

Hearing time and date:

Saturday 28th September 2024 - 1630

Conflict of interest:

Andy Wibroe, a member of the technical committee in RRS 92 and Cape 31 class representative, was a member of the protest committee. All parties were informed of this conflict and were content for Andy to remain on the panel.

Representatives:

Jiraffe was represented by Pete Selby

Katabatic was represented by Dave Lenz

Adrenaline was represented by Jack Wetherell

Short Echo was represented by Matt Reid

Flurg was represented by Ollie Hill

Khumbu was represented by Elliot Hansen.

Procedural matters:

Cases 2, 3, 4 and 5 were heard together in accordance with RRS 63.2, since the hearings arose from very closely connected incidents.

Nick Devereux, a protest committee member, was witness to the incident on the water and the parties were informed of this at the start of the hearing.

The protests were all found to be valid.

A video from the class media team with drone footage was available and was presented by the protest committee and shown at the start of the hearing to all parties.

The hearing was stopped following initial statements as the protest committee found a boat which was not a party, was involved in the incident and may have broken a rule.

On this basis, the protest committee protested Khumbu under RRS 60.3(a)(2).

Case 6 was heard with cases 2,3,4 and 5.

Facts found:

- 1) The wind was 2-5 knots with 0.5 knots of tide from leeward to windward.
- 2) Approaching the finish line of race 4.

- 3) Flurg was sailing downwind, on port tack as she entered the zone of the Finish Pin overlapped inside of Jiraffe, Adrenaline, Katabatic, Short Echo, and Khumbu in that order.
- 4) Short Echo, Katabatic, Adrenaline and Jiraffe were all sailing downwind on starboard tack with Short Echo overlapped with Katabatic to windward and advanced by half a boat length.
- 5) Adrenaline was overlapped to windward of Katabatic, bow to bow, and Jiraffe overlapped to windward of Adrenaline, bow to bow.
- 6) Khumbu was overlapped to leeward of Short Echo also on starboard tack with her bowsprit overlapping creating an overlap with Short Echo's transom.
- 7) Jiraffe and Adrenaline with more speed, sailed astern of Flurg and entered the zone.
- 8) Katabatic, Short Echo and Khumbu with more speed, sailed to windward of Flurg and entered the zone.
- 9) Khumbu and Short Echo were half a length apart.
- 10) At 2 boat lengths from the mark, Khumbu gybed to port and proceeded to exit the zone of the Finish Pin.
- 11) Contact occurred between the starboard side of Short Echo and the port side of Katabatic.
- 12) Contact also occurred between the starboard side of Katabatic and the port side of Flurg.
- 13) At two boat lengths to the mark, Jiraffe and Adrenaline gybed onto port, clear astern of Flurg.
- 14) At one and a half boat lengths to the mark, Adrenaline, overlapped to windward of Jiraffe, became overlapped to leeward of Flurg.
- 15) Shortly after, contact occurred between the port side of Adrenaline and the starboard side of Flurg, whilst these boats were bow to bow.
- 16) The distance between Jiraffe and Adrenaline was less than 2 meters.
- 17) At one boat length from the mark Jiraffe gybed and sailed the wrong side of the finish pin.
- 18) Adrenaline attempted to sail between Flurg and the Finish Pin, with no space for another boat to pass between her and the mark.
- 19) No boat took a penalty.

Conclusion:

Katabatic, outside overlapped at the zone failed to give mark-room to Flurg who was the inside overlapped boat at the mark and broke RRS 18.2(b).

Katabatic was compelled to deny Flurg mark-room by the presence of Short Echo which failed to give mark-room to Katabatic as the outside overlapped boat at the zone breaking RRS 18.2(b) and Katabatic is exonerated by RRS 43.1(a) as she was compelled to break a rule as a consequence of another boat breaking a rule.

Short Echo did not avoid contact when it was reasonably possible, and broke RRS 14.

It was not reasonably possible for Flurg, the boat sailing within the mark-room to which she was entitled to avoid contact with Katabatic when it was clear that Katabatic was not giving mark-room. Flurg did not break RRS 14.

It was not reasonably possible for Katabatic, the boat sailing within the mark-room to which she was entitled to avoid contact with Short Echo when it was clear that Short Echo was not giving mark-room. Katabatic did not break RRS 14.

Khumbu broke no rule.

Adrenaline, outside overlapped at the zone failed to give Flurg mark-room, and broke RRS 18.2(b).

Adrenaline, outside overlapped at the zone failed to give Jiraffe mark-room, and broke RRS 18.2(b).

Adrenaline did not avoid contact with Flurg when it was reasonably possible to do so, and broke RRS 14.

It was not reasonably possible for Flurg, the boat sailing within the mark-room to which she was entitled to avoid contact with Adrenalin when it was clear that Adrenalin was not giving mark-room. Flurg did not break RRS 14.

Rules:

RRS 14, 18.2(b), 43.1(a), 60.3(a)(2), 63.2 and 92

Decision:

Short Echo is DSQ in race 4.

Adrenalin is DSQ in race 4.

Panel members:

Richard Fleck (Chair), Nick Devereux (Scribe), Andy Wibroe