

DECISION

Protest and Request for Redress

Request No.: 02

Heard Jointly With Number(s): 03

Event: 2023 Star World Championship Race Number: 1
Hearing Schedule: 2023-09-21 18:00

PARTIES AND WITNESSES

Request No.: 02: STAR - GER 8384 - Jerzy Sukow

STAR - GER 8204 - Stephanie Gundlage

Request No.: 03: STAR - GER 8204

STAR - ITA 8382 - Luca Massacesi

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Wind conditions 6-8 kts with small chop.
2. After rounding mark 3S ITA 8382, GER 8204 and GER 8384 were sailing on close-hauled on starboard tack, with ITA 8382 seven meters clear ahead of GER 8204 and GER 8204 two meters clear ahead of GER 8384.
3. ITA 8382 tacked to port.
4. When the distance between the bow of GER 8204 and the hull of ITA 8382 was two meters, GER 8204 bore away.
5. The bow of GER 8204 got tangled to the main sheet of ITA 8382 which dragged GER 8204 to tack to port.
6. When the distance between GER 8204 and GER 8384 was two meters, GER 8384 bore away.
7. Immediately GER 8384 crashed with her bow into starboard side of GER 8204 between the shrouds and backstay.
8. The collision resulted in a 30 x 30 cm hole to the starboard side GER 8204 mid-hull and chipped gelcoat on the bow of GER 8384.
9. GER 8204 retired from race 1 and did not sail in race 2.
10. ITA 8382 and GER 8384 did not take a penalty and continued sailing the course.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, 43.1(a), 62.1(b)

1. ITA 8382 on port failed to keep clear of GER 8204 on starboard, and broke RRS 10 and 14.
2. GER 8204 on port failed to keep clear of GER 8384 on starboard, and broke RRS 10. Since GER 8204 was compelled to break RRS 10 as a consequence of ITA 8382 breaking RRS 10 and 14, she is exonerated under RRS 43.1(a).
3. It was not reasonably possible for GER 8384 the right-of-way boat to avoid contact with GER 8204 when it was clear that GER 8204 was not keeping clear. GER 8384 did not break RRS 14.
4. GER 8204's score in 1 and 2 was made significantly worse through no fault of her own by physical damage because of the action of ITA 8382 that was breaking RRS 10 and 14 and was penalized.
5. GER 8384's score in race 1 was not made significantly worse through no fault of her own by physical damage. Therefore, the requirements for redress in RRS 62.1(b) are not met.

DECISION

Date & Time: 2023-09-21 19:30 CEST

ITA 8382 is DSQ in race 1.

GER 8204 is RDG in races 1 and 2. GER 8204 is to be scored in races 1 and 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 in the series, except races 1 and 2.

Redress not given to GER 8384.

PROTEST COMMITTEE**Committee Type** Protest Committee**Chaired By:** Ewa Szyfter (POL)**Committee Members:** Luigi Bertini (ITA), Andrus Poksi (EST), Hans Vengberg (DEN), Michalina Wróblewska (POL)