

DECISION

Request to Reopen

Request No.: 09

Event: 3rd Portugal Grand Prix Race Number: 3
Hearing Date: 2020-12-12

PARTIES AND WITNESSES

Request No.: 09: ILCA 7 - 211229 - Itay Azulay

ILCA7 - 211176

Interpreters: Maor Haosh

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

A second request for reopening of hearing 3 (see hearings 3 and 5).

FACTS FOUND

During the initial request for re-opening on 11th December, ISR referred to photos that he had available. The jury did not examine these photos.

After the hearing of the request for reopening on 11th December, ISR contacted the event photographer and obtained copies of photos that were not available on the website.

The 3 photos available on the website on 11th December were examined by the Jury. These photos show POR capsized with the bow of ISR piercing the sail.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

The jury made an omission in not examining the photographic evidence that ISR had made available at the hearing on 11th December. The Jury decided to view these photos. These photos provided no conclusive evidence that the Jury had made a significant error in the original hearing.

It was reasonably possible for ISR to have discovered the extra photos before the reopening hearing on the 11th December. These photos are not new evidence and shall not be examined by the the Jury.

DECISION

The request for reopening is denied.

Date & Time: 2020-12-12 16:15 UTC

PROTEST COMMITTEE

Chaired By: Eurico Teodoro (POR)

Committee Members: Antonio Mata (POR), jean-Luc Michon (FRA), Nuno Gomes (ANG), Eurico Teodoro (POR), Gordon Davies (IRL)