

MOTORSPORT NEW ZEALAND (INC)

REPORT FROM THE JUDICIAL INQUIRY PANEL APOINTED BY MOTORSPORT NEW ZEALAND

INQUIRY PANEL

- Mr Shayne Harris (Chairman)
- Mrs Janet Phipps
- Mr Chris Adams

PARTY TO THE INQUIRY

- Mr Malcom Glen (Race Director)
- Mrs Deb Day (Clerk of the Course/Race Radio)
- Ray Williams (Safety Car Driver, Sam Thomson (Safety Car Observer)
- Mr Brian Green (Competitor and driver of Car 61, assisted by Mr Dustin Ng and Alex Barbarich-Bacher)
- Mr Nick Williamson (on behalf of Competitor Mr Seb Manson and driver car 222)

MOTORSPORT NEW ZEALAND REPRESENTATIVES

- Mrs Raewyn Burke

DOCUMENTS PROVIDED

Inquiry review Panel Decision, Notice of Hearing, Organising Permit, Hampton Downs Annual Circuit Safety Plan, Accident Report, Stewards Report, Clerk of the Course Report, Race Directors Report, Decision of the Race Director concerning competitor 61, Inquiry Form from Brian Green, Vehicle Damage Report cars 61, 222 and the IT Safety Car, a number of in car and circuit TV footage, email requesting an investigation, two emails regarding Race Radio announcements, copies of schedule Z 10.2 and 15.3, supporting information from Car 54, race logs from Race control, Presentation and information from car 61. A transcript of events was also provided by Brian Green at the inquiry.

1. The Judicial Inquiry Panel was appointed by Motorsport New Zealand pursuant to Article 118 of the Motorsport New Zealand National Sporting Code (NSC), this is outlined in the Notice of Hearing dated 11th June 2024.
2. The Judicial Inquiry Panel was tasked with:

The Inquiry Panel should look at all aspects to the incident including but not limited to the following:

 - The circumstances surrounding the incident between Car 61, Car 222 and the Safety Car and how it occurred.

- The compliance or otherwise of the Safety Car period, following the flags being displayed, and possible instructions given over Race Radio to competitors.
- The speed of the competitors during the Safety Car period.
- The deployment and use of the Safety Car including the speed of it during the Safety Car period.

If the Inquiry Panel determines that as a result of the Inquiry, a Hearing is required the Inquiry Panel is authorised to proceed with a Judicial Hearing.

3. The Inquiry was conducted at the Distinction Coachman Hotel in Palmerston North and by zoom and commenced at 4.30pm on the 24th June 2024. The Inquiry Panel, Race Director Malcolm Glenn and Brian Green were present all other parties joined via zoom.
4. The Chairman opened the Inquiry and outlined the process for the Inquiry. The Chairman confirmed that the purpose of the Inquiry was to ascertain the factual circumstance of what occurred in the 1 hour race in question. This was not a Hearing and cross examination was not allowed, however if the parties held a different view from that presented on the papers or verbally they were free to draw that view to the panels attention to that.
5. The Panel heard from Malcolm Glenn the Race Director that at about 40 minutes into the 1 hour race there was a collision between cars 11 and 75, both cars ended up in the gravel trap on the outside of turn 1.
6. A call was made from Race Control for Safety Car (SC) boards and flags to be displayed and the SC was put on Standby. The SC was then released from Pit lane.
7. Between the SC Boards and flags being displayed and the SC being released one car self recovered from the gravel travel trap. Car 222 and 61 the lead two cars were also past pit exit so when released the Sc ended up behind the leading two cars and the self recovered car.
8. The SC ended up picking up the third placed car
9. From turn 2 or 3 to onwards the SC continued and waved cars past the SC.
10. This continued into Turn 10 and onto the front straight where car 61 ran into the rear of car 222 and then the rear of the SC. From picking up the field the SC had travelled about three quarters of a lap before the collision with cars behind it.
11. The Panel next heard from Deb Day who was the Clerk of the Course but also on Race Radio.
12. Deb said that when the SC was called for in Race Control the message safety car, safety car, safety car was put out over race radio. (It is the practice of Race Radio operators to repeat this instruction three times).
13. The second call made from Race Radio was that the SC had been released
14. The next *message* from Race Radio was to confirm that car 222 was the leader of the race.
15. The panel then heard from Sam Thomson who was the observer in the SC. He clarified that while the normal operating speed is typically around or above 80kmh when they have cars behind them, they will often reduce that when allowing competing vehicles past as

they are expected to be doing a similar speed to them. He believed that the SC when it was on the front straight was travelling approximately in the mid-60's and considered that the DNG report to be a fair assessment.

16. Sam was turned around observing through the window looking for car 222 when he said car 61 hit the rear of car 222 and headed towards the SC. Sam turned back to face the front of the car and then felt the impact from car 61. The SC continued to lead the field around until the race was ended.
17. The Panel next heard from Brian Green. Brian was assisted by Alex and Dustin who run the car for Brian.
18. Brian told us that he got a call that there had been an announcement over Race Radio that the SC had been deployed. He was at turn 9 when he received the call.
19. Brian said as he expected as he came out of Turn 1 to see a SC but when he exited Turn 1 there was no SC. He then said he was in a convoy of 6 cars three in front of him and two behind. When the convoy exited the "hairpin" there was no sign of a SC.
20. The convoy continued down the front straight and around Turn 1, where he noticed that the incident at Turn 1 had cleared itself.
21. The convoy continued around the circuit and came through turn 10 and onto the front straight. Brian stated that he was at this time unaware that the car in front of him car 222 was the leader of the race.
22. Brian said car 222 braked then came off the brakes and he followed suit. Car 22 then really stood on his brakes. Brian said he swerved hard left and did everything he could to avoid hitting car 22, but they collided and he flew through the air and into the back of the SC.

Panel Considerations

23. Circumstances surrounding the incident between Car 61, 222 and the Safety car and how it occurred

The panel is of the view that Para 5 – 21 above is an accurate description of circumstances surrounding the incident between Car 61, 222 and the Safety car. The wording above has been checked with those that are quoted.

24. The compliance or otherwise of the Safety Car period, following the flags being displayed, and possible instructions given over Race Radio to competitors.

This assessment needs to take into consideration the relevant MSNZ rules and the compliance or otherwise with those rules.

Firstly article 10.2 of Schedule Z – Races Safety Car Deployment

- (1) When the Clerk of the Course gives the order, all flag points will display flashing yellow light(s) and an illuminated "SC" light, or stationary yellow flags and a "SC" board, which shall be maintained until the Safety Car's intervention is over.

Panel Comment: This part of the rule was complied with and note that there was both Yellow Flags, Flashing Lights and SC boards displayed. This was confirmed by Brian Green and evidence through a number of the videos supplied to the panel.

25. (2) The Clerk of the Course will instruct the Safety Car with its flashing lights on to join the Circuit regardless of where the race leader is.

Panel Comment: This part of the rule was complied with, this is evidenced by race radio announcements and the Race Directors comments.

26. (3) All the competing vehicles will line up in single file without any degree of Overlapping behind the Safety Car. All vehicles shall maintain the same speed as the Safety Car while in the convoy and the same speed as the vehicle in front. All Drivers shall maintain a maximum distance of three (3) vehicle lengths from the vehicle in front. The Clerk of the Course may impose a penalty upon any Driver who is considered to have gained an unfair advantage (inadvertently or not) from a breach of this regulation; and should a Driver breach this regulation for the benefit of another, both may be penalised. Overtaking is forbidden, unless a vehicle is signalled to do so from the Safety Car.

Panel Comment: The way this rule is written, is that all competing vehicles should line up behind the SC once it is released. This tends to suggest that this is in the track order behind the SC as in 25 (2). The SC can be released at any point in the race, which makes sense as the SC is there to neutralise the field so getting the field of cars behind the safety car as quickly as possible achieves that. From the statements provided and the onboard video footage provided, this did not happen as the cars behind the SC were being waved through when other cars in the field were some way back on the circuit. If the whole field is lined up behind the safety car, it is easier to release those cars that need to be released in a bunch to continue around the circuit to rejoin the back of the SC train.

27. (4) When ordered to do so by the Clerk of the Course, the Safety Car will signal past (using either a green light or other signals) any vehicles between the Safety Car and the race leader. These vehicles will continue at reduced speed particularly through any hazard zone(s) and without overtaking until they reach the line of vehicles behind the Safety Car.

- (i) For endurance Races; once the Safety Car is positioned in front of the highest placed vehicle on the Circuit at that time, no further repositioning of vehicles shall occur. If that highest placed vehicle on the Circuit subsequently pits, the remaining vehicles shall continue in the order that they are lined up behind the Safety Car.

Panel Comment: We are unsure of who was instructing the SC or if the SC was left to release cars of their own accord, our view on the car release is covered in {27}. One area that is of concern to the Panel is the reduced speed component of the rule. It simply says that the vehicles released from the SC can continue at a reduced speed. Reduced speed from what? Their race lap time? SC Speed? It was evidenced from onboard video that the cars were still circulating at between 150km/hr and higher, and in one instance as the car passed marshals

vehicles and marshals that were on the circuit. The Panels view is that this can not be allowed to continue. This should be looked at by MSNZ and made clearer.

28. (5) For Events employing flag signalling only, each time the Safety Car passes a flag point, the yellow flag will be waved continuously while the Safety Car and the vehicles following it remain in the section between this point and the next point.

Panel Comment: There was some criticism in some in the information provided by Brian Green's team that the flag Marshall were not waving the yellow flags when the SC was out on the circuit as the race cars passed the relevant flag point. During this race, both flags and lights were in operation, it can be clearly seen from onboard cameras that the yellow lights were flashing. That being the case there is no requirement to wave the yellow flags.

The remaining subsection in Schedule Z 10.2 do not need consideration by the Panel.

29. The speed of the competitors during the Safety Car period.

Panel Comment: Whilst there was evidence given that the SC speed was around 80 km/hr, in-car footage from the car 61 and car 54 show the race cars to be circulating well above 150km/hr. At the time of impact car 61 was doing 153 Km/Hr and had slowed down from 183 Km/hr. The Panels view is that these speeds are not appropriate when a SC is on the circuit, however there is nothing in the rules to say that.

At this point the Panel needs to comment on the speeds under SC by car 54 post the collision between cars 61 and 222. The in car footage shows car 54 travelling at speed past marshals and marshal cars on the front straight (over 200km/hr), it appears that car 54 is trying to catch the SC. These speeds in our view, are not acceptable when marshals are on the circuit. However, car 54 is travelling at a "reduced Speed" compared to their race speed.

30. The deployment and use of the Safety Car including the speed of it during the Safety Car period.

Panel Comment: The deployment of the SC is mentioned above (24). Whilst there is no requirement to release the SC to pick up the leader, it is preferable that this happens as it makes the control of the field a lot easier. It was noted from the statement provided from Sam Thompson that the Speed of the SC was around 80 km/hr.

31. Panel Comment:

The collision that occurred at the 1 hour are in the Panels view due to a number of circumstances that transpired on the day.

The SC not being able to pick up the leader and the lead cars not being too far in front of the SC. This meant that the lead cars had a full lap to complete before they looked like catching the SC. As it transpired it was more than that, it was probably a lap and a half.

The lead cars until the very last moment had not sighted the SC. Brian mentioned not knowing where the SC was. It also appears that the lead car 222 did not recognise the SC until late, the braking actions seem to confirm that.

Car 61 saw the lead car break and brake suddenly and said he tried to avoid the collision. In car does show the driver turning the steering wheel to the left however he still collided with the rear of 222.

The onus of what happens on the track in these types of conditions must sit with the driver of the car. Ultimately no one else can control the car. SC periods are there for a reason and every driver needs to drive to the conditions and one of those must be that they do not collide with other cars. Indeed this is expected during racing as well.

The panel would also like to mention that from the in-car footage of cars 61 and 54, it was difficult to see if the SC lights were illuminated. If they were then they don't appear to stand out. We could not tell if the lights were on or not.

The Panel notes that Race Radio was being used, but it was not compulsory for teams to have Race Radio. Car 61 Team did have Race Radio, but in our view the Race Radio should be compulsory and used extensively during endurance races.

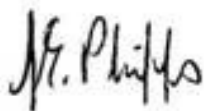
Recommendations from the Panel

Schedule Z 10.2 should be reviewed to see if MSNZ wants to introduce a maximum speed during SC periods.

In drivers briefings the procedures and expectations during SC periods should be explained to the competitors.



Shayne Harris
Chairman



Janet Phipps
Member



Chris Adams
Member

Dated: 3rd day of July 2024