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Mr Reno Filla
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Dear Mr Filla,

We thank you for your email of 11 August attaching V1.1 of the SoF, and the panel's efforts to date to reach this point. We appreciate this has been a difficult process for all parties involved. The position of the Australian team is that in all instances the team's conduct was in accordance with the rules, but also in line with precedent set by previous world championships with regard to live tracking data use.

The IGC has over many years wrestled with the adoption and use of live tracking data. In every world championship since the introduction of Flarm, there have been different qualities of access and use of tracking information by various teams. Up until the WWGC 2019, there have been no public warnings to competing teams that use of tracking information from any source is inappropriate, or a suggestion that equal access and use of tracking information should be ensured for all teams, in the absence of which penalties would be applied.

Despite this history and culture, the Australian team finds itself not only defending the personal integrity of its team members, but penalties severe enough to remove two pilots from podium positions.



ACTIVE MEMBER **Australian Member of the Fédération Aéronautique Internationale**

The questions we put to the IAT are: should punishing a competing team be the vehicle to progress the IGC's control of live track data use? Is all the collateral damage caused in following this path reasonable in the circumstances?

It is Australia's view that the rules regarding live tracking data use should be managed through IGC's plenary meetings. And more broadly speaking, if rules are intended to be applied to pilots, they should be plainly written to achieve their intent.

The aspects of the current SoF that we encourage the IAT to reconsider relate to:

- The impact of the use of the word "illicit" by the organisers and the Jury regarding Australia's accessing of G Track data
- The wording used in Rule 4.1.1c
- The realistic gain achieved by accessing data from G-track.

It is these issues which we believe are significant and which we wish the IAT to take into consideration in the final deliberations. We have used the SoF paragraph numbers below where relevant.

Use of the term "Illicit"

The language has been changed in the latest version to remove the word "illicit" and replace it with "unauthorised".

The term Illicit was used by the DCD in introducing the issue to the team captains' meeting on the Friday morning. This is contained in the DCD's statement in paragraph 5 of her letter to the IAT, contained in the evidence: *"Regarding the use of the term illicit, it is a term I had used"*.

The term illicit was used in the team captains' meeting, also in the Whats App message and also in the official notice of the penalty that was placed on the notice board (which is referred to as a 'note' in 13.4.1). And it had much more impact than that. It was then used in the Complaint written by John Good.

This is an important issue because it speaks to the emotional impact on the team captains forming the view that the Australian team was acting illegally or improperly, which it was not.

21.7. Breaking the 15 minute rule in 4.1.1c

While in retrospect it seems that various individuals would have preferred that Rule 4.1.1c was written so that it applied to all participants in the competition, it was written to apply only to the organisers' display of public tracking information. Further, the organisers failing to prevent local OGN and private OGN data being accessed in real time is not consistent with the idea that Rule 4.1.1c. was intended to stop pilots from accessing live tracking. If the rule was meant to apply to pilots, it should have been written to state this.

Various tracking information available

In addition to the wording problems with Rule 4.1.1c, the organisers as well as representatives of the IGC have openly stated that use of live tracking data was allowed. It still concerns us that the IAT seem to differentiate between OGN data and G Track data. However, both of the systems require pilots to carry transmitters and both systems display the same data on a map on a screen. If live tracking is allowed then there is no difference between the use of the two systems. The data from G Track was openly available, with no illegal action necessary to access it. A superior source of live tracking data could have been generated and used by any team through the establishment of a private OGN without contravening any rules that applied to the championship.

Benefit to Australian Pilots

[26.4]. Because all information could be transmitted to Australian pilots only by radio, not all of the information gathered was able to be transmitted, due to limits of radio transmission range. Again, we ask that this information be included and considered. Typical radio range is 70km-100km but, as known, it is less where there are high terrain impacts. The estimated range of OGN is similar to the range achievable by the radio, which has consistently been the Australian experience over many years. Superior benefit could have been gained through establishing a private OGN throughout the competition area and this would have been in accordance with the rules, and acceptable to the IGC.

Apart from this, we encourage the IAT to look through the flights at the WWGC, where it is clear that Australian pilots had not been directed from thermal to thermal marked by competitors, but have flown independently using their own decision making.

[27] One of the core pieces of information that provided a tactical advantage to the Australian team was the weather information collected and analysed by the Team Coaches and integrated into the visualisation system. The team's weather data was better than that provided by the organisers due to the model that they were using. They had analysed data from many different models leading up to the comp and identified the one that was more consistent during this period. This meant that they could give better advice on the impacts of sea breeze, end of day predictions and storms. This was unrelated to live tracking and was permitted under the rules.

Similarly, the measuring device which had been developed and also used in the visualisation system, proved highly effective and again we comment to the IAT that it is was this particular piece of technology that caused all of the "chatter" amongst other teams. This however needed no data from G Track or other OGN to operate.

In summation.

We appreciate the IAT's work in reaching this point and the importance of having the SoF fully factual. We request that the above issues be incorporated into it before the IAT consider the final conclusion.

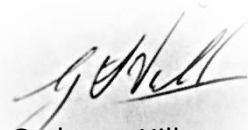
The Australian Team's position is that it has not broken any rules, nor has it acted in a manner contrary to the precedents set in previous world championships.

The Australian Team's use of live tracking information created a benefit that is directly comparable to that available to other teams from the public OGN due to the limitations of radio transmission range. Further, an equivalent benefit could have been generated through the use of a private OGN, without penalty.

If however the IAT conclude that the Australian team's actions required a level of conduct beyond mere compliance with the black letter words used in the rules, then we would recommend that IAT adopt the approach initially taken by the organisers and impose the first penalty which they adopted namely the requirement for an apology alone.

We encourage the IAT to be mindful of the sport's attempts to date to deal with live tracking data and to consider the sport's history in reaching the final decision. The nine Australian pilots impacted by all this have acted with personal integrity and participated in this contest with independence and sportsmanship.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'G Hill', is written over a light grey rectangular background.

Grahame Hill
President

17th August, 2021