

Spring Series
Middle Harbour 16ft Skiff Club and Manly 16ft Skiff Club
Joint Club Protest
Protest Committee Decision



PARTIES

Boat/Class/Fleet/RC/PC	Represented By
Nozomi	Eliza Kirby
Eric's Removals	Josh Theunissen

Case No	3
Hearing Date	13/Nov/2024
Race No	8

Protest or request valid / ~~Protest or request invalid, hearing is closed~~ (delete as appropriate)

Case Summary:

A collision between two skiffs causing serious damage. The skiffs were racing in separate races conducted by Manly 16ft Skiff Club and Middle Harbour 16ft Skiff Club.

Procedural Matters (including Case type: e.g., Protest, Request for Redress, Reopening request etc)

Protest, Request for Redress, Boats were in separate races.

Facts found:

1. The wind was NE at approximately 10-12kts.
2. Nozomi was sailing upwind on starboard tack.
3. Eric's Removals was sailing downwind on starboard gybe on a converging course with Nozomi.
4. When Eric's Removals was approximately 10m from Nozomi they altered course to windward in an attempt to avoid a collision with Nozomi.
5. The spinnaker pole of Eric's Removals collided with the starboard bow of Nozomi causing serious damage.
6. Both boats retired as a result of the damage.

Conclusion & Rules:

Eric's Removals as windward boat failed to keep clear of Nozomi, and broke RRS 11.

Eric's Removals did not avoid contact when it was reasonably possible, and broke RRS 14

Since Eric's Removals caused serious damage, her penalty was to retire as required by RRS 44.1(b).

It was not reasonably possible for Nozomi the right-of-way boat to avoid contact with Eric's Removals when it was clear that Eric's Removals was not keeping clear. Nozomi did not break RRS 14.

Nozomi's scores in races 8,9 and 10 were made significantly worse through no fault of her own by physical damage because of the action of Eric's Removals that was breaking RRS 11 and took an appropriate penalty.

Decision:

The protest is upheld. Since Eric's Removals took an applicable penalty, she is not further penalised under RRS 64.2(a).

Redress is given to Nozomi. Nozomi is to be scored in races 8,9 and 10 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races to date in which Nozomi has finished except races 8, 9 and 10. No other boat's score shall change

Jury:

Steven Iles (Manly)

Howard Elliott (IJ AUS - Independent)

Peter Tinworth (MH)

Signed:

Date, time: 13/Nov/2024 18:35