

PROTEST DECISION

Case No: 1

With Case(s):

Class/Boat J CLASS TOPAZ Peter Holmberg

Class/Boat No: J CLASS SVEA Charles Ogletree

Protest valid

***Procedural Matters:***

***This is a hearing conducted under J Class-Addendum Q. Q5.3 allows the protest committee great flexibility on how the hearing is conducted. After a very significant collision we decided to speak with both parties separately to see if they agreed the facts. They were happy for us to write up the decision without a formal hearing.***

***Facts found:***

1. Topaz was approaching the start line on Starboard approximately 1minute 40 seconds before the start.
2. Svea on port was on a collision course with Topaz.
3. Despite a last-minute turn to bear away Svea collided with the port side of Topaz at the runner winch causing serious damage.
4. Topaz luffed to avoid when it was clear Svea was not keeping clear
5. On Topaz two crew members were injured with one crew member suffering 4 broken ribs as he was pushed overboard by the bow of Svea. On Topaz the port runner winch was torn off. The boom was broken. Both running back stays, mainsheet and backstay broke under the load. The port gunwale was damaged from the runner winch to the stern. The mast was put under extreme load from the impact and will need further inspection.
6. On Svea one crew member was pulled out of the boat by the runner tail of Topaz. His injuries were minor. The forward underbody of Svea was badly damaged.
7. Both boats immediately retired from the race.

***Conclusion & Rules:***

RRS 10,14, 44.1(b) 62.1(b) ,Q5.3

Svea failed to keep clear as a port tack boat and broke rule 10 & 14.

It was not reasonably possible for Topaz to avoid the collision.

***Decision:***

Svea took the appropriate penalty by retiring.

Topaz is entitled to redress of average points for Race 1 based on her results in the remainder of the regatta.

Protest Committee: Bill O'Hara IRL IJ,IU & Miguel Allen POR IJ ,IU,

Chairman: Bill O'Hara IRL IJ,IU

**Signed:** Bill O'Hara

Date 12th March, Time 17.00