

DECISION

Request No.: 03

Protest

Event: 2022 ILCA 7 Men's World Championship Race Number: 2
Hearing Schedule: 2022-05-25

PARTIES AND WITNESSES

Request No.: 03: ILCA 7 - Men - CAN 217718 - James Juhasz

ILCA 7 - Men - SLO 218578 - Liam Orel

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond Time Limit Extended for good cause under RRS
61.3

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. SLO 218578 was not present, the hearing proceeded in accordance with RRS 63.3(b).
2. After the protest was decided, SLO 218578 showed up at 18:25.
3. After the hearing, the jury granted the respondent's request to reopen, as indicated in Case 4.
4. The protest time limit was extended as the initiator had technical trouble filing a request electronically as the WIFI bandwidth was inadequate.

FACTS FOUND

1. The wind was 15 – 17 knots with half a meter chop.
2. CAN 217718 and SLO 218578 were both close hauled on starboard 20-30 sec after start.
3. SLO 218578 was overlapped to windward slightly behind CAN 217718.
4. The bow of SLO 218578 hit the head and shoulder of CAN 217718 while he was hiking out.
5. CAN was hit behind his right ear and his left shoulder by the bow of SLO 218578.
6. CAN 217718 experienced some dizziness and was disoriented during the remainder of the race.
7. CAN 217718 left arm could not be raised above his shoulder.
8. CAN 217718 had difficulty trimming his sail because of his injured shoulder.
9. CAN 217718's position in the regatta was affected by his injuries.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 11, 14

1. SLO 218578 to windward failed to keep clear of CAN 217718 to leeward, and broke RRS 11.
2. SLO 218578 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. For CAN 217718, the right-of-way boat, it was not reasonably possible to avoid contact, and therefore did not brake RRS 14.
4. As a result of his injuries CAN 217718 was unable to sail properly and lost several places. CAN 217718 score in race 2 was made significantly worse through no fault of her own by injury because of the action of SLO 218578, who broke RRS 11, a vessel that was required to keep clear.

DECISION

Date & Time: 2022-05-25 17:42 CDT

1. SLO 218578 is DSQ in Race 2
2. Redress is given to CAN 217718. CAN 217718 is to be scored in race 2 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 qualifying series except race 2, but not worse than her finishing position in race 2.

PROTEST COMMITTEE**Chaired By:****Committee Members:** Elías Gonzalez (MEX), Paul Zupan (USA), Mateo Ferrer Skoknic (CHI), Elliot Levy (VEN)

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