

DECISION

Protest and Request for Redress

Request No.: 23

Heard Jointly With Number(s): 24

Event: 2024 Formula Kite World Championships Race Number: 16 (4 of gold fleet)
Hearing Schedule: 2024-05-17

PARTIES AND WITNESSES

Request No.: 23: Formula Kite - F - AUT 164 - Alina Kornelli

Formula Kite - F - USA 183 - Daniela Moroz

Formula Kite - F - GBR 161 - Eleanor Aldridge

Formula Kite - F - AUS 157 - Breiana Whitehead

Request No.: 24: Formula Kite - F - USA 183 - Daniela Moroz

Formula Kite - F - AUT 164 - Alina Kornelli

Formula Kite - F - AUS 157 - Breiana Whitehead

Formula Kite - F - GBR 161 - Eleanor Aldridge

Formula Kite - F - GER 178 - Leonie Meyer

Witnesses: Leonie Meyer

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. Hearing No. 23 was heard together with hearing No. 24 in accordance with RRS 63.2 since both hearings arose from the same incident.
2. The protest time limit for Women Gold was 14:47.
3. The incident happened in the last race of the day. USA 183 was rescued by her coach and arrived ashore around 5 minutes before the protest limit.
4. USA 183 lodged Hearing request No. 24 at 14:52.
5. USA 183 failed to deliver her protest within the protest time limit, as required by RRS 61.3. However, there was good reason for the International Jury to extend the time limit under RRS 61.3.
6. A. Tucker Atterbury (USA coach), S. Morrison (GBR coach) and L. Olnier (GER coach) attended the hearing as observers.

FACTS FOUND

1. The conditions at the time of the incident were 10 knots of wind and flat water.
2. Approaching mark 1, AUT 164, USA 183, AUS 157 and GBR 161 were sailing upwind on starboard tack, and entered the zone of mark 1 each clear ahead of the next.
3. AUT 164, low on the layline, lifted her kite, slowed down and started pumping.
4. When AUT 164 was 10m away from the mark, with USA 183 sailing faster, contact occurred between AUT 164's kite and USA 183's kite.
5. AUT 164 and USA 183's kites flew backwards and the boards quickly slowed.
6. Shortly after, contact occurred between USA 183's kite, AUS 157's kite and GBR 161's kite.
7. There was damage to AUT 164 (5 broken bridles and holes to the kite) and USA 183 (4 broken bridles).
8. AUT 164, USA 183, AUS 157 and GBR 161 all got tangled together.

9. All remaining kiteboards overtook them while they were tangled.
10. USA 183 got free after 20s.
11. All other kiteboards remained tangled for about 10 minutes.
12. AUT 164, USA 183, AUS 157 and GBR 161 retired from race F4.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 12, 14, F2.18.2(a), 43.1(a), F4.44.1(b), 62.1(b), 64.2(a) and F5.64.2(c)

1. USA 183 clear astern failed to keep clear and to give mark-room to AUT 164, and broke RRS 12 and F2.18.2(a).
2. USA 183 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. By retiring, USA 183 took an appropriate penalty under RRS F4.44.1(b).
4. It was not reasonably possible for AUT 164, the right-of-way kiteboard, sailing within the mark-room to which she was entitled, to avoid contact with USA 183 when it was clear that USA 183 was not keeping clear and not giving mark-room. AUT 164 did not break RRS 14.
5. AUS 157 clear astern failed to keep clear and to give mark-room to USA 183 and broke RRS 12 and F2.18.2(a).
6. GBR 161 clear astern failed to keep clear and to give mark-room to AUS 157 and broke RRS 12 and F2.18.2(a).
7. Since AUS 157 and GBR 161 were compelled to break RRS 12 and F2.18.2(a) as a consequence of USA 183 breaking RRS 12, 14 and F2.18.2(a), they are exonerated under RRS 43.1(a) for these breaches.
8. It was not reasonably possible for AUS 157 and GBR 161 to avoid contact. AUS 157 and GBR 161 did not break RRS 14.
9. The scores of AUT 164, AUS 157 and GBR 161 in race F4 were made worse through tangle. Therefore, the requirements for redress in RRS 62.1(b) are not met.
10. USA 183's score in race F4 was made significantly worse through her own fault. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

Date & Time: 2024-05-17 18:44 CEST

1. The protest is upheld. Since USA 183 took an applicable penalty, she is not further penalized under RRS 64.2(a). However, the incident is counted to determine the number of tangles the kiteboard has caused during the event under RRS F5.64.2(c).
2. Redress is not given.

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Alan Baser (GBR)

Committee Members: Yoann Peronneau (FRA), Heiko Falch (GER), Anastazja Lewandowska (POL), Sandy Grosvenor (USA), Alain Champy (FRA)

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