

DECISION

Request No.: 02

Protest and Request for Redress

Event: WingFoil 2023 European Championships & AWBG Qualifier Race Number: Q10
Hearing Schedule: 2023-04-28 18:15

PARTIES AND WITNESSES

Request No.: 02: WingFoil - Male - FRA 12 - Mathis Ghio

WingFoil - Male - ITA 22 - Luca Franchi

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

Nikolaos Papageorgiou, CRO was observer

FACTS FOUND

1. US course, 16 knots.
2. On the first run, FRA 12 and ITA 22 were sailing on starboard, in first and second place, ITA 22 to windward and ahead of FRA 12 .
3. ITA 22 gybed to port on collision course with FRA 12, 10 meters between the wing foils.
4. FRA 12 immediately luffed and the two wing foils crashed into each other.
5. The two sailors catapulted over each other's wingfoil and the riders fell in the water.
6. Damage occurred on the front wing of FRA 12 and the board of ITA 22.
7. There was a cut on the leg of FRA 12 and there is swelling and bruises.
8. Both wingfoils recovered after the rest of the fleet had passed them.
9. FRA 12 finished the race in 4th place.
10. ITA 22 took a one-turn penalty and finished the race in 6th place.
11. FRA 12 finished races Q11 and Q12 in 1st place.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules:

1. ITA 22 on port did not keep clear of FRA 12 on starboard breaking rule 10.
2. ITA 22 did not avoid contact with FRA 12 when it was reasonably possible, breaking rule 14.
3. It was not reasonably possible for FRA 12 to avoid the contact when it was clear that ITA 22 was not keeping clear, therefore FRA 12 did not break rule 14.
4. Since there was damage and injury caused by the breach, the one-turn penalty taken by ITA 22 was not the appropriate penalty for her breach.
5. Although there was both damage and injury, the score of FRA 12 was not made significantly worse in race Q10 between the time she recovered and the time she finished, therefore the conditions for giving redress are not fulfilled.

DECISION

ITA 22 is DSQ in race Q10
Redress is not given to FRA 12

Date & Time: 2023-04-28 18:40 EEST

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Alina Stratigiou (GRE)

Committee Members: Marina Psychogyiou (GRE), Markus Schwendtner (GRE)

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