

DECISION

Request No.: 16

Protest and Request for Redress

Event: 2023 Formula Kite Youth Europeans and KiteFoil Masters Worlds Race Number: 16
Hearing Schedule: 2023-05-27 17:15

PARTIES AND WITNESSES

Request No.: 16: YOUTH - Female - FRA 27 - Héloïse Pégourié

YOUTH - Female - FRA 20 - Chloé Revil

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. FRA 27 requested to withdraw her protest and request for redress before the hearing.
2. The International Jury refused the request to withdraw the protest and request for redress, because of the damage and possible RRS 2 infringement.

FACTS FOUND

1. The conditions were 16 knots of wind and flat water.
2. FRA 27 and FRA 20 were sailing close-hauled on a collision course, FRA 27 on starboard tack on the layline to the upwind mark 1 and FRA 20 on port tack to leeward of mark P.
3. When 25 meters apart FRA 20 and FRA 27 raised their kites.
4. Immediately after, there was contact between the kites of FRA 27 and FRA 20.
5. There was damage to FRA 27: one broken bridle.
6. FRA 27 capsized and was unable to relaunch her kite, because of the broken bridle.
7. FRA 20 fell into the water with her kite in the air.
8. FRA 20 recovered and finished race 16 in the 7th position.
9. FRA 20 stated at the hearing that she was aware she was sailing on port tack and caused an incident with FRA 27 sailing on starboard tack.
10. At the moment of the incident, FRA 27 was in the 1st position.
11. FRA 27 did not finish race 16.
12. No kiteboard took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 2, 10, 14, 62.1(b) and 62.1(d)

1. FRA 20 on port failed to keep clear of FRA 27 on starboard, and broke RRS 10.
2. FRA 20 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for FRA 27 the right-of-way boat to avoid contact with FRA 20 when it was clear that FRA 20 was not keeping clear. FRA 27 did not break RRS 14.
4. The score of FRA 27 was made significantly worse in race 16 through no fault of her own by an action of FRA 20 that resulted in a penalty under RRS 2 and by damage caused by the action of a kiteboard that was breaking a rule of part 2 and was penalized. Therefore, the requirements for redress in RRS 62.1(b) and 62.1(d) are met.
5. By knowingly breaking rule 10 and not taking the appropriate penalty, FRA 20 failed to compete in compliance with the principles of sportsmanship and fair play as stated in RRS Basic Principles. FRA 20 broke RRS 2.

DECISION

Date & Time: 2023-05-27 18:03 CEST

FRA 20 is DNE in race 16.

FRA 27 is given redress in race 16 and will be scored points equal to the average of her scores in the other races of the day rounded to the nearest tenth of a point (0.05 to be rounded upward). This shall not change the score of the other kiteboards.

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Marios Zisimatos (GRE)

Committee Members: Anastazja Lewandowska (POL), Jan Stage (DEN), Ilca Heinrich (GER), Nikolaos Papageorgiou (GRE)

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