

# **MOTORSPORT NEW ZEALAND (INC)**

## **DECISION OF THE INQUIRY PANEL APPOINTED BY MOTORSPORT NZ**

### **MEMBERS:**

- Mr Barry Higham (Chairman)
- Mr Chris Adams
- Mr Adam Simmons

### **PARTIES CONCERNED:**

- Mr David Remmerswaal (Clerk of Course)
- Mr Karl Buchanan (Deputy Clerk of Course)
- Mr Bevan Godfrey (Assistant Clerk of Course)
- Mr Howard Atwill (South Canterbury Car Club Representative)
- Mr Mike Small (South Canterbury Car Club President)
- Mr Brooke Iraia (Driver of Car #24)
- Mr Shane Roughan (Driver of Car #651)
- Mr Matt Ryan (Driver of Car #65)
- Mr Samuel Knight (Driver of Car #120)
- Mr Gerald Hargreaves (Driver of Car #751)
- Mr Greg Wilson (Driver of Car #23)
- Mr Steve Collier (Motorsport New Zealand Representative)

### **DOCUMENTS PROVIDED:**

- Clerk of Course Closing Report
- Steward's Report
- Inquiry Review Panel Report
- Event Supplementary Regulations
- Event Permit
- Event Safety Plan
- Clerk of Course Hearing Decisions #14, #15 and #16
- Various Witness Statements

### **BACKGROUND:**

There was an incident at the end of lap 1 of race 3 of the SS Cup Series at Levels Raceway (Timaru) on Saturday 3 March 2024. Car #120 stalled on the grid during the start procedure and whilst under recovery was hit by another vehicle (car #24) who was completing the end of the first lap. Substantial damage occurred to both vehicles and the driver of car #120 (Samuel Knight) was injured. It appears a number

of cars did not reduce speed when the race was red flagged. After reviewing the Steward's report and post-event documentation, Motorsport New Zealand established an Inquiry Review Panel under Article 121 (1) of the National Sporting Code. The Inquiry Review Panel decided that after reviewing the evidence supplied an Inquiry Hearing should be convened to hear the matter.

### **INQUIRY HEARING:**

An Inquiry Hearing was held in Christchurch at the Canterbury Car Club rooms on 30 April 2024 at 6-30pm.

The Inquiry Panel were tasked with;

- Determine if the correct procedure was followed by Race Control in relation to the activation of the Red Flag procedure during a race, and
- Determine if the drivers of the leading group of cars were at fault in not recognizing, and acting on the Red Flag, and
- Consider whether there are any recommendations or findings that should be considered in the future, and
- Consider any other associated matters as may be identified by the Hearing, and
- Apply and/or remove any penalty that might be appropriate, given the circumstances and evidence submitted.

After convening the Hearing, the Chairman outlined the process that the Hearing would follow. Apologies were received from Bevan Godfrey, Greg Wilson, and Shane Roughan. Lee Johns was delegated to represent Shane Roughan.

### **FINDINGS;**

1. The correct procedure was followed by Race Control in relation to the activation of the Red Flag procedure during race 3 of the SS Cup Series but the Panel consider it should have been activated sooner to ensure that the recovery of the stalled car could have been completed safely and the race was neutralized.
2. The three leading drivers (cars #651, #65 and #24) in the race were at fault of not recognizing and acting on the Red Flag, although the red lights would not have been visible to these cars at Point 5, given the evidence submitted by Mr Atwill and the subsequent photos presented at the Hearing.
3. The Panel makes several recommendations based on the evidence produced at the Hearing.
4. Several associated matters were identified at the Hearing and these are commented on below.
5. An adjustment to Mr Iraia's penalty has been made by the Panel.

### **PENALTIES:**

After hearing all the evidence produced, the Panel do not consider that the driver of car #24 (Mr Iraia) is any more to blame for the Incident than the other two leading

drivers who were penalized. Accordingly, we reduce his fine to \$500 and his licence endorsement to three months.

## **RECOMMENDATIONS:**

1. The Panel recommends that in-car cameras are made mandatory for all Accredited Series races. The lack of any video evidence to support the Red Flag activation at Point 5, and the point of impact and position of vehicles etc, made the Panel's deliberations more difficult.
2. The Panel recommends that races need to be neutralized if a car has stalled on the start line at the race start. The point at which the race is neutralized needs to be established for each circuit and written into the Circuit Safety Plan.
3. The Circuit Safety Plan for Levels Raceway needs an urgent correction as it appears as though the number of marshal points on the Circuit Safety Plan differs from the number actually on the circuit. The Circuit Safety Plan has 8 points (start line +7) but there appears to be only 7 points (start line +6) on the circuit. The Safety Clearance Certificate, signed by the Stewards on the day shows only 6 flag points.
4. Clerks of Course need to be reminded that they must allow competitor's sufficient time to prepare for Hearings. Whilst it is recognized that there can be several factors for the Clerk of Course to consider when setting a Hearing time, it is important to give the competitors sufficient time to collect their evidence and witnesses.
5. Officials should not be appointed to "ghost" positions that are not covered in the National Sporting Code. It was noted that this event had a Deputy Clerk of Course appointed as an Official (who actually controlled the race in question) but there is no reference to a Deputy Clerk of Course in the National Sporting Code. This would suggest that he has no authority. The club pointed out that Motorsport New Zealand race form RACE007 lists a Deputy Clerk of Course in the Officials of the Meeting. This needs deleting. The club also pointed out that the Supplementary Regulations were approved by Motorsport New Zealand, so perhaps Permit Issuing Stewards need a reminder to check Supplementary Regulations more thoroughly.
6. The Panel recommends that a Standard Operating Procedure (SOP) covering the recovery of vehicles from the circuit needs to be created. We believe that the attempted vehicle recovery of the stalled car had some shortcomings with the tow rope becoming detached and the pulling of the car across the track at right angles.
7. The Panel recommends that contrary to Schedule H, quad bikes are not suitable as a first intervention vehicle. Our reasoning is below;
  - Quad bikes offer no protection to the rider in terms of debris.
  - They can be dangerous if riding at speed across an undulating infield.
  - They are less visible to competitors compared to a vehicle.
  - They are usually self-directed rather than instructed by race control.

- Having one person on a quad bike attend an incident is significantly less effective than a vehicle with medical personnel and/or fire fighters.
  - We understand the concept of having a recovery/rescue vehicle at the rear of the grid at a race start but it would be safer to have them in the nearest safe haven to the rear of the grid, with a SOP around if they are required and the race being neutralized in line with recommendation 2.
8. The Panel recommends that Motorsport New Zealand establish a follow-up procedure for incidents of a serious nature involving injury. There was criticism from some of the drivers, they felt very let down by the lack of communication from Motorsport New Zealand and the club after the event. We appreciate there are rules around privacy but follow-ups on welfare and assistance would be advantageous.

**OBSERVATIONS:**

1. Despite the Clerk of Course advising that he double checked his Hearing Decision Forms #14, #15 and #16 prior to giving them out, it was noted that they were not timed when issued and words were missing. Maybe a reminder to Clerks of Course that it is very important to get the Hearing Decision Forms completed correctly.
2. Competitor Relation Officers need to be reminded of their responsibilities as some competitors at the Hearing were critical of the male CRO at this event, as they felt he was not helpful and biased towards the South Canterbury Car Club.

**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.



**Barry Higham**

**Chairman**