

DECISION

Request No.: 04

Protest and Protest by PC

Event: Audi Waterford 1720 Europeans Race Number: 4
Hearing Schedule: 2021-09-24

PARTIES AND WITNESSES

Request No.: 04: 20 - Dutch Gold - Robert O'Leary
1720 - 22 - True North - Ben Scallon
1720 - 2888 - Elder Lemon

VALIDITY

Objection to Jury: No
Within Time Limit: Beyond with Good Reason
Incident Identified: Yes
Proper Hail: Protest hailed
Red Flag Displayed: Yes
Decision: Request Valid

PROCEDURAL MATTERS

Protest number 4 was received after the PTL had expired. The PC decided that due to the necessity to carry out damage assessment the boat was delayed on the water and extended the time limit. The original protest mentioned boat 04 only, but subsequently the pc became aware of another boat (22) was involved in the same incident. True North (22) was requested to attend the hearing under rule 60.3(a) 1&2.

FACTS FOUND

Boat 20 rounded mark 2 on starboard tack clear ahead of boat 4 and boat 22.
20 bore away to go downwind and slowing down considerably
04 sailing faster, began rounding mark 2 on starboard with her bowsprit extended
04 was clear astern of 20 at the start of their downwind leg
At the same time 22, which was sailing faster, had been clear astern of 04 as 04 entered the zone became inside overlapped with 04 while she was still passing the mark.
04 altered course to avoid 22 and established an overlap with 20 and immediately her bowsprit made contact with the aft quarter of 20 causing serious damage.
20 immediately stopped racing.
The other boats continued racing. Full decision sent to parties by email on 25/9/2021.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 60.3, 18.2(b), (c)(2), 11, 12, 15, 43.1(a&b), A9(b)
04 kept clear of 20, rule 12, while she was clear astern.
20 was obligated to keep clear of 04 when they became overlapped, rule 11, but could not as 04 did not give her room as required breaking rule 15.
22 was obligated as clear astern boat to thereafter give mark room to 04, breaking rule 18.2 (b). 22 was obligated as she became overlapped inside 04 to give 04 room to sail her proper course while they remain overlapped, breaking rule 18.2(c)(2).
As 04 was unable to give room to 20 to keep clear as a result of the action of 22 she can be exonerated under rule 43.1(a)&(b)

DECISION

True North is DSQ in race 4.
20 is given redress in race 4 under rule A9(b).
Full decision sent to the parties.

Date & Time: 2021-09-24 20:15 BST

PROTEST COMMITTEE

Chaired By: Ed Alcock (IRL)

Committee Members: Mark Kettle (IRL), Donal Dunne (IRL)

Written Decision Requested By: All, emailed 25/9/2021 before 13:00.