



## 2021 JEDDAH EVENT

2 to 5 December 2021

---

<b>From</b>	The Stewards	<b>Document</b>	48
<b>To</b>	All Teams, All Officials	<b>Date</b>	05 December 2021
		<b>Time</b>	22:21

---

**Title** DECISION - CAR 6 - Right to Review  
**Description** DECISION - CAR 6 - Right to Review  
**Enclosed** Doc 48 - DECISION - Car 6 - right to review.pdf

**Dennis Dean**

**Mazen Al-Hilli**

**Abdul Jalil Batterjee**

**The Stewards**

## JEDDAH EVENT

2 TO 5 DECEMBER 2021

---

<b>From</b>	The Stewards	<b>Document</b>	48 (2 pages)
<b>To</b>	The Team Manager, Carlin	<b>Date</b>	5 December 2021
		<b>Time</b>	22:20

---

**Procedure** The Stewards received a Petition for a Right of Review from Carlin (the “Competitor”) regarding the Decision (document 37) for Car 6 from Race 2 at the Jeddah Event under Art 14 of the FIA International Sporting Code (the “ISC”) on 5 December 2021. This was within the 14 calendar days specified by Art 14.4.1 of the ISC.

A hearing was held at 19:45 hours local Saudi Arabia time on 5 December 2021, with the Team Manager, Benn Huntingford and the Driver, Jehan Daruvala in attendance.

The Stewards then deliberated and rendered this decision.

**Decision** The Stewards deny the Competitor’s Petition for a Review under Article 14 of the ISC.

**Reasons** The Competitor provided the Stewards with data traces downloaded from the Car after the race supporting its arguments in support of the Petition.

Pursuant to Art 14 of the ISC, a petition for review must be filed against a Stewards’ decision and can only be granted if a Competitor successfully demonstrates “*that a significant and relevant new element is discovered which was unavailable to the parties seeking the review at the time of the decision concerned.*” The four key points that the Competitor must demonstrate are that the new element must be (i) Significant, (ii) Relevant, (iii) New; and (iv) Unavailable at the time to the parties seeking the review at the time of the decision concerned.

Here, the Competitor points to the telemetry data from the car which had to be downloaded after the race as the element supporting the request for a Right to Review hearing.

It is important to note that the following is not an affirmation or review of the Stewards determination made during the race, but rather is an assessment regarding whether the Right of Review exists.

Taking the four above-mentioned key points of the Right of Review in reverse order, the Stewards hereby make the following assessment:

### **Unavailable**

It is undeniable that the data was unavailable to the Competitor at the time of the Decision (document 37) as it had to be downloaded after the race. This test is therefore met.

## **New**

The Competitor provided as an exhibit a set of data traces showing brake and car dynamic data which was unavailable to both the team and the Stewards at the time of the initial decision (document 37). This test is therefore met.

## **Relevant**

The Competitor proposed that the data was relevant because it showed the brake inputs of the driver and speed of the car. The data directly describes the dynamics of the incident and is not extraneous. This test is therefore met.

## **Significant**

Whether this data is “significant” is really a question of whether or not it is likely to change the initial decision of the Stewards.

The Stewards often must make a decision quickly and on a limited set of information. At the time of the decision, the Stewards felt they had sufficient information to make a decision. Had they felt that the data from the car was crucial in order to take a decision, they would simply have placed the incident under investigation – to be investigated after the race – and rendered a decision after this data was available. They saw no need to do so.

The Competitor’s position is that this new data provides sufficient information for the Stewards to come to an altogether different conclusion than they did previously. However, the Stewards determine that the data shows nothing exceptional that is particularly different from the video that was available to them at the time, or that particularly changes their decision that was based on the originally available footage. Thus, the Stewards determine that the data, here, is not “Significant”.

## **Conclusion**

The Stewards therefore find, in their sole discretion:

- That the decision is subject to the Right of Review;
- That the data is New;
- That the data was Unavailable to the Competitor at the time of the decision subject to the petition for review;
- That the data is Relevant; but
- That the data is not Significant.

The four key points required under Art 14.1.1 are not met and the Stewards, therefore, deny the Competitor’s Right of Review.

Competitors are reminded that, in accordance with Art 14.3 of the ISC, this decision is not subject to appeal.

**Dennis Dean**  
**The Stewards**

**Mazen Al-Hilli**

**Abdul Jalil Batterjee**