

## Australian Sailing Appeal Decision

2026-05 RANSA Irukandji vs Contentious

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Appeal By: Irukandji

Arising from: Inshore series 2025-26 decision Case No: 1, Reopened Hearing Irukandji v Contentious Race: 6

The following people have been appointed to the Appeal Panel for this appeal by Australian Sailing: Michael Arnold (NJ), Philippe Mazard (IJ), Wayne Thompson (NJ), Ed Vincent (NJ) -Chair

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### The Protest

The Protest Committee published the following:

*Parties:*

*Irukandji Div 2 Represented by Stephen Nash*

*Contentious Div 2 Represented by Brian Lees*

*Witnesses:*

*Jim Vaughan Contentious Main Sheet*

*Procedural Matters:*

- 1. Conflict of interest Protest Committee members declared that they had no conflicts of interest and no party objected to the members hearing the protest.*
- 2. Other Procedural Matters The original hearing was on 22 December 2026. Due to confusion about the scheduled time of the hearing, the protest committee decided, in accordance with RRS 63.7(a)(1) that the hearing would be reopened.*
- 3. Irukandji tendered a GPS track diagram of the incident which was considered given the weight the protest committee considered appropriate in accordance with RRS 63.5(a).*

*Facts found:*

- 1. Race 6 was sailed in 10-12 knots north-east with slight seas.*
- 2. Irukandji was sailing upwind on port tack.*
- 3. Contentious was sailing upwind on starboard tack on a converging course.*
- 4. Irukandji passed head to wind less than 1 boat length from Contentious.*
- 5. Contentious changed course between 3 and 5 degrees to windward attempting to avoid contact with Irukandji.*
- 6. Before Irukandji reached a close hauled course there was slight contact between the beams of each boat causing no significant damage.*
- 7. Irukandji attempted to bear away and there was further contact between the stern of Irukandji and the midships of Contentious.*
- 8. Neither boat took a penalty in accordance with RRS 44.*
- 9. Both boats continued and finished the race.*

*Conclusion and Rules:*

- 1. After passing head to wind and before being on a close-hauled course, Irukandji did not to keep clear of Contentious. Irukandji broke RRS 13.*
- 2. Irukandji did not avoid contact with Contentious even though it was reasonably possible. Irukandji broke RRS 14(a).*
- 3. It was not reasonably possible for Contentious, the right-of-way boat, to avoid contact with Irukandji when it became clear that Irukandji was not keeping clear. Contentious did not break RRS 14(a).*

*Decision: Irukandji is disqualified in race 6.*

*Protest Committee: John Allan NJ, Steve Iles RJ, Erica Kirby NJ.*

*Signed: John Allan, 16 March 2026 18:30*

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### **The Appeal summary**

Irukandji's appeal can be summarised as:

The Protest Committee failed to consider the statements by *Irukandji's* skipper and mainsheet hand and, consequently, the facts found were incorrect.

The delay in re-opening the protest hearing prevented an *Irukandji* witness from attending the re-opened hearing.

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### **Appeal Panel conclusions**

The Initial hearing was held on 22 December 2025

The hearing was reopened on 16 March 2026, and the decision was notified to the parties on 16 March at 18:30.

The PC chair sent the PC's written decision to the OA, with instructions to distribute it to the parties, on 16 March 2026 at 19:38.

The parties received the PC's written decision from the OA on 20 March 2026 at 11:51

Irukandji sent the appeal to the national authority on 27 March 2026 at 12:53, seven days and one hour after receiving the PC's written decision.

Irukandji failed to send the appeal to the national authority within seven days after receiving the PC's written decision as required by RRS R2.1(a)

There is no good reason for the National Authority to extend the time limit. (Preamble Appendix R).

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### **Appeal Panel decision**

The appeal is invalid.

**DECISION Case No: 1 Reopened Hearing *Irukandji v Contentious***

Race: 6

**PARTIES**

Boat or Committee or Person	Class/Fleet	Represented By/Not Present
<i>Irukandji</i>	Div 2	Stephen Nas
<i>Contentious</i>	Div 2	Brian Lees

**WITNESSES**

Name	Boat – Committee - Role
Jim Vaughan	<i>Contentious</i> Main Sheet

**Valid – Yes**

<p><b>Case Introduction:</b></p> <p><b>Procedural Matters</b></p> <p><b>Conflict of interest</b>                  Protest Committee members declared that they had no conflicts of interest and no party objected to the members hearing the protest</p> <p><b>Other Procedural Matters</b>                  The original hearing was on 22 December 2026. Due to confusion about the scheduled time of the hearing, the protest committee decided, in accordance with RRS 63.7(a)(1) that the hearing would be reopened. <i>Irukandji</i> tendered a GPS track diagram of the incident which was considered given the weight the protest committee considered appropriate in accordance with RRS 63.5(a).</p>
<p><b>Facts found:</b></p> <ol style="list-style-type: none"> <li>1. Race 6 was sailed in 10-12 knots north-east with slight seas.</li> <li>2. <i>Irukandji</i> was sailing upwind on port tack.</li> <li>3. <i>Contentious</i> was sailing upwind on starboard tack on a converging course.</li> <li>4. <i>Irukandji</i> passed head to wind less than 1 boat length from <i>Contentious</i>.</li> <li>5. <i>Contentious</i> changed course between 3 and 5 degrees to windward attempting to avoid contact with <i>Irukandji</i>.</li> <li>6. Before <i>Irukandji</i> reached a close hauled course there was slight contact between the beams of each boat causing no significant damage.</li> <li>7. <i>Irukandji</i> attempted to bear away and there was further contact between the stern of <i>Irukandji</i> and the midships of <i>Contentious</i>.</li> <li>8. Neither boat took a penalty in accordance with RRS 44.</li> <li>9. Both boats continued and finished the race.</li> </ol>
<p><b>Conclusion and Rules:</b></p> <ol style="list-style-type: none"> <li>A. After passing head to wind and before being on a close-hauled course, <i>Irukandji</i> did not to keep clear of <i>Contentious</i>. <i>Irukandji</i> broke RRS 13.</li> <li>B. <i>Irukandji</i> did not avoid contact with <i>Contentious</i> even though it was reasonably possible. <i>Irukandji</i> broke RRS 14(a).</li> <li>C. It was not reasonably possible for <i>Contentious</i>, the right-of-way boat, to avoid contact with <i>Irukandji</i> when it became clear that <i>Irukandji</i> was not keeping clear. <i>Contentious</i> did not break RRS 14(a).</li> </ol>
<p><b>Decision:</b>  <i>Irukandji</i> is disqualified in race 6.</p>
<p><b>Protest Committee:</b>                  John Allan NJ, Steve Iles RJ, Erica Kirby NJ.</p>
<p><b>Signed:</b> John Allan, 16 March 2026 18:30</p>

13 Dec 25

14 Dec 25

Received by race office: Number .....

Date and time

1849

Signature

Nick Wilson  
Rausa

### PROTEST FORM – also for requests for redress and reopening

Fill in and tick as appropriate

1. EVENT Combined Clubs Organizing authority MHS Date 13/12/25 Race no. 6  
Inshore

2. TYPE OF HEARING

- Protest by boat against boat  Request for redress by boat or race committee
- Protest by race committee against boat  Consideration of redress by protest committee
- Protest by protest committee against boat  Request by boat or race committee to reopen hearing
- Consideration of reopening by protest committee

3. BOAT PROTESTING, OR REQUESTING REDRESS OR REOPENING

Class Div 2 Fleet ..... Sail no. 6358 Boat's name Irakhardji  
Represented by Stephan Nash Tel., e-mail 0909 843 693  
ssnash@bigpond.net.au

4. BOAT(S) PROTESTED OR BEING CONSIDERED FOR REDRESS

Class Div 2 Fleet ..... Sail no. MH2 Boat's name Contentious

5. INCIDENT

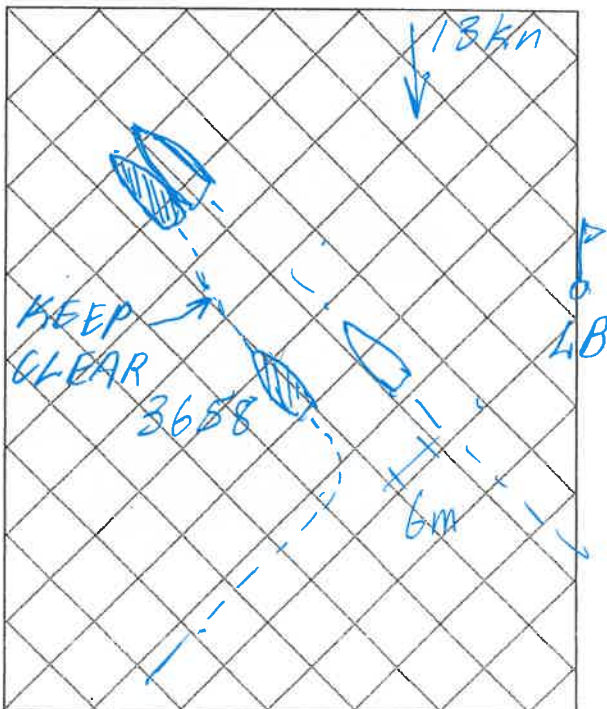
Time and place of incident ~ 12:55 1st Mark  
Rules alleged to have been broken 11 Witnesses Ian Mooney

6. INFORMING PROTESTEE How did you inform the protestee of your intention to protest?

- By hailing  When? After 1st Contact Word(s) used I am Protesting
- By displaying a red flag  When? After 2nd Contact, showed them
- By informing her in some other way  Give details .....

7. DESCRIPTION OF INCIDENT (use another sheet if necessary)

Diagram: one square = hull length; show positions of boats, wind and current directions, marks.



6358 was on port easily laying the windward mark LB.  
 MH2 was coming into mark on starboard and we tacked clear under them. Completed tack well clear to leeward.  
 Fell away to close hauled fully sheeting jib and main to accelerate out of tack to keep clear air.  
 We were expecting them to tack back to the the mark.  
 They continued well past the mark coming down on us. We were sailing higher than them.  
 Some 20m past the mark we called for them to keep clear but they continued to bear down on us.  
 I bore away but the gap suddenly and rapidly closed and I had to centre the wheel to prevent our stern driving into their boat.  
 There was a minor impact. I informed them I was protesting.  
 We separated as they then came down on us again and hit us a second time.  
 I pulled protest flag from pocket, showed them and gave it to Ian to hang from backstay.  
 We pulled away slowed and waited for them to tack back to the mark.