

## **Decision of a Sub-Committee appointed by the Executive Committee under Articles 118 & 119 of the National Sporting Code, namely –**

- Wayne Christie (Chair)
- Barry Higham
- Jeff Scott

### **In the Matter of**

#### 1. Article 92(2) of the National Sporting Code

To consider if, by his actions on or about the 6<sup>th</sup> February 2012, Mr Knight brought the sport into disrepute.

### **Hearing Details**

The hearing took place by meeting at The Wigram Room, Ruapuna Park on Monday, 30 July 2012 commencing at 7:00pm. The participants being the Sub-Committee members, Andrew Knight (Competitor) and Bill Bawn (representing MotorSport New Zealand, by telephone).

### **Background**

The Sub-Committee was tasked to investigate the circumstances surrounding the actions of Mr Knight on or about 6 February 2012 when he and two others entered a car being driven by a 19 year old female and requested to be taken to a nearby address, and to determine if his actions throughout this incident brought the sport into disrepute.

If, in the course of this investigation, the Sub-Committee concludes a hearing of any nature should have been held, they were empowered to undertake that hearing in the interests of natural justice.

The Sub-Committee may also consider the wider implications of any such actions to the Sport as a whole.

### **Hearing**

The hearing was conducted in accordance with National Sporting Code Article 120.

The Sub-Committee heard from Mr Bawn who explained that MotorSport New Zealand had become aware of the incident through articles published in various New Zealand newspapers. Mr Brian Budd, General Manager of MotorSport New Zealand had contacted Mr Knight and had received a written response to the newspaper articles. Both the newspaper article (as published on [www.stuff.co.nz](http://www.stuff.co.nz)) and Mr Knight's response had been provided to the Sub Committee.

Mr Knight then explained his actions to the Sub-Committee as they were provided in his written response and emphasised his remorse at having taken these actions.

When questioned further Mr Knight also explained that he was aware that as a sporting figure with a public profile, he had an obligation to act as a responsible citizen, but said that he was unaware at the time that his public profile was as widely known as has since been published.

Mr Knight emphasised that the details of his indiscretion had not been disclosed by the Police, who had provided him with a warning, but had somehow found their way into the public arena.

## Observation

In reaching its decision the Sub-Committee accepted that Mr Knight was remorseful of the events that took place. It was clear that Mr Knight now understands that he holds a higher public profile than he possibly previously realised and that any actions he takes in the public arena, he is accountable for.

## Finding

The Sub-Committee have reached the following findings in respect to the points they have been charged with considering:

1. Mr Knight's actions on or about 6 February 2012 which included entering a car being driven by someone he did not know and interfering with the control of the car has brought the sport into disrepute; and
2. MotorSport New Zealand views the image the public holds of it very seriously and it does not in any way condone any actions by anyone representative of the sport that could damage its public image.

## Decision

Taking account of all the factors put before the Sub-Committee FINDS (in accordance with Article 4.1, Appendix One, Schedule P):

1. That penalty NSC.4 be applied to Andrew Knight and that he:
  - be fined \$2,500.00; and
  - have his competition licence suspended for a period of eight months; and
  - have the penalties of the fine and the licence suspension suspended until 28 February 2013, subject to Mr Knight not bringing the sport into disrepute again during this period.

The Sub-Committee was unanimous in making its decision.

This decision was given verbally at 7:45pm and followed by email notification on 31 July 2012 at 11:00am.

## Costs

The Sub-Committee did not award costs to either party.

On behalf of the Sub-Committee



Wayne Christie  
**Chairman**

## Right of Appeal

The parties were reminded of their rights of appeal in accordance with the provisions of the National Sporting Code.