
Date: 12 November 2022 **Time:** 17:10 hrs
Subject: STEWARDS DECISION No. 5 **Document No:** 2.6

From: The Stewards
To: The Organiser
All competitors / crew members
FIA WRC Safety Delegate
FIA Rally Director
FIA Closed Road Commission

The Stewards, having received a report from the FIA Sporting Delegate and FIA Safety Delegate summoned and heard from the Clerk of Course, on behalf of the Organiser, have considered the following matter and determine the following:

Facts SS4 (Shitara Town R 1) was interrupted due to a public vehicle entering a live stage through an unmanned un-taped junction, driving in the opposite direction of the rally, and disrupting the running of Car 22 (Competitor HYUNDAI MOTORSPORT N) and Car 23 (Competitor TOKSPORT WRT) on the stage.

Offence Failure to take reasonable measures, thus resulting in an unsafe situation (2022 FIA International Sporting Code Article 12.2.1.h)

Decision A serious and unsafe situation occurred that, following a preliminary investigation, was attributed to negligence to take reasonable measures on the part of the Organiser in implementing the approved Safety Plan. The Stewards have determined this is a breach of Article 12.2.1.h of the 2022 FIA International Sporting Code and therefore:

- 1- Formally require the Organiser to further improve the existing safety measures by implementing the mitigation plan that was formally presented to the Stewards and FIA Safety Delegates and, where required, increasing marshalling resources to ensure that all junctions accessible by vehicles are manned, and further emphasising to all marshals the importance of their roles and how it impacts the safe running of the event for the public, competitors and themselves.
 - 2- The Stewards formally refer this incident to the FIA Closed Road Commission for further investigation.
 - 3- The Stewards, under the authority delegated to them through Article 11.9.3.r of the 2022 FIA International Sporting Code, may and will immediately and permanently stop the Competition should: (a) the approved safety plan be compromised or breached; OR (b) if there is any deviation from the agreed mitigation plan presented by the Organiser.
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Reason The Stewards independently heard from the FIA Sporting Delegate and reviewed onboard video footage from the cars involved. This footage was only accessible once the cars had reached the designated on-board camera data exchange point.

The Stewards summoned the Clerk of Course to address, on behalf of the Organiser, concerns that would determine if an “*Any unsafe act or failure to take reasonable measure*” has led to “*an unsafe situation*”. The Clerk of Course was required to provide:

- a) A report detailing how a public vehicle accessed and entered SS4.
- b) An action plan to ensure the safe running of the remainder of the Rally and mitigation of any future risks of public vehicles entering onto live stages.

The Clerk of Course reported that the public vehicle had entered the stage at a junction that was taped off but not manned and proceeded to travel along the stage in the direction against the rally route.

The public vehicle travelled past a marshal who relayed that the public vehicle was in the stage to the preceding marshal who, with the assistance of a photographer, was able to have the car removed from the stage as quickly as possible.

Communication was as timely as it could be considering the difficult terrain involved, which meant that radio contact was required to be by way of two-way radio between the marshals involved initially, followed by advising the Stage Commander, who in turn notified Rally Control of the incident.

Despite the actions of the marshals two rally vehicles were to encounter the public vehicle coming towards them, which resulted in near misses for each competitor.

In the course of their investigation, the Stewards have since identified that it appears highly unlikely that the junction the public vehicle entered the stage from was taped off, as evidenced by photographs and on-board video footage from several cars that travelled through the stage before the public vehicle entered the stage. The tape can be seen attached and wrapped around a post on one side of the road, in a manner consistent of a typical set up, ready to be taped in place across the road. It is highly unlikely that the tape was removed and then wrapped around the post by anyone after it might have been previously taped across the road. This view is supported by the video footage from earlier competitors in the stage showing the junction as being open with no taping present other than what was wrapped around the post. It seems that the public vehicle was simply able to turn unimpeded onto the stage.

This has identified a serious failure in the safety process given that several official vehicles had travelled the stage prior to the stage going live.

A review of the intersecting road has shown that it was not a “dead end” road or an accessway unsuitable for vehicles but could be entered from other roads, albeit some distance away. The Stewards consider that this secondary access should have caused the Organiser to have placed a marshal or at least a physical object such as a parked car to prevent vehicles from entering the stage, in addition to the taping being in place.

It is imperative that human safety is of the highest priority and the Organiser has proposed elevated measures to enable the event to continue in a safer manner. These measures include increasing the number of marshals so that all taped junctions will be manned as well as dispatching patrols ahead of the 000 Car to monitor and report any concerns. The Organiser worked in conjunction with the FIA Safety Delegates to validate these additional measures.

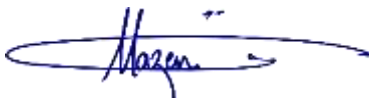
The Stewards are satisfied that this incident is an isolated occurrence, that these additional measures will provide sufficient assurance that the remaining stages will be secure, and hence the event should continue.

However, the Stewards consider that this isolated occurrence is of a serious enough nature that more time and resources are needed to investigate the incident more thoroughly, and therefore request that the incident be referred to the FIA Closed Road Commission for a full investigation.

Given the system failings that have taken place in terms of the un-taped junction not being identified by the number of officials that had travelled the stage prior to it starting, it is the view of the Stewards that the investigation should also consider processes for future events to ensure special stages are better protected from the possibility of public vehicles entering them.

All parties concerned are reminded that certain decisions of the Stewards may be appealed, in accordance with Article 15 of the 2022 FIA International Sporting Code and Chapter 4 of the FIA Judicial and Disciplinary Rules.

In application of Article 12.3.3.b of the 2022 FIA International Sporting Code, this Decision becomes immediately binding even in the event of an appeal as it concerns an issue where the suspensive effect is likely to cause a further or ongoing safety issue.


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The Stewards


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