

DECISION

Request No.: 18

Protest and Request for Redress

Event: 2023 Formula Kite Youth (U21) World Championships Race Number: F6
Hearing Schedule: 2023-07-22 16:45

PARTIES AND WITNESSES

Request No.: 18: FK - Male - FRA 67 - Paul Labordère

FK - Male - GBR 89 - Sam Dickinson

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. Rob Claisse (coach of GBR 89) attended the hearing as an observer.
2. Colin Oudot (coach of FRA67) attended the hearing as an observer.
3. Antoine Weiss (coach of the French team) attended the hearing as an observer.
4. The International Jury used video evidence from the live-stream produced by the Organizing Authority.

FACTS FOUND

1. The conditions at the time of the incident were 8-10 knots of wind and flat water.
2. On the first upwind leg of race F6, GBR 89 and FRA 67 were sailing on port-tack with GBR 89 being five metres ahead and 30 metres to leeward of FRA 67.
3. When reaching the layline of mark 1 FRA 67 was sailing lower and with greater speed than GBR 89.
4. GBR 89 lifted her kite and tacked to starboard-tack.
5. At the same time FRA 67 bore away further and closed the gap between herself and GBR 89 to a distance of less than four metres.
6. Three seconds after GBR 89 had put up her kite, contact occurred between the kites and lines of GBR 89 and FRA 67.
7. The kites of GBR 89 and FRA 67 were tangled for five minutes.
8. GBR 89 recovered three minutes after getting untangled.
9. At the time GBR 89 recovered, she was more than six minutes behind the last boat of the fleet and would not have been able to finish within the finishing window.
10. FRA 67 was not able to recover by herself and needed assistance to be taken back ashore, but was able to start the next race.
11. No damage occurred to GBR 89.
12. FRA 67 broke one steering line and three bridles.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, 43.1(b), 62.1(b), 64.2(a), F2.16.1, F4.44.1(b), F5.64.2(c)

1. When changing course and the position of her kite, GBR 89, the right-of-way kiteboard, failed to give FRA 67 room to continue keeping clear, and broke RRS F2.16.1.
2. GBR 89 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. Since GBR 89 caused serious damage and a tangle by her breach, her penalty was to retire as required by RRS F4.44.1(b).
4. FRA 67 on port-tack failed to keep clear of GBR 89 on starboard-tack, and broke RRS 10.
5. Since FRA 67 broke RRS 10 while she was sailing within the room to which she was entitled, she is exonerated under

RRS 43.1(b) for this breach.

6. It was not reasonably possible for FRA 67, the kiteboard sailing within the room to which she was entitled, to avoid contact with GBR 89 when it was clear that GBR 89 was not giving room. FRA 67 did not break RRS 14.
7. FRA 67's score in race F6 was made worse through through the tangle and capsize but not the damage. Therefore, the requirements for redress in RRS 62.1(b) are not met.

DECISION

Date & Time: 2023-07-22 17:27 CEST

1. The protest is upheld. Since GBR 89 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: Max Marselis (NED)

Committee Members: Finn Mrugalla (GER), Stephen Procter (GBR), Timo Haß (GER), Per-Olof Ekstrand (SWE)

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