

Hearing Decision



2023 ILCA Senior European Championships & Open European Trophy

Case Number
52

With Case

Race Number
6

Hearing Status
Closed

Type of Hearing

Request for redress

Valid
yes

Date of Race
15/03

Received Time
16:12:29

PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
International Jury ILCA 7	Blue Blue	International Jury FRA 221122	IJ Theo PEYRE

Witnesses

Name	Boat - Committee - Role
Claudio Uras	Jury member

Case Summary:

Procedural Matters:

Facts Found:

1. RRS P4 is amended by SI 14.1.2, allowing the jury to initiate redress.
2. During leg 2 (a reach) in race 6 an observer appointed by the PC observed FRA 203855 breaking rule 42.
3. The observer penalized FRA 221122, who was sailing in 12th place, as per RRS P1.2
4. When FRA 221122 started leaving the course to retire, the observer realized he penalized an incorrect boat and hailed to FRA 221122 to keep on racing as it was a mistake.
5. FRA 221122 continued racing and lost 3 places.
6. The observer then penalized FRA 203855
7. FRA 221122 finished the race 7th.

Conclusion & Rules:

1. By penalizing a boat that was not observed to be breaking rule 42, the observer appointed by the protest committee acted improperly.

2. By giving conflicting instructions, the observer acted improperly

3. FRA 221122 series score may be made worse through no fault of his own by having an undeserved extra Appendix P penalty.

4. A boat should not be expected to disregard communication coming from a regatta official.

5. Requirements of RRS 62.1(a) are met.

Decision:
Redress is given to FRA 221122 as follows: The penalty received in race 6 is canceled and shall not count to determine the number of times he has been penalized during the event.

Short Decision:		Decision Date	Decision Time
Redress is given to FRA 221122 as follows: The penalty received in race 6 is canceled and shall not count to determine the number of times he has been penalized during the event.		16/03	18:01:23
Panel Chair	Panel Members		
Anna Cuccia	Bence Borocz, Michal Jodlowski, Stavros Kouris, Baptiste Verniest		