



MOTORSPORT NEW ZEALAND (INC)

DECISION OF THE JUDICIAL PANEL APPOINTED BY MOTORSPORT NEW ZEALAND, NAMELY:

- Martin Fine (Chairman)
- Raymond Bennett
- Ross Armstrong

IN RELATION TO A REFERRAL FROM THE STEWARDS OF A MEETING

Background

At Round 8 of the 2023 MotorSport New Zealand Premier Race Championship Series event held on 5-7 May 2023 at Hampton Downs Motorsport Park organised by MotorSport New Zealand, an on-track incident occurred involving Car #14 (Fynn Osbourne) on lap one, at turn one during race one at the final round (Round 6) of the 2023 Toyota 86 Championship.

This resulted in the race being suspended to provide for a safe recovery of Car #14. A full restart took place, with Car #14 being incorrectly placed at the rear of the grid, subsequently being disadvantaged. This was in breach of Appendix Four, Schedule Z, Article 13.2 – Restarting the Qualifying or the Race, and resulted in a breach of Article 3.1.1(a) of the 2023 Toyota 86 Championship Articles.

The matter was heard by the Stewards on the day who ruled that a breach of the code had occurred and referred the matter to MotorSport New Zealand for penalty to be applied by a Judicial Panel.

Judicial Hearing

A hearing was held in Wellington on 21 May 2023. The parties present at the hearing were Steve Collier (Race Director) and Elton Goonan (CEO) representing Motorsport New Zealand Inc.

After convening the Hearing, the Chairman outlined the process of the hearing. It was noted that the parties had agreed to the abridgement of time limits (to enable the matter to be concluded in a timely fashion).

The facts were not disputed. Both parties gave evidence and the Panel reviewed the information supplied, amplified with further verbal explanations and discussion.

Findings

1. At the time of the incident the Race Director had the option of neutralising the race using the safety car or suspending the race by using the red flag. Given the time available, the class involved and the nature of the incident, the Race Director opted for the red flag procedure.
 2. While resetting the field for the restart the Race Director checked the relevant parts of Schedule Z regarding the restart procedure. In his haste he applied the wrong procedure resulting in Car 14 being relegated to the back of the field.
 3. The race was restarted in the incorrect order.
-

4. Immediately after the race the Race Director met with the driver of Car 14 who had filed an inquiry form, and realising his mistake, he apologised to him and explained that he did not have the power to re-run the race and that this was an unfortunate incident for which he took full responsibility. He immediately advised the Stewards of this, and they advised that they were dealing with the matter.
5. Later he was summoned to a Stewards hearing alleging a breach of the Code, where the matter was reviewed and discussed and the Stewards determined to issue a decision the next day. We understand that the Race Director also met with and apologised to Toyota personnel.
6. Next morning a decision was issued confirming the breach and advising that the matter was to be referred to MotorSport New Zealand for disciplinary action and penalty.
7. The remainder of the meeting was conducted without issue.
8. We find that the actions of the Race Director were in breach of the Code and that in applying Sch Z Art 13.2(b)(ii) the Race Director acted incorrectly, resulting in disadvantage to the driver of Car 14. Based on the information available and our discussions at the hearing we believe this was an honest mistake.

Penalty

1. The Panel determined that the Race Director was in breach of NSC 79(2) and that penalty Official 3 be applied.
2. The Panel ordered that Steve Collier's Clerk of the Course Licence be downgraded from Gold to Silver with immediate effect.

Observations

1. It appears that there was more distraction in the control room on that day than is usual. Organisers should be aware that as part of their set up, they take into account the requirement for fast paced and accurate decision making in an environment where clear communication is possible without distraction.
 2. It appears to the Panel that the Race Director could easily have been supported on the day with another senior official at hand. In an ideal world an Event Director would be supported by Race Directors and a Clerk of the Course by a deputy. In this situation had the Clerk of the Course been on hand there may have been a different outcome. But as a matter of training and development the Panel observes that better interaction between senior officials at high profile meetings would be beneficial both from the point of view of better race management outcomes and on the job training for developing senior officials.
 3. The Panel records the growing use of Race Directors for classes. It is suggested that the appointment of suitable senior officials by the office could be more structured and if accompanied by a clear training plan, it could provide training opportunities, for developing a better skill base.
 4. Regional variations while unavoidable can't compromise the efficiency and operation of a race control charged with running competitions under the Sport's rules. Accordingly, there should be a common chain of command, operational systems and procedures in every race control that are resilient, auditable and ensure the best opportunity to provide the outcomes required under the Sporting Code. This should be a focus for the attention of the Chief Clerk of the Course.
 5. Practical face to face training either on event or on a national basis would provide better access to a knowledge base for senior officials. The Panel record that this hearing showed that there was a
-

lack of understanding of the rules and delegations that would allow the workload on a race day to be shared and managed.

6. The Stewards Report for the event records that the Stewards "took the exceptional step of holding a hearing with the Race Director". In the Panels opinion this was neither exceptional nor unusual. It is a fundamental duty of Stewards to ensure that events are run in compliance with the Code and in a fair and safe manner. That duty applies equally to competitors and officials. Sensationalising an action undertaken seems unhelpful. The Chief Steward should ensure that Stewards understand these requirements and are comfortable in carrying out these duties.
7. Consideration could be given to a review of the NSC to ensure procedures and penalties are properly laid out and identifiable for officials and competitors (maybe via flow charts?) and particularly that a suitable training plan is in place for the benefit of officials required to implement the Code.
8. A review of the specific provision in Schedule Z would be helpful as the difference in procedure appears to lack a practical purpose. If a competitor who causes a race to be stopped can be penalised, that penalty should be able to be applied regardless of the stage of the race.
9. The MotorSport Office requires a code of conduct for employees and set limits of their involvement as Officials at events due to the risk of conflict of interest.

RIGHT OF APPEAL

The parties are reminded of the right of appeal to the National Court of Appeal in accordance with Part XI of the National Sporting Code.

Dated this 24th day of May 2023



Martin Fine
Chairman

Note:

Amended Findings 3 and 4 to
correct factual error
24/5/2023


