

PROTEST COMMITTEE DECISION

Case No: 02 With Case(s): Race: 9



PARTIES

Boat or Committee or Person	Class/Fleet	Represented By/Not Present
USA 81567 Flying Jenny	Cape 31	Robert Greenhalgh
GBR 8X Chaotic	Cape 31	Ben Saxton

WITNESSES	
Name	Boat – Committee - Role
Josie Gliddon	Flying Jenny – Crew in the stern
Hugh Styles	Chaotic Tactician
Nick Phillips	Chaotic Helmsman
Craig Mitchell	International Jury
Hella Bauma	International Jury

Valid – Yes

<p>Case Summary: A boat to boat incident downwind in Race 9</p>
<p>Procedural Matters, (Conflicts of Interest, parties not present, extending time limits) The Jury visited the boats to de</p>
<p>Facts found:</p> <ol style="list-style-type: none"> 1. Wind speed was approximately 8 knots, and variable. There was a light chop. 2. Boats were sailing at 5-7 knots 3. Sailing downwind Chaotic was on starboard tack clear astern of Flying Jenny also on starboard tack, both with gennakers set. The gennaker, sets ahead of the end of the bowsprit. 4. Flying Jenny bore away creating an overlap with the gennaker of Chaotic. 5. A few seconds after the overlap was created there was contact between the tip of the bowsprit of Chaotic and the port corner of the transom of Flying Jenny causing minor damage.
<p>Conclusion & Rules:</p> <ol style="list-style-type: none"> 1. The overlap was created at least in part by the change of course by Flying Jenny. 2. Chaotic acquired right of way because of the action of Flying Jenny, so RRS 15 did not require Chaotic to initially give Flying Jenny room to keep clear. 3. Flying Jenny failed to keep clear as windward boat and broke RRS 11 and RRS 14. 4. When the overlap was created and it was clear that Flying Jenny was not keeping clear, Chaotic could have born away to avoid the contact, but she did not do so and broke RRS 14. Chaotic is not exonerated by RRS 43.1(c) as there was damage.
<p>Decision</p> <p>Flying Jenny and Chaotic are disqualified in Race 9.</p>
<p>Protest Committee: International Jury: Yes Hella Bouma NED (Chair) John Doerr GBR (Scribe), David Hudson RSA, Craig Mitchell GBR, Christiane Admiraal NED</p>
<p>Signed: Date, time:</p>