

DECISION

Request Number: 34

Protest

Event: 29er World Championship Race Number: 4
Hearing Date: 2016-07-29

PARTIES AND WITNESSES

Initiator: GBR1510 - Caitlin Jones

Respondent(s): GER 2254 - Felix Nickel

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

FACTS FOUND

1. GBR 1510 and GER 2254 were sailing towards the last mark on port tack before finishing race F4.
2. When GBR 1510 reached the zone, GER 2254 was clear astern of GBR 1510.
3. GER 2254 sailed in between the mark and GBR 1510, and touched the mark.
4. GBR 1510 could not bear away more as there was another boat to leeward of her.
5. There was a contact between the two boats and GBR 1510 started to capsize to leeward.
6. GER 2254 heeled to windward and the centerboards of the two boats protruded under each other.
7. When GER 2254 got free from GBR 1510, her boom hit the helm of GBR 1510 on the head while she was standing on the centerboard.
8. The helm of GBR 1510 fell into the water, suffered a headache and a temporary lost of vision, and was rescued by a coach boat.
9. Then she was taken ashore and GBR 1510 was left anchored on the water.
10. GBR 1510 did not finish the race and did not sail any further races of the day.
11. GER took a One-Turn Penalty and finished the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. GER 2254 failed to give mark-room to GBR 1510 and broke RRS 18.2(b).
2. GER 2254 failed to avoid contact broke RRS 14.
3. By touching the mark, GER 2254 broke RRS 31.
4. It was not reasonably possible for GBR 1510 to avoid contact, therefore she did not break RRS 14.
5. As GER 2254 caused injury, taking a One-Turn Penalty is not appropriate.
6. The score of GBR 1510 was made significantly worse through no fault of her own by injury because of the action of a boat that was breaking rules of Part 2.

DECISION

Date & Time: 2016-07-29 20:56 CEST

Protest Upheld

<div>GER 2254 is disqualified (DSQ) from race F4.</div> <div>GBR 1510 is granted redress. Average points in accordance with RRS A10(a) replacing "in all races" with "in all races in the final series" with the following restrictions:</div> <div>1. Redress is granted for races F4 and F5.</div> <div>2. If races F8 is sailed, redress is granted for races F4, F5, and F6.</div> <div>3. If races F9 and any further races are sailed, redress is granted for all races in question.</div>

PROTEST COMMITTEE

Chaired By: Thomas Kresse (NOR)

Committee Members: Bence Borocz (HUN), Claudio Uras (ITA), Sylvie Harle (FRA), Anne Kaalstad (NOR)

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