

# DECISION

Request No.: 01

## Protest

Event: UKLA Open & National Championships 2023 ILCA 4, 6 & 7 Race Number: 1  
Hearing Schedule: 2023-08-20 18:00

### PARTIES AND WITNESSES

**Request No.: 01:** ILCA - ILCA 7 - GBR 221582 - Finley Dickinson

ILCA - ILCA 7 - GBR 211412 - Ben Flower

**Witnesses:** Steffen Eliot shicore, Will sargent, Edd Baker Angus Kemp

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

The arbitrator decided that arbitration was not appropriate. Only Finlay was in attendance at the time scheduled for Arbitration.

Ben did not come to the Protest Hearing. After waiting 7 minutes, the Protest Hearing proceeded in accordance with RRS 63.3(b).

After validity had been determined Ben joined the Protest Hearing.

Ben did not come to the Protest Hearing when the protest committee gave the decision.

### FACTS FOUND

1. 221582 was overlapped with the RC boat less than 1M away, slightly above close hauled and moving very slowly.
2. Another boat was level with 221582, close hauled to leeward. The gap between the boats was about 1 metre
3. 211412 was clear astern, pointing at the gap between the ILCAs, all were on starboard.
4. 211412 became overlapped with both these ILCAs. Very shortly after this, there was contact with 211412 and 221582 and 211412 and the leeward boat.
5. After the incident, 211412 called 221582 a "Fucking Twat" at a volume that was heard by at least three other boats.
6. AP was signalled for the start.
7. The wind was 12kts, with a large chop.
8. There was no damage or injury.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 15, 36, 43.

1. 211412 broke rule 15 by failing to give 221582 room to Keep Clear.
2. By hailing "Fucking Twat" 211412 broke rule 2.
3. Since 211412 Broke Rule 2, he is penalised as stated in RRS 36.

### DECISION

**Date & Time:** 2023-08-20 20:30 UTC

211412 is DNE for race 1.

### PROTEST COMMITTEE

**Committee Type** Protest Committee  
**Chaired By:** Chris Atkins (GBR)  
**Committee Members:** Simon Philbrick (GBR), Michael Butterfield (GBR)