

## Australian Sailing Terms of Reference: Independent Review into the loss of LCE Showtime and Rescue of its Crew

Australian Sailing Limited  
ABN 26 602 997 562

Level 1, 22 Atchison Street  
St Leonards NSW 2065

Locked Bag 806  
Milsons Point NSW 1565  
Australia

T +61 2 8424 7400  
E [office@sailing.org.au](mailto:office@sailing.org.au)  
W [www.sailing.org.au](http://www.sailing.org.au)

Program Partner



Affiliated with



### Preamble

After completing the CYCA's 2019 Sydney Hobart Yacht Race, race entrant *LCE Showtime* was being delivered back to Sydney when on 5 January 2020 at 0230 hours the keel was lost, and the crew activated its emergency beacon. The NSW police service responded to the incident and all crew were rescued.

Australian Sailing has determined to conduct a review to provide a report on the factual happenings in respect of the incident. The National Safety Committee has resolved the Independent Review (**Review**) would be conducted based on these Terms of Reference.

### Constitution and administrative matters

The Review is constituted by resolution of the National Safety Committee and has invited the following to conduct the review:

Tim Cox (chair)  
Chris Zonca  
Frank Walker

Australian Sailing will provide administrative support as required. The costs and expenses of the Review will be borne by Australian Sailing.

### Terms of Reference

The Review will examine all the circumstances pertaining to the loss of *LCE Showtime* and rescue of its crew and in particular:

- (a) The Plan Review process relating to the original design and modifications to the keel.
- (b) Prior groundings or impacts and subsequent keel inspection methods.
- (c) Relevant administrative procedures and race management including boat documentation and organisation.
- (d) The safety precautions, procedures and actions undertaken by the crew at the time of the incident.
- (e) The application of the Australian Sailing Sea Safety Survival Course content to the experiences of the crew of *LCE Showtime*.

If thought fit, the Review will make recommendations as to:

- (a) World Sailing's Plan Review processes
- (b) Keel inspection procedures and practices
- (c) Australian Sailing's Special Regulations



- (d) Liferaft stowage
- (e) Race documents, race administration documentation and procedures
- (f) Onboard emergency management procedures; and
- (g) Any other matters relating to the conduct of the race as the Review considers appropriate.

The Review is to provide its final report to the National Safety Committee by 1 June 2020. A preliminary report may be provided if it is considered necessary to highlight any safety recommendations that may require immediate attention.

Australian Sailing will accept a minority report.

Australian Sailing may from time to time provide additional Terms of Reference to the Review.

#### Powers and restrictions

The Review may do all things necessary and convenient to comply with the Terms of Reference.

The Review will determine its own procedure and decide who may be invited to meet with the Review and/or make written submissions.

The Review has no power to require people to attend its sittings or answer the panel's questions. The Review is to function on a voluntary basis. People are invited to attend. If attending, they can determine what if anything they may wish to say.

The Review has no power to make findings of fact on contested matters or to make a finding about any alleged breaches of any rules or regulations by a person or a yacht.

The purpose of the Review and any report produced by it is for the prevention of incidents and casualties, and not to attribute blame or determine liability.

Before finalising its report, the Review will give interested persons the opportunity to comment on any matter they may regard as adverse.

A handwritten signature in black ink, appearing to read "Jenni Maclean".

Jenni Maclean  
Chairperson Australian Sailing National Safety Committee