



## **MOTORSPORT NEW ZEALAND (INC)**

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

- Martin Fine (Chairman)
- Janet Phipps
- Graeme Robertson

### **IN RELATION TO A REFERRAL FROM THE STEWARDS OF A MEETING**

#### **Background**

During the Tasman Revival event held on 25/26 February 2023 at Pukekohe Park Raceway, during race 30 there was an on-track incident between cars 21 (Harry McDonald) and 555 (Matthew Griffin). Both cars were damaged and returned to their pits.

A verbal exchange ensued at the pit garage of car 21 between Matthew Griffin and David John the manager of the team. Matters were beginning to resolve before a third party team member entered the pit garage and matters deteriorated from there. Matthew intervened in the exchange, grabbed John, and there were several blows delivered. The parties were separated and left the scene. Mr John was checked by the medical team on site.

The CotC held a hearing, determined that the incident had occurred and referred the matter to the Stewards for penalty. A stewards meeting was convened where the Stewards found, on the evidence presented (and the admission of Matthew that he had thrown the first punch), that a case was made out, but then referred the matter to MotorSport NZ to apply an appropriate penalty. There appeared to be some confusion as to the appropriate penalty to be applied given the fact that the victim was neither a competitor nor an official.

On referral to MotorSport New Zealand, an Inquiry Review Panel review of the matter determined that a Judicial Hearing should be held.

#### **Judicial Hearing**

A hearing was held in Hamilton on 14 March 2023. The parties present at the hearing were Matthew Griffin and his father and David John. Elton Goonan represented Motorsport New Zealand Inc.

After convening the Hearing, the Chairman outlined the process of the hearing and the fact that the matter would be heard de novo.

The facts were not disputed. Both parties gave evidence and there were supporting statements from others present at the time. Matthew admitted that he was the protagonist and accepted that if he had followed due process the matter would never have escalated as it did.

#### **Findings**

1. When Matthew returned to his pit, none of his crew were on hand (they were still spectating
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having not seen the incident).

2. Matthew was aware of the proper inquiry process which would apply in this situation but went to the other drivers pit garage to gain some clarity as to what happened.
3. A discussion was had, and matters were cooling off, but inflamed again when Matthews team members arrived late in the piece and the ensuing argument sparked the confrontation.
4. Matthew admitted that he struck David John and that the parties had to be physically separated.
5. He was remorseful and had apologised to David John.
6. The Panel found that Matthew was in breach of the Code and by his action he had brought the Sport into disrepute.
7. It was also found that this was a serious offence.

#### **Penalty**

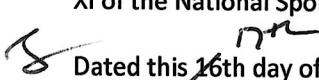
1. The Panel determined that the driver was in breach of NSC 94(3) and (5).
2. The Panel ordered that Matthew Griffin's competition licence be suspended for 12 months with immediate effect.
3. The panel also imposed a fine of \$2500.

#### **Observations**

1. In relation to the fine the Panel ruled that an amount of \$500 is payable immediately. The balance of \$2,000 is suspended as a good behaviour bond, to apply for a period of 12 months from the date the competitor resumes competition. If during that period the driver commits any breach of the code or acts in any way prejudicial to the interests of motorsport in general, then that balance shall become immediately due and payable. If after 12 months, the driver has complied with this bond then the balance of the fine shall be remitted.
2. MotorSport New Zealand should consider a review of the NSC to ensure penalties are properly laid out and identifiable for officials and competitors and that a suitable training plan is in place for the benefit of officials required to implement the Code.

#### **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 16th day of March 2023

  
Martin Fine  
Chairman

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