

MOTORSPORT NEW ZEALAND (INC)

DECISION OF THE JUDICIAL COMMITTEE APOINTED BY MOTORSPORT NEW ZEALAND

JUDICIAL COMMITTEE:

- Mr Shayne Harris (Chairman)
- Ms Andrea Bourhill
- Mr Raymond Bennett

PARTY CONCERNED

- Mr Graeme Robertson
- Mrs Donna Elder
- Mr Cameron Morrison
- Mr Brent Reddington
- Mr Neil Rootes
- Mr Alan Groves

MOTORSPORT NEW ZEALAND REPRESENTATIVES

- Mr Terry Carkeek

JURISDICTION & PURPOSE FOR THE HEARING

1. The Judicial Committee was appointed by Motorsport New Zealand pursuant to Article 118 - 122 of the Motorsport New Zealand National Sporting Code (NSC), this is outlined in the Notice of Hearing (NOH) dated 3 May 2021.
2. The purpose of the Hearing is outlined in the NOH. It confirms that under the provisions of NSC Part X (2) (a) (i) a Judicial Committee Hearing is convened to approve the corrected MotorKhana Final Results and the Clubsport Championship Overall Final Results for the 2021 Clubsport Championship.

THE HEARING

1. The Chairman opened the Hearing at 7.20pm and the Chairman outlined to the Parties the process for the hearing. The Hearing was conducted via ZOOM meeting and all parties were present minus Mr Neil Rootes.
2. Prior to the Hearing a number of documents were sent out to the parties they were:
 - (1) Request for Inquiry
 - (2) MotorKhana Results TS Provisional
 - (3) MotorKhana Results TS Corrected
 - (4) MotorKhana Test #3 Results
 - (5) Clubsport Championship Results – Corrected

3. Following the NOH the following was sent out to the Parties
 - (1) Email from MSNZ dated 10 May 2021 replacing the Overall Clubsport Results
 - (2) A Minute from the Judicial Committee advising that the meeting would be held via Zoom.
4. The Hearing commenced with an opening statement by Mr Terry Carkeek on behalf of MSNZ. Mr Carkeek gave the background of how the matter had progressed to this hearing. Essentially those details are outlined in the NOH. Of importance to this decision is that the Judicial Hearing concerns results that were produced as a result of the Clubsport Championship held in the Hawkes Bay on the weekend of 19 – 21 March 2021.
5. Mr Robertson who was the Clerk of the Course then made his statement.
6. Mr Robertson made reference to the MotorKhana results that were posted at the event. The results were posted at 1340hrs as provisional and then made final at 1410hrs. This was evidenced by Mr Robertson signature and that of a Steward.
7. No issues regarding the results were brought to Mr Robertson's attention during the event. Therefore, the overall Championship results were posted and made final following the appropriate notification.
8. The following Monday Mr Robertson was made aware that an error had occurred in the MotorKhana results.
9. The error showed that in Test 3 of the MotorKhana results. The times from one test for four competitors had been taken through when computing the final results. This meant the final placings for the MotorKhana and the ClubSport Championship results was incorrect.
10. On the 22nd of March 2021 Mr Robertson notified the MSNZ office of the error and requested a Judicial Hearing pursuant to NSC 122 (2) (a) (i) to correct the result.
11. Mrs Donna Elder who was the results secretary for the event confirm the error mentioned by Mr Robertson.
12. The Chairman of the Hearing asked the competitors present at the Hearing if they agreed that the error as outlined by Mr Robertson was in their view correct and they agreed.

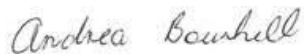
DECISION

13. The Judicial Panel accepts that an error occurred in the MotorKhana results which then flowed through to the overall Clubsport Championship results. The panel notes that the Inquiry Review Panel formed a similar conclusion.

14. The Judicial Panel therefore rules that the results for the MotorKhana Final and the overall Clubsport Championship 2021 results posted at the New Zealand Clubsport Championships held in Hawkes Bay on the 19 – 21 March 2021 are revoked and are to be replaced with corrected results as supplied to this Panel and identified as being the amended final results.



Shayne Harris
Chairman



Andrea Bourhill
Member



Raymond Bennett
Member

Dated 13 May 2021

Rights of Appeal to this Decision are contained in the NSC Part X clause 122 (5) (c).