



KartSport New Zealand

Inquiry

27 October 2007

Hotel Grand Chancellor

Auckland

This KartSport New Zealand Inquiry was convened to address a series of issues which arose at the 2007 Mt Wellington 3 Way Meeting 23 September held at the KartSport Mt Wellington Raceway.

For the purpose of this report the complaint will be presented in italics followed by the Inquiry Panel's findings.

Venue: Hotel Grand Chancellor, Auckland.

Inquiry Panel: Lance Hickey (Chairman)
John Lennox
Jeanette Smyth

Hearing No1.

1. Senior Light/Heavy Heat 4

As a result of an on track incident involving kart # 96 James Stead and Kart # 9 Steven Currie an act of unacceptable behaviour took place in the pit shute.

This resulted in a Form of Complaint being lodged by kart # 96.

This Form of Complaint was ruled invalid by the Chief Steward on the day.

The Panel first decided whether the Form of Complaint was valid.

While the Form of Complaint had bridged two forms, # 403795 and # 403796 the information on both Forms was same and the intention was clear with the complaint being lodged within the appropriate time period.

The Panel ruled that this appeared to be a genuine mistake and Kart # 96 should have been given the opportunity to complete another Form and submit to the Steward's Panel.

The Chief Steward and the Clerk of the Course failed in their duty to advise the competitor of this.

The Inquiry Panel therefore accepted the Form of Complaint and ruled the hearing would be heard.

2. Hearing Result

The Inquiry Panel heard evidence from both parties and their witnesses and found the driver of Kart # 9 had breached rule E 2.6, Unacceptable Behaviour by kicking kart # 96 as it entered the pit lane.

The Panel expressed that there was no place for this behaviour within our sport and applied the following penalties:

- Kart # 9 Steven Currie's Competition Licence is suspended for a period of 3 months.
The suspension was then suspended with the licence endorsed for a period of 3 months ending 27 January 2008.
Should the competitor have another incident under rule E 2.6 within the endorsement period the licence suspension will take immediate effect for a period of 3 months.
- The competitor also received a fine of \$200.00

Hearing No2.

1. Clubclass Heat 3

Racing incident between Kart #12 and Kart # 4 Milan Borich.

Inquiry Panel Recommendation.

The Inquiry Panel felt that the Officials of the meeting and in particular an Assistant Clerk of the Course, by way of either direct information supplied or indirectly via inference during conversation with Milan Borich, lead Borich to believe that he was unable to lodge a protest (or would be wasting his time in doing so) over a driving incident and in so doing contributed to this competitor being denied his rights under KartSport New Zealand rules.

The Inquiry Panel considers this a serious deviation from the minimum standard required by an Official and furthermore the Inquiry Panel was sufficiently concerned at both comments made to the Inquiry Panel by Officials and in particular an Assistant Clerk of the Course and the actions of Officials in officiating and adjudicating on this incident, that the Inquiry Panel strongly recommends that the KartSport New Zealand Executive undertake a full review of the actions of Officials in the Auckland area including evaluations of these Officials' positions.

2. Unacceptable Behaviour

As a result of the racing incident in Heat 3 an altercation took place in the pit shute which resulted in the Stewards Hearing finding Kart # 4 Milan Borich in breach of Rule E2.6 Unacceptable behaviour.

A penalty of 3 months licence endorsement was imposed, the Chief Steward subsequently asked for this penalty to be reviewed by this Inquiry.

The Inquiry Panel found the penalty to be insufficient in view of the seriousness of the behaviour.

The following penalty was imposed:

- Kart # 4 Milan Borich's Competition Licence is suspended for a period of 3 months ending 27 January 2008.

Lance Hickey
Inquiry Chairman