

# Protest Committee Decision

Event: RKR Race 4 2025 (Shield and Div 1), RMYC Summer Series Race 4 2025 (Div 1)

## PARTIES

Boat/Class/Fleet/RC/PC	Represented By
Violator	Graeme Vivian

Hearing date
03/02/2025

~~Protest or request valid / Protest or request invalid, hearing is closed~~

**Case Summary:** A request for redress following a port and starboard incident resulting in contact, damage and injury.

**Witnesses:**

### **Procedural Matters**

1. The protest committee consisted of representatives of at least two clubs, as required by RKR Sailing Instruction 13.4.
2. There was no objection to the members of the protest committee.
3. Evidence was obtained from a variety of sources before and during the hearing.

### **Facts found:**

1. During RKR race 4, Violator on starboard was involved in a collision with One Eyed Bandit on port.
2. The collision resulted in damage on Violator in the vicinity of the portside chainplates and injury on One Eyed Bandit.
3. After the incident One Eyed Bandit took the appropriate penalty, which was to retire.
4. Violator went out of 'race mode' while crew went below to check for damage to the chainplates and bolts and for water ingress.
5. Violator resumed racing and finished 26<sup>th</sup> on elapsed time in the RKR Shield and 23<sup>rd</sup> on elapsed time in Div 1. Violator finished 29<sup>th</sup> and scored 29 points on corrected time in the RKR Shield and 13.5 on corrected time and score in RKR Div 1.
6. Violator's average score in the first three races of the RKR Shield was 13.3. Its average score in the first three races of RKR Div 1 was 3.3

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

**Applicable rules:** 61.4(b)(2), 61.4(c), 61.4(D), A9

**Conclusion:** Violator's score in all races and series was made significantly worse through no fault or her own by physical damage because of the action of a boat that was breaking a rule of Part 2 and took an appropriate penalty.

### **Decision:**

Violator is entitled to redress.

Violator is to be scored 22 points in the RKR Shield Race 4.

Violator is to be scored 10.5 points in the RKR Div 1 Race 4.

Violator is to be scored 3 points in RMYC Div 1 Race 4.

No other boat's score is to be changed.

**Protest committee:**

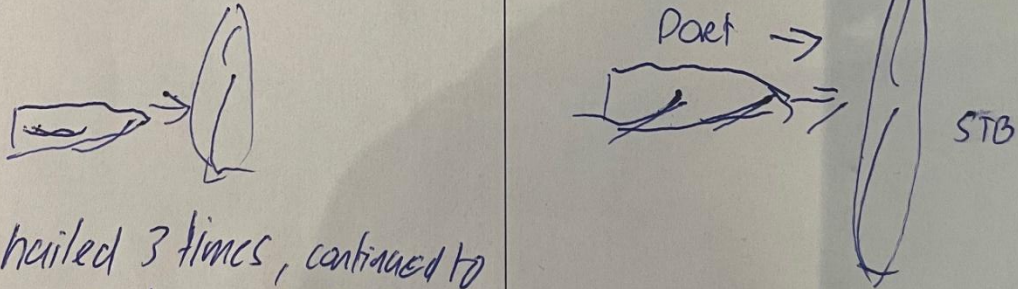
Evan McHugh (RMYC, RJ, Chair), David Nicholls (LMYC)

Parties advised: 4/1/2025

EVENT

LOGO

**HEARING REQUEST FORM and OTHER REQUESTS FOR ACTION BY THE PROTEST COMMITTEE**

Received Date: 7/2/25	Time: 1651	By: EVAN	Protest Time Limit:	Case Number:
1. Date of Race:	Series: MCHUGH EVAN	Race Number:		
<b>2. TYPE of HEARING</b>		<input type="checkbox"/> Request to have a hearing full jury (RRS N1.4(b))		
<input type="checkbox"/> Protest – (an allegation that one or more boats broke a rule)		<input type="checkbox"/> Report for DP Penalty (RRS 64.6)		
<input checked="" type="checkbox"/> Request for redress		<input type="checkbox"/> Report concerning a Support Person		
<input type="checkbox"/> Request to reopen a hearing (RRS 66)		<input type="checkbox"/> Report of Misconduct (RRS 69)		
<b>3. MY DETAILS – The INITIATOR</b> – the protestor, the person making the allegation, request or report				
Class/Fleet: DIV 1	Sail No/Boat Name: Violator 689U	OR	Committee:	
Represented By:	Name: Graeme Vivian	Telephone: 0410329950		e-mail: simonvivian@gmail.com
<b>4. The RESPONDENT</b> – protestee, committee for redress, support person, person reported for misconduct.				
Class/Fleet or Committee:	Sail No/Boat Name/Person:	Telephone (if known):		
<b>5. INFORMING the PROTESTEE</b> – If you are protesting, how did you inform the boat of your intention to protest? By hailing: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Displaying Red Flag: <input type="checkbox"/> Not required <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Informed some other way: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes VHT 71 Ross				
<b>6. The INCIDENT</b> When and Where?		Diagram (if relevant): Include wind and current.		
Brief Description. Rule 10 Port/Starboard.				
hailed 3 times, continued to sail. hailed 4th time when it became apparent a collision was taking place				
Rules that apply: RULE 10		Names of witnesses: Bill Young, Ross 2, ONE PERSON		

Continue on the back of this form or other paper if necessary.

LOGO

LOGO