



## **MOTORSPORT NEW ZEALAND (INC)**

### **DECISION OF THE JUDICIAL COMMITTEE APPOINTED BY THE BOARD, NAMELY:**

Mr Dale Crossley (Chair)  
Mr Graeme Robertson  
Mrs Janet Phipps

The parties concerned or interested;

Mr Martin McCullough	(Competition Licence 130241X)
Mr Ian Foster	(Competition Licence 054957X)
Mr Stefan Calcott	(Competition Licence 130694X)
Mr Rob Young	(Competition Licence 130246X)
Mr Matthew McCullough	(Competition Licence 160391X)
Mr Liam Foster	(Competition Licence 140165X)
Mr Steve Collier	(Officials Licence 071792Y)

Representing MotorSport NZ: Mr Terry Carkeek

**MOTORSPORT NEW ZEALAND (INC)** under the powers set out in Articles 118 to 123 of the National Sporting Code, considered the issues brought to its attention and approved a hearing to be held before the Judicial Committee appointed by the Board.

The hearing was held on 4 July 2018 in Cockpit Room, Holiday Inn, Mangere, Auckland. A Notice was promulgated to the parties concerned or interested on 29 June 2018.

### **PURPOSE OF HEARING**

Under NSC Part X, MotorSport New Zealand has inquired into the matter and an Inquiry Review Panel has determined that as a result, a Judicial Committee Hearing be convened to consider the matter which is the subject of this complaint.

The Hearing Review Panel has approved the following grounds to be considered:

To consider new evidence in relation to the results decided from hearing held on June 15 June 2018 of the Three-Hour Race which ended with a Red Flag on lap 134. Originally understood that Cars #78, #88, #95 and #888 were off at Turn 1 on Lap 133 and this caused the red flag.

These issues relate to ENEOS North Island Endurance Series, Round One held at Hampton Downs on 19<sup>th</sup> May 2018.

### **HEARING PROCEDURE**

The Hearing was conducted in accordance with National Sporting Code (NSC) Article 123.

Mr Carkeek outlined the details and reasons for approving the hearing.

The Judicial Committee had been provided with:

1. A copy of part of the Flag Channel report concerning Cars 88, 95 and 888.
2. A copy of the passing report for Car 88 before, up to and after the red flag.
3. Pitlane report.
4. Previous passing report for laps 124 to 134.
5. Previous passing report for laps 132 to 134.
6. Velocity TV Screen Shots of cars 95, 88 and 888

A Statement was heard from Steve Collier about what his decision would have been knowing the current information.

Shane Drake was present at the meeting in relation to the 3 competitors 88, 95 and 888

Stefan Calcott was listening on the Audio Link.

Questions to clarify points of evidence presented were asked by the Judicial Committee

## **Finding**

The Judicial Committee having considered evidence and documents presented have reached the following findings:

After reviewing all the new evidence the Clerk of the Course has amended his statement and confirmed that there was only one car off circuit at Turn 1 and would not have called a red flag for 1 car as it would have been his intention to recover it while under safety car. The car concerned was car number 78.

## **Summary of findings**

Taking account of all the findings the Judicial Committee concludes that:

As a result of the Clerk of the Courses amended statement none of the cars would have been excluded from the results for causing a red flag.

Due to the countback of a red flag finish, Car 78 must also be included in the results.

## **Decision**

Taking account of all the factors put before it the **JUDICIAL COMMITTEE DECISION** is that:

1. Cars #88, #95 and #888 will now feature in the results
  - 88 having completed 117 laps
  - 95 and 888 completed 112 laps with 95 ahead of 888
2. Car 78 is to be included in the results having completed 108 laps
3. Costs shall lie where they fall.

## **Recommendation**

Taking account of all the factors put before it the **JUDICIAL COMMITTEE RECOMMENDATION** is that:

1. The Clerk of the Course undertakes a briefing of his race control team to ensure that they are aware of providing accurate information particularly in relation to Red Flag stoppages.
2. The Clerk of the Course ensures he has adequate systems in place in the case of the Red Flag to identify why it was called, which lap the race is to be declared and which cars are not to feature in the results.

The Judicial Committee was unanimous in making its decision.



**Dale Crossley**  
**Chairman**  
**For and on behalf of the Judicial Committee**

**DATED:** 4<sup>th</sup> July 2018

This copy of the hearing proceedings and decision were provided to the Chief Executive Officer, Motorsport NZ, by email at 9:00pm July 4 2018 as required by Article 123 (7) ( c ) of the National Sporting Code.