

Request for Redress

Protest No: 06

Received At: 2022-06-22 15:56 ADT

1. Event Name: Newport Bermuda Race

Protest On: 2022-06-22

Race No: 1

2. Hearing Type

- Protest
- Protest by RC
- Protest by PC
- Protest by TC

- Request to Reopen
- Reopening by PC
- Request for Redress
- Request for Redress by RC

3. Protestor

USA 61138 - Killua - James Binch

4. Protestees

1. Race Committee

5. Incident

Time Place: 16:55, 19 June 2022, 37 03.842 N, 067 28.025 W, flares witnessed

Rules: Responding to perceived ship in distress after witnessing two flares (as described further herein).

Witnesses: Jamie Cummiskey, Ian Howes

6. Informing Protestee

Hail:

Hail When: After seeing flares, performed a securite radio announcement

Hail Comment: Securite, Securite, Securite -- racing sailing boat Killua has seen multiple shell-type flares from a yacht that looks to be in distress. We are making our way to investigate.

Red Flag:

Red Flag Comment

Other:

Other Comment:

7. Description Of Incident

While sailing on starboard tack, the port watch of Killua observed a sailing boat to leeward and slightly ahead of beam that attracted our notice because it appeared to be going in the opposite direction of a Bermuda bound racer but then appeared to turn back, strange enough to create conversation among crew as we observed this boat to leeward at about 2 miles. Ian Howes checked AIS and could not identify a corresponding AIS identification. Shortly thereafter crewmember Jamie Commiskey observed in relatively quick succession two short vertical flare bursts that appeared to arise directly from the sailboat straight up from the stern. Jamie announced flare sighted, flare sighted. Watch captain Rob Emery sought multiple confirmations of what was seen and the captain Jim Binch, who had been off watch, was informed. All hands were called to deck, and Captain Binch immediately directed the crew to head in that direction to investigate and render any necessary assistance. The aforementioned securite was dispatched, Killua jibbed to proceed toward the unidentified vessel. The engine was turned on and discussion ensued on whether the prop should be engaged and it was determined that Killua was sufficiently making way toward the vessel under sail. While under way Killua received responses to its securite announcement, first from the yacht Abigail at 17:05, informing Killua that it was approximately 2-4 miles aft and offering any additional necessary assistance. Then Shooting Star responded at 17:10, also informing Killua that they were in the vicinity, approx. 2 miles away, and offering to render any additional assistance necessary. Killua continued to check AIS to try to determine the identity of the vessel in apparent distress. Killua's crew identified Navicular and MISSI 338253733 within the area, but determined that neither were close enough to be the identified vessel. After approaching the vessel and identifying red colored sail numbers, at 17:26, Killua made another securite repeat transmission with update, requesting the vessel Killua was approaching with red sail numbers to inform Killua of its situation. That is when Shooting Star identified itself as the vessel that Killua had been approaching. Shooting Star informed Killua that it had not shot off any flares, and confirmed that it was not in distress. Killua then informed Shooting Star that it was not transmitting an AIS signal. Shooting Star indicated that their AIS was on, and Killua repeated that it was not appearing. At the time of transmission, Shooting Star did not appear on the AIS tracker. Subsequent to this last transmission, at approx. 17:50, Killua checked again and Shooting Star's AIS was then transmitting. Killua then resumed racing.

8. Damage Or Injury

Killua altered its course to render assistance at 16:55, at 37 03.842 N, 067 28.025 W, and resumed racing at approx. 17:50, at 37 01.096 N, 067 26.768 W.

Attachments