

## **Reply to the Protest against penalty applied to Australian Pilots**

**The Protest submitted by the Australian Team Captain to the CD of the 10<sup>th</sup> WWGC was dated 17th January 2020 at 14:33. The Protest was sent by email to the Jury President at 16:35 .**

**According to the FAI Sporting Code General 6.2.2**

**Serious Infringements (including, but not limited to, dangerous or hazardous behaviour or actions) and Unsporting Behaviour (including, but not limited to, cheating or unsporting behaviour, including deliberate attempts to deceive ...**

**Annex A 8.6.5**

**The Championship Director will issue a penalty for unsporting behaviour, the size of the penalty dependent on the level of aggression and/or abuse demonstrated. The penalty imposed may be a warning, issuing of championship penalty points, day disqualification or event disqualification.**

**Annex A 5.4.2**

**Penalties may be imposed by the Organisers for unauthorized interference with the GNSS equipment, data or internal program, or Tracking equipment.**

**Determination:**

The access to the official tracker data was incorrect, it was not public because only the administrator of the tracking program had access and allowed the Team Captain AUS to go to the page "Monitor" which unfortunately by mistake had no password. So the page "Monitor" indeed was open but not the System. Other Team members had no access to the System.

The AUS Pilots were well aware that the tracking data were given in real time. They were using them on purpose or unsophisticated or in the best faith to do the right thing. The real time tracking data taken from the official tracking system with a delay of 15 minutes used for the WWGC gave the Australian Team an advantage. The sporting issue not to share the data with the other Teams is an unfair situation and unsporting behaviour.

The Jury Members Wojciech Scigala and the Jury President believe that AUS Pilots have to take responsibility. Jury Member Max Steven expressed the view that most of the points made by the Australian Team Captain were technically correct, so there should be no sanctions at all and the best outcome for future events would be for the IGC to urgently deal with the matter of competitor's tactical use of live tracking data. Taking the appropriate rules into account, we decided to award 25 points penalty each competition day for each Australian pilot.

The Protest was therefore rejected by 2 votes to 1.

Sydney, 20<sup>th</sup> January 2020

Gisela Weinreich, Jury President, Jury members Wojciech Scigala and Max Stevens

## **Annex Determination**

I am not aware of any written complaints preceding the protest .

The penalties awarded to the Team AUS Pilots by the decision of the CD was published 17th Jan. 2020 at 12:42. This changed the unofficial results of task 10, 15.Jan. The protest expiry time on the last comp. day is 2 hours. The Protest time closed at 14:42.

The protest against penalties given by the CD on task 10 , 15.January, was submitted by the TC Australia at 14:33 the 17 th January 2020. The protest fee 200 AUS \$ was given in time. The Jury President received the protest by email at 16:35

Jaques Graell is responsible for the tracking program. To use the program you need to have an address to get access according to Jaques Graell. The address was given to the administrator of an Australian competition last year or 2 years ago. The administrator knew that the program had a bug. Unfortunately Jaques Graell forgot to protect the page "Monitor" with a password. This page indeed was open to everyone because it was not protected. The administrator allowed Terry Cubley to enter the program and confirmed this to happen. Only then the TC AUS could go to page Monitor not protected to take the real time tracking data out of the tracking system. All other Teams of the WWGC could not enter, because they did not have the address

The official tracking system provided by the organiser had a tracking delay of 15 Min. The pilots should have advised the TC not to use real time data of the official tracking system. To use the real time data is an unfair advantage, as all other Teams had no access to the real time data of the official tracking system. This system covers the task area while the public OGN data covers approx 30km with an antenna provided at the airfield – if.

"The OGN data is public, however I guess that most of the competitors were using the FLARM setup with NOTRACKING/Random Radio ID, therefore are not visible to anyone (that is the recommended setup when we will using the OGN/IGC trackers), so bottom line with that SETUP no data at all, that is done in order to not to be followed from the ground and separate the problem of collision avoidance of the real time tracking, with that setup NO TRACKING." Author Angel Caasao

Wojciech Scigala stated: Australian team in their protest claimed that "everybody had access to live OGN data". This is true, but public OGN network has limited coverage (about 60km range), as shown below. OGN honors "no tracking" flag in FLARMS, so possibly many pilots opted out from public OGN tracking.

Action of the Jury President:

- Invited Jaques Graell to explain what happened
- Reported to Jury members by email contact.
- First Call to Jury member Wojciech Scigala failed because of time difference
- Invited Terry Cubley to give his point of view, accompanied by Lisa Turner, AUS Pilot 18 m class
- Ask for advice concerning OGC data OGC system from Angel Casado
- Max Stevens gave his advice relative to the penalty per email 16. Jan. 20 at 21:25
- Call at 20:35 from Jury member Wojciech Scigala.
- Decision to reject the Protest by 2 votes to 1
- Recalculation of results for Team Cup
- Verified and approved the results at 21:45
- Decision and Reply to the Protest written in short version and printed to present at the closing ceremony
- Closing Ceremony at 21:00

