

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

- Shayne Harris (Chairman)
- Andrea Bourhill

Background

On the 11th December 2022 the South Auckland Car Club ran a Hillclimb at “Jacks Ridge”. A permit (number 220517) was issued by the local Permit Issuing Steward for the event. The permit was accompanied by a set of Supplementary Regulations and a Safety Plan.

The Supplementary Regulations listed Tony Young as the Clerk of the Course, Waverley Jones as the Assistant Clerk of the Course and other officials.

The permit listed Anne Williams (Chairperson) and Fleur Pederson as the Stewards of the event.

Following the event, Motorsport New Zealand received a request from the Area Steward for an Inquiry into the event.

The inquiry was based around two issues:

1. The Clerk of the Course was a competitor in the event. During the event the Assistant Clerk of the Course needed to leave resulting in another person being asked to be the Clerk of the Course whilst the primary Clerk of the Course competed.
The questions asked were:
 - was there a proper hand over
 - was the appropriate paperwork completed.
2. During one of the runs there was a vehicle stopped on the course. The vehicle remained in the position it stopped, so the second question relates to the controls that were in place to prevent there being two vehicles on the course.

On receiving the request Motorsport New Zealand determined that it should refer the matter to an Inquiry Panel to review and determine an appropriate outcome.

Judicial Hearing

A hearing was held via Zoom on Wednesday 12th April at 7:15pm. Present was the Inquiry Panel, Tony Young (CotC), Anne Williams (Stewards Chair) Waverley Jones (ACotC). Prior to the meeting the panel were also provided with an email from Donna Elder (the person who agreed to be CotC on the day).

Clerk of the Course competing

NSC 74 (2) (c) allows for a Clerk of the Course to compete in Clubsport Advanced Events. This is conditional on a licenced CotC being available to control the event whilst the CotC is competing, and a clear handover of responsibilities is made.

A Hillclimb is a Clubsport advanced event (see Sch C Article 2.2 (5)).

The CotC explained that the ACotC had to leave the event after he had completed his first run of the day. At that time he approached Donna Elder who is a licenced CotC to see if she would stand in when he competed, which was agreed. The CotC went on to complete four runs in the event. In her email to the panel Donna accepts that there was no formal handover. But she did go to the event caravan and was able to observe the event, the communications and course clearances occurring when the CotC was competing. She was not made aware of the Supplementary Regulations or the Safety Plan. We were also made aware that no bulletin was done to change the Supplementary Regulations to include Donna as an ACotC.

Car stopped in Stage.

Video footage was supplied that showed that during the event a car stopped in the stage. The car was off the racing line on the left-hand side of the road. The car was left in the stage until that segment of runs was completed and then recovered. The issue as outlined in the Area Stewards report was that this then constituted two cars in the stage, and this was a contravention of the rules.

The CotC explained that during drivers briefing he explained to the competitors that if a car stopped in the stage, if it was in a safe place, then it would remain for that series of runs and then be recovered. He was of the view that the car was in a safe place.

Findings

It is clear in our view that the CotC was aware of his responsibilities should he wish to compete in the event. When the ACoC had to leave early, everything was done to ensure the replacement person was appropriately qualified. A handover of sorts was undertaken, however, the CotC in hindsight thinks it could have been done better. There was no bulletin done to amend the Supplementary Regulations and the replacement CotC should have been made aware of the Supplementary Regulations and the Safety Plan.

In terms of the car stopped in the stage, the article in question is Schedule C 2.2 (5) which states:

“Hillclimb: Run on a road course, gravel or sealed, which is predominantly uphill from start to finish. Cars may be started at intervals, provided no two(2) cars are on the same section of road between marshal points at any one time.”

In reading this requirement we have formed a view that this is relevant to the starting of cars. In applying it to cars stopped in the stage it is in our view not workable and we believe not the intent of the rule. The CotC clearly explained to drivers at the drivers briefing, what would happen if a car stopped in the stage. From the video the car was well sighted by other competitors and well off the racing line. We do not see any issue with this.

What became evident during the hearing is that the Club had not fully considered what was required in running a Hillclimb event. Whilst permitted as a Hillclimb the event was run as a Rally Sprint. The CotC accepted this and agreed that the event should probably have been permitted as a Rally Sprint. If the club makes the decision to run a Hillclimb in the future, they need to ensure that they make the appropriate inquiries to ensure the event is run as it should be.

During the hearing the question was asked as to why Supplementary Regulations had been provided, the response was that the Permit Issuing Steward was requiring them. We cannot find a rule that

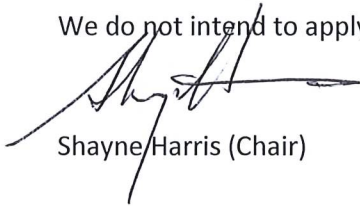
requires events of this type to produce Supplementary Regulations, but in saying that we have no issue with clubs providing Supplementary Regulations for these types of events.

Lastly our view is that Officials need to be constantly reminded of the protection provided by following the sports rules. By not amending the Supplementary Regulations when the new CotC was appointed, it could have had a serious outcome should there have been a significant incident whilst the primary CotC was competing.

Penalties

We do not believe that there was a blatant breach of any rules. The processes on event were a bit untidy and need to improve. Our recommendation is that MSNZ write to the Car Club, CotC and Steward Chair reminding them of their responsibilities when running these events.

We do not intend to apply any penalties.

A handwritten signature in black ink, appearing to read 'Shayne Harris', with a long horizontal flourish extending to the right.

Shayne Harris (Chair)

