

# DECISION

Request No.: 02

## Request for Redress

Event: Simply Blue Group Sovereign's Cup 2023 Race Number: 3  
Hearing Schedule: 2023-06-21 18:00

### PARTIES AND WITNESSES

Request No.: 02: 1722 - IRL 1722 - Smile'n'Wave - Ben Cooke

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Beyond Time Limit Extended - see below.

**Incident Identified:** Yes

**Proper Hail:** Hail not required

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

The protest committee decided that significant new evidence from the RO became available within a reasonable time and reopened on its own the hearing on 24 June 2023 in accordance with RRS 66.1. The parties were present including the RC and two of their witnesses not present at the initial hearing.

PTL was 1641. RfR was filed at 1705, outside the PTL. The RO presented evidence regarding impact of the incident on the parties with a person in the water, and the extent of damage to 1722. The PC determined there was a good reason to extend the PTL for filing the RfR and accordingly declared the request valid.

### FACTS FOUND

1722 was on port tack approaching S layline 15-20 BL outside zone. 1807 was to weather on Port, ahead but overlapped. An unidentified S tack ROW boat was crossing as an obstruction. 1722 bore away to clear the obstruction and give room to 1807 to keep clear of the obstruction.

1807 initially bore away as if to dip to clear the STB ROW boat within the room provided by 1722. 1807's helm fell overboard, while holding the tiller and as a result 1807 continued to bear away hard. 1807 made hard contact between the port side chainplates & midships of 1722, causing damage.

1807 continued to contact 1722 all the way to the stern. 1807 and 1722 were then alongside and tangled.

1807 and 1722 dumped sail controls and worked to clear the two boats. 1807 retired from that race.

1722, once clear, then returned to the location of the MOB (15-20 boatlengths back) to effect a rescue.

On arrival at the MOB, a mark-laying rib had contact with the MOB. 1722 stood by to render assistance if required while the MOB was recovered and checked for a period of 5-10 minutes.

1722, concerned at the extent of damage to hull and rig based on initial inspection, assessed that further inspection was required before they could safely continue racing. 1722 retired from that race and returned ashore and passed the CV while doing so. The crew of the CV noted 1722's crew appeared shocked and suffering the psychological effects of the incident.

**Diagram:** No Diagram Needed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 19.2(b), 62.1(c)

Given the scale and nature of the collision and the impact it had on 1722, as well as the need to inspect the damage to hull & rigs, there was reasonable grounds to extend the PTL.

1722 was ROW boat and gave room to 1807.

1722s place in race 3 was made significantly worse through no fault of her own by giving help in compliance with RRS 1.1 to someone else than herself or her crew.

**DECISION**

**Date & Time:** 2023-06-24 17:34 IST

1722 did not break 19.2(b)

Redress is given to 1722. 1722 is to be scored in race 3 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 sailed in the series, except race 3, in accordance with RRS A9(a). No other boat's score shall change.

**PROTEST COMMITTEE**

**Committee Type:** Protest Committee

**Chaired By:** Michael O'Connor (IRL)

**Committee Members:** Ian Venner (IRL)

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