

DECISION

Request for Redress

Request No.: 10

Heard Jointly With Number(s): 09

Event: O'pen Skiff World Championships 2023 Race Number: Races 7,8 and 9
Hearing Schedule: 2023-07-19 20:30

PARTIES AND WITNESSES

Request No.: 10: U15 - NZL 12569 - Ewan Brazle

Request No.: 09: U15 - NZL 12569 - Brazle Ewan

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

1. NZL 12569 was represented by Ewan Brazle.
2. Tahe Outdoors, who is part of the organizing authority was represented by Samuel D' Angelo.
3. Joel Brazle, parent of NZL 12569, attended the hearing as a witness for NZL 12569.

FACTS FOUND

1. Tahe Outdoors, who is co-operating in organizing the event, provided a chartered boat to NZL 12569 for the event.
2. Before the start of race 7 of the U15 gold fleet, NZL 12569 did some speed trials with other boats and felt his boat was slow.
3. NZL 12569 started race 7 and during the race the boat was slower than other boats around him. NZL 12569 finished race 7 in 23rd place.
4. NZL 12569 started and finished race 8 in 61st place.
5. NZL 12569 also started and finished race 9 in 81st place.
6. Between races, NZL 12569 approached his coach and checked if there was water inside the hull by lifting the boat. The boat did not appear to be heavier.
7. The performance of the boat was gradually getting worse during the races and by race 8 the boat was drifting, was unable to point upwind and was very slow during the tacks.
8. Upon coming back ashore NZL 12569 inspected the boat for water but the boat was dry.
9. Looking under the boat, NZL 12569 spotted a big deformation on the hull. The hull shape was concave, extending from the centerboard casing to the stern.
10. The boat is provided with a valve to depressurize the hull, which is made of polyethylene. The valve is releasing air from the hull when pressure in the hull is high, but also letting air inside the hull when pressure inside the hull is low. Such valve malfunctioned and failed to let air inside the hull.
11. Samuel D' Angelo, the provider of the boat, stated that the failure of the valve is a manufacturer's malfunction.
12. NZL 12569 was scored in 6th place overall after the end of the qualification series.
13. The boat is not suitable to race any further. NZL 12569 will get a brand new boat to race on the 20th of July 2023.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 62.1(a).

1. By providing a boat with a defect pressure valve, the organizing authority did an improper omission.
2. NZL 12569 's score in races 7, 8 and 9 was made significantly worse through no fault of her own by an improper action or omission of the organizing authority. Therefore, the requirements for redress in RRS 62.1(a) are met.

DECISION**Date & Time:** 2023-07-19 21:18 CEST

Redress is given to NZL 12569. NZL 12569 is to be scored in race(s) 9, 8 and 7 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races of the final series, except race(s) 7, 8 and 9, subject to WS Case 116, but not worse than her finishing position in races 9, 8 and 7. No other boat's score shall change.

PROTEST COMMITTEE**Committee Type** International Jury**Chaired By:** Sylvie Harle (FRA)**Committee Members:** Stavros Kouris (GRE), Bojan Gale (SLO), Paolo Marendon (ITA), Ylenia Ciummei (ITA)**Printed:** 21 Jul 10:24