

DECISION

Protest and Request for Redress

Request No.: 08

Heard Jointly With Number(s): 07

Event: RS Feva World Championship 2022 Race Number: 6
Hearing Schedule: 2022-07-24 15:20

PARTIES AND WITNESSES

Request No.: 08: RS Feva - GBR 8466 - Arthur Bailey

RS Feva - FIN 2422 - Ben Angell

Request No.: 07: RS Feva - FIN 2422 - Ben Angell

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 panel is constituted in accordance to RRS N1.4(b).

Case no. 8 is heard jointly with case no. 7.

The protest form of case no. 7 does not indicate the protestee. Therefore, the requirements in RRS 61.2 are not met and this protest is invalid.

However, the protest of case no. 8 is valid and the hearing is proceeded.

FACTS FOUND

1. The wind speed was 22 knots in race no. 6 at the leeward gate of the RS Feva.
2. GBR 8466 rounded the leeward mark in 10th position.
3. GBR 8466 was sailing on a close-hauled course on starboard tack.
4. FIN 2422 was sailing on a downwind run on port tack.
5. Boats were on a collision course.
6. In a distance of 0.5-1 boat length GBR 8466 luffed head to wind.
7. If GBR 8466 would not have changed course, there would have been contact between the bow of GBR 8466 and the middle of the port side of FIN 2422.
8. Immediately after GBR 8466 changed course, FIN 2422 luffed.
9. Contact occurred with the bow of GBR 8466 entangled in the main sheet of FIN2422 causing FIN 2422 to capsize.
10. The crew of GBR 8466 fall out of the boat while FIN 2422 capsized.
11. The crew of GBR 8466 sustained a whack on his arm.
12. The contact caused cratches on the bow of GBR 8466.
13. FIN 2422 retired race 6 after receiving outside help.
14. On the next reach, the helmsman of GBR 8466 had to assist with the sheeting of the genacker because of the dead arm of the crew.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 14, 44.1, 62.1(b)

1. FIN 2422 on port failed to keep clear of GBR 8466 on starboard, and broke RRS 10.
2. FIN 2422 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for GBR 8466, the right-of-way boat to avoid contact with FIN 2422 when it was clear that FIN 2422 was not keeping clear. GBR 8466 did not break RRS 14.
4. The distance GBR 8466 lost was as a result of the capsize and the entanglement, not as a result of damage or injury.
5. FIN 2422 did take an appropriate penalty according to RRS 44.1.
6. GBR 8466's score in race 6 was not made significantly worse by the crew dead arm or by the physical damage.

Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

Date & Time: 2022-07-24 17:04 IST

Redress is not given
Protest upheld, no further penalty applied.

PROTEST COMMITTEE

Chaired By: Enrica Mameli (GBR)

Committee Members: Chris Atkins (GBR), Holger Herburger (GER)|| Note: Enrica Mameli nationality is ITA not GBR

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