

Kartsport New Zealand Inquiry Report
2016 NZRMC R1/R2 – KartSport Manawatu

Report prepared by: Gary Payne

Inquiry Panel: Brian Lotter (Chair), Richard Moore and Gary Payne.

Kartsport New Zealand Representative: Colin Harris (National Steward)

Venue: Boardroom, Hamilton Airport Motor Inn

Date: 24 March 2016.

Time: Commenced at 7.00pm

Inquiry initiated by John Lennox, Competitions Manager following a request from the National Steward and the decision to hold an Inquiry was made by the Executive at its Meeting on 27 February 2016.

Terms of Reference

1. To investigate alleged breach(es) of Kartsport New Zealand Regulations, Rules and Codes, including procedures, at NZRMC Rounds 1 and 2, Manawatu 20/21 February 2016.
2. Where one or more breaches are established to have occurred, rehear any related matters/incidents respectively.
3. If any Official and/or competitor is found to be in breach, to determine what, if any, penalty should be imposed (ref Rule C9).

Appearing

Kartsport New Zealand was represented by Colin Harris, National Steward. Greg Reeve, Johnny Bassick, Laurie Lester, Daniel Bray and Jacob Cranston (with Guardian Andrew Cranston).

Process 1

Inquiry was opened by Brian Lotter by reading to those present the Terms of Reference. He then went onto say we would first deal with Point 1. If it was deemed a breach had occurred then move to Point 2 and 3. At this point Brian made it very clear that all present would have the opportunity to speak and the opportunity to ask questions once people had spoken.

Those present for this part of the Inquiry included: Brian Lotter (Chair), Richard Moore, Gary Payne, Colin Harris, Greg Reeve, Johnny Bassick, Laurie Lester.

Colin Harris followed by Greg Reeve, Johnny Bassick and Laurie Lester all presented their account of the incident, the action taken, the process of investigation and inquiry.

In hearing the above statements the Panel was determining if there was an alleged breach(es) of Kartsport New Zealand Regulations, Rules and Codes, including procedures, at NZRMC Rounds 1 and 2, Manawatu 20/21 February 2016.

Having heard from all parties present the Panel concluded the following was a breach of KartSport New Zealand Regulations, Rules and Codes on the basis that a Protest Fee had not been paid by Daniel Bray as required by Rule C4.5.

“In the case of a hearing being requested by a competitor following non acceptance of a Penalty Notification from an Official, the competitor must pay the fee”.

The Stewards Panel never recognised that the Protest Fee had not been paid by Daniel Bray and therefore the hearing was invalid. Further to this breach the Stewards Panel did not summon the other concerned party, Jacob Cranston, to the hearing as they are required to do so by Rule C4.5.

Outcome 1

The Inquiry Panel then considered; were the breaches in this case sufficiently in breach to warrant a Penalty placed on the Race Officials for the breaches of KartSport New Zealand Rules? The Panel decided circumstances and events specific to this day meant rules and procedures weren't followed that those involved have learnt from this experience and will strictly follow the Rules and Regulations in future.

To ensure this the Panel requested that those involved namely Johnny Bassick and Laurie Lester write-up their “ Lessons Learnt” to reflect what they would do differently when presented with the same situation again. Panel suggested this would be useful to use as training material for KartSport New Zealand in future. It was noted also that Kartsport New Zealand had already circulated material reminding all Officials of their obligations with regard to the running of meetings, following the Rules and process of Hearings on the back of this issue.

At this stage the Panel thanked Greg Reeve, Johnny Bassick and Laurie Lester for attending and said they would not be needed any further. It should be noted the Panel did consider asking Greg Reeve to be available should they decide to rehear the Bray/Cranston incident but in the end decided Colin Harris had prepared sufficiently to represent Kartsport New Zealand on this matter should it go through a rehearing. It should be noted Greg Reeve had already resigned from being a KartSport New Zealand Official.

Process 2

The Panel then reflected on the Breaches and based on the Hearing on the day being invalid the Panel decided to rehear the related matters.

Brian Lotter (Chair), Richard Moore and Gary Payne formed the Panel.

At this Stage the Panel called the following to the room; Daniel Bray, Jacob Cranston who also brought along his Guardian Andrew Cranston and Colin Harris representing Kartsport New Zealand.

The Panel made it very clear to this group the hearing held on the day relating to the race incident that occurred during the Rotax Max Challenge Series Round 2 Final race for Rotax DD2 at KartSport Manawatu on Sunday 21st February, 2016 between Bray and Cranston was invalid because a Protest Fee had not been paid by Daniel Bray the Panel had decided to rehear this matter.

Colin Harris followed by Daniel Bray and Jacob Cranston all presented their account of the incident, the action taken and inquiry. Video from Jacob Cranston's Kart was also presented to those present. Having heard from all parties present the Panel then decided to ask the presenters to leave the room so they could consider what was presented.

Outcome 2

The Panel concluded that the sudden movement of Daniel Bray's Kart resulted in contact with Jacob Cranston's Kart. Therefore Daniel Bray was found to be in breach of Rule J1.2, causing avoidable contact. The Panel imposed the following penalties on Daniel Bray:

- Competition Licence endorsed for 6 months and,
- Relegation to the finishing place behind Jacob Cranston for the Round 2 Final race.

At this Stage the Panel called the following to the room; Daniel Bray, Jacob Cranston, who also brought along his Guardian Andrew Cranston, and Colin Harris. The Panel then proceeded to communicate its decision and Brian Lotter wrote up the penalty and endorsement in Daniel Bray's Competition Licence.

Costs

The Inquiry Panel determined not to award costs.

Appeal to MSNZ National Court of Appeal

All Respondent are advised of their right to appeal these decisions to the MSNZ National Court of Appeal in Accordance with Rule C7.3.

The Panel disbanded at 9:25pm.