

# Hearing Decision

## 2021 iQFOiL European Championships

**Case Number**  
15

**With Case**

**Race Number**  
8

**Hearing Status**  
Closed

### Type of Hearing

Protest - an allegation that one or more boats broke a rule  
Request for redress

**Valid**  
yes

**Date of Race**  
26/10

**Received Time**  
18:07:59

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
iQFOiL Women	Single	CRO 991	Palma Cargo
iQFOiL Women	Single	GBR 529	Islay Watson

### Witnesses

Name	Boat - Committee - Role
Emillio Galindo	iQFOiL

### Case Summary:

### Procedural Matters:

### Facts Found:

At the first mark; wind speed: 20 knots.  
CRO 991 and GBR 529 were sailing on starboard tack, with GBR 529 overlapped 1 meter to leeward of CRO 991.  
GBR 529 hit a gust, lost control and luffed sharply.  
Contact occurred between the boards, with no damage.  
CRO 991's head bumped into her mast, she capsized and got entangled with the mark.  
CRO 991 felt dizzy, had a headache, and her neck was hurting.  
CRO 991 was rescued by a race committee vessel and she did not finish race 8.  
CRO 991 sailed in the next race.  
Before the incident, CRO 991 was in the top 5 of the race.  
GBR 529 took a a 360°-turn penalty.

### Conclusion & Rules:

When changing course, GBR 529 the right-of-way board failed to give CRO 991 room to keep clear, and broke RRS 16.1.  
GBR 529 did not avoid contact when it was reasonably possible, and broke RRS 14.  
Since GBR 529 caused injury by her breach, her penalty was to retire as required by RRS B4.44.1.  
CRO 991 to windward failed to keep clear of GBR 529 to leeward, and broke RRS 11.  
Since CRO 991 broke RRS 11 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.  
It was not reasonably possible for CRO 991 to avoid contact with GBR 991. CRO 991 did not break RRS 14.  
CRO 991's score in race 8 was made significantly worse through no fault of her own by injury because of the action of GBR 529 that broke RRS 16.1 and was penalized. Therefore, the requirements for redress in RRS B5.62.1(b) are met.

### Decision:

GBR 529 is DSQ in race 8.  
Redress is given to CRO 991. CRO 991 is to be scored in race 8, 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 sailed before the last scheduled day of the regatta if racing is later scheduled on that day, except race 8, but no worse than her finishing position. No other board's score shall change.

**Short Decision:**

GBR 529 is DSQ in race 8. Redress given to CRO 991: average of all races in the opening series before the last day of the series.

**Decision Date Decision Time**

27/10

20:43:12

**Panel Chair**

Ron Barak

**Panel Members**

Manuel Gamito, Walter Mielke, Yoann Peronneau, Baptiste VERNIEST