to 1486. 1486 is to be scored in race 2 points equal to her average scores for all races in the series except for races during the last day. No other boat's score shall change.

PROTEST COMMITTEE**Committee Type:** National Jury**Chaired By:** Ed Vincent (AUS)**Committee Members:** Howard Elliott (AUS), Erica Kirby (AUS), Frederick Haes (AUS)**Written Decision Requested By:** 1486, 1518 and 1485**Printed:** 09 Jan 14:07