

# Protest Committee Decision

Event: 2022 Sailfest Newcastle Regatta – TP52 Gold Cup

## PARTIES

Boat/Class/Fleet/RC/PC	Represented By
Matador 025 / TP52 Gweilo 052 / TP52 Ichi Ban 001 / TP52	Robert Greenhalgh Peter Merrington Mat Belcher

Hearing date
27 March 2022

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

### **Case Summary:**

Three protests between boats in a pre-start incident in race 4.

### **Procedural Matters:**

Hearing request 1 was a protest by Matador involving Ichi Ban

Hearing request 2 was a protest by Gweilo involving Ichi Ban and Matador

Hearing request 3 was a protest by Ichi Ban against Matador

As the hearing requests arose from very closely connected incidents, they were heard together in one hearing as per rule 63.2

Witnesses on record: Finn Tapper, Andy Green, James Hodgson, David Doherty.

### **Facts found:**

1. The boats were sailing in 9 knots of breeze and a sloppy sea state with 2 metres swell.
2. The incident started approximately 50 seconds before the start of race 4
3. Gweilo was reaching on port tack about 3-4 boat lengths to leeward of Matador and ahead by about 6 boat lengths.
4. Gweilo tacked on to starboard under Smuggler, who was on starboard tack with other boats to windward.
5. Gweilo bore away to build speed.
6. Now on a converging course with Gweilo, Matador was close hauled on port tack about 1-1½ boat lengths to leeward and bow ahead of Ichi Ban who was keeping clear.
7. Matador called for room to tack to avoid Gweilo.
8. Ichi Ban did not respond.
9. As the boats got closer, Matador was unable to pass astern of Gweilo and again called for room to tack, and then began to luff to avoid a collision with Gweilo.
10. Ichi Ban began to luff.
11. 32 seconds before the start, as Matador passed head to wind, Gweilo luffed above a close hauled course to avoid contact with Matador.
12. Had Gweilo and Matador held their courses, contact would have occurred near Matador's starboard side shrouds.
13. While Matador and Ichi Ban were tacking, Matador's bow sprit made contact with the starboard side of Ichi Ban's stern and tuck causing damage to Ichi Ban's gel coat.
14. No boats involved took a penalty and they finished the race.

### **Conclusion & Applicable Rules:**

1. Ichi Ban failed to tack as soon as possible after Matador hailed for room to tack, as required by rule 20.2(b) and 20.2(c)
2. After passing head to wind and before being on a close-hauled course, Matador failed to keep clear of Gweilo. Matador broke rule 13 but is exonerated by rule 43.1(a) as this was as a consequence of Ichi Ban breaking rule 20.2(b) and 20.2(c)
3. It was not reasonably possible for Matador to avoid contact with Ichi Ban. Matador did not break rule 14.

***Decision:***

Ichi Ban is disqualified from Race 4.

Parties advised 27 March 2022 1953hrs.

***Protest committee:***

Damien Boldyrew (IJ,IU), Steve Hatch (IJ, IU), Wayne Thompson (NJ, NU)