

MOTORSPORT NEW ZEALAND JUDICIAL COMMITTEE HEARING DECISION

MOTORSPORT NEW ZEALAND INC

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

- Barry Higham (Chair)
- Dale Crossley
- Howard Atwill

THE PARTIES CONCERNED

- Cooper Cooley, Competitor (Competition Licence 210824X)
- Rachel Mackey, Clerk of Course (Officials Licence 071860Y)
- Caitlin Day, Assistant Clerk of Course (Officials Licence 171337Y)
- Mike Hartley, Chief Executive Officer, MotorSport New Zealand

BACKGROUND

During the TACCOC Sprint at the Downs meeting at Hampton Downs Motorsport Park on Saturday 14 February 2026 several Notification of Decisions from the Clerk of the Course (MSNZ Form J002) were issued by Caitlin Day, including one to Cooper Cooley, Decision #5. The Request for Inquiry submitted under Part X of the National Sporting Code by Matt and Kristie Cooley, on behalf of Cooper Cooley, claimed that Caitlin Day was not an appointed official for the event as she was not listed in the Supplementary Regulations. Further they alleged that Caitlin Day had a conflict of interest as her brother was a competitor in the event and in the same class as Cooper Cooley.

These matters were referred to a Motorsport New Zealand Inquiry Review Panel who noted that whilst Cooper Cooley didn't avail himself of all his options at the event in relation to the decision, they felt that allegations of officials operating outside of their authority and alleged conflicts of interest are significant and should be further investigated. The Motorsport New Zealand Inquiry Panel recommended that both matters be referred to a Judicial Committee Hearing.

THE HEARING

The Hearing to consider both matters was conducted in accordance with National Sporting Code, Article 122 and held remotely via video conferencing at 6-30pm on Monday 11 May 2026.

The Chairman opened the Hearing, introduced the panel and invited Mike Hartley, representing Motorsport New Zealand, to outline the reasons for the Hearing being held.

Kristie and Matt Cooley, representing Cooper Cooley, advised that Caitlin Day, who conducted the Hearing into the alleged driving infringement by Cooper, was not listed as an official in the Supplementary Regulations (Part One or Part Two) for the event, neither was she listed in the only Official Bulletin (Bulletin 1) issued on the day of the event. They claimed that any decisions made by Caitlin Day, an unauthorized official, were illegal and should be rescinded. They also claimed that Caitlin Day had a conflict of interest when conducting a Hearing relating to a race that included her brother and recommended that for future events family members of drivers in a race series with points not be allowed to maintain an official position for the meeting, this being an obvious conflict of interest and should be avoided to maintain professionalism for event organisers and Motorsport New Zealand.

Caitlin Day said she was approached 14 days before the event to be an Assistant Clerk of Course, which she agreed to. She asked the club to ensure she was listed as an official, this request was repeated the day before the event. Caitlin advised that it was announced at the verbal Driver's Briefing on the day of the event that she was an Assistant Clerk of Course and so carried out her duties believing her appointment was confirmed. Caitlin confirmed holding a Hearing with Cooper Cooley and issuing a penalty. Caitlin advised that she is a new Clerk of Course and that Rachel Mackey was in the Hearing with her. When asked by the Chairman of the Panel if she believed there was any conflict of interest in her hearing a case against a competitor in the same race as her brother, she answered no.

Rachel Mackey advised that she was in error for not ensuring that an Official Bulletin was raised to advise the appointment of Caitlin Day as Assistant Clerk of the Course for the meeting. She apologized for her oversight. Rachel advised that she was aware of the fact that Caitlin was holding a Hearing with a competitor in the same race as her brother but didn't have any concerns and backed Caitlin's judgement.

FINDINGS

The Judicial Committee finds that after hearing all the evidence from the affected parties, Caitlin Day cannot be considered an authorized official for the TACCOC Sprint at the Downs meeting as she was not listed in the Supplementary Regulations or included in any Official Bulletin. It is noted that Caitlin did make attempts to get her name listed in the Supplementary Regulations but was let down by the organizing club and the Clerk of the Course. The Judicial Committee also finds that it could be seen that there was a perceived conflict of interest with Caitlin holding a Hearing for a race that her brother was competing in. The Judicial Committee believe in this case that Caitlin Day acted in an ethical manner during the Hearing on the day and there was no breach of the rules.

DECISION

The Judicial Committee, following consideration of the information provided, unanimously determine:

1. Caitlin Day was not an authorized official for the meeting so all her decisions on the day (the Judicial Committee believe that there were at least three), including Decision #5 (Cooper Cooley) be rescinded and the results of the races in which they applied are to be recalculated without the penalties applied. The club is to be notified of this.
2. The Clerk of the Course, Rachel Mackey, is responsible for the conduct of the meeting in accordance with the National Sporting Code, and in particular the Regulations governing it, refer National Sporting Code Part VII 79 (2). She failed to ensure that Caitlin Day was an authorized official. This is a breach of the National Sporting Code. Rachel Mackey's Clerk of Course licence is endorsed with immediate effect until 31 August 2026, Appendix One, Schedule P 6.2 Official.3 applies.

RECOMMENDATIONS

1. It is recommended that Caitlin Day gets some additional training in the writing up of Motorsport New Zealand forms, particularly the "Notice to Appear at Hearing" and "Notification of Decision" forms, as the Judicial Committee noted several deficiencies in the forms presented to the Hearing.
2. The matter relating to the Conflict-of-Interest claim was discussed extensively by the Judicial Committee and the panel members can see how it could be perceived that there may have been a conflict of interest with Caitlin Day "officiating" in a race which contained her brother. In studying the National Sporting Code we could not find any applicable references to conflicts of interest. Motorsport New Zealand does have a Code of Ethics policy which is a good document but it does not apply in this case as it only deals with actions that occur outside "the field of play", not during the event. It is recommended that Motorsport New Zealand look at using the applicable parts in this Code of Ethics Policy and the wording from the Conflicts of Interest section in the FIA International Sporting Code, Article 11.5 to build a workable solution to be included in our National Sporting Code.

DATED this 18th day of May 2026



Barry Higham
Chairman

RIGHT OF APPEAL

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