



KartSport New Zealand Inquiry Report Jarred Cleghorn – 2018 NZ Sprint Championships

Competitor:	Jarred Cleghorn
Report Prepared by:	Graham McKenzie
Inquiry Panel:	Graham McKenzie (chair), John Lennox and Richard Moore
KartSport Representative:	Warrick Parkes, Competitions Manager and Acting National Steward
Venue:	Sudima Hotel, Christchurch Airport
Date:	Sunday 6 th May 2018
Time:	Commenced 2.30 pm Closed 5-45 pm

Terms of Reference:

PNR 417324 from the 2018 National Sprint Championships event has been referred to KartSport New Zealand by the event Stewards for further consideration and to determine what, if any, further penalty(s) should be applied to Jarred Cleghorn. (Noting G1.9, C3.1.3 and C8.3.)

Between:

KartSport New Zealand Incorporated (Applicant)
Jarred Cleghorn (Senior Competition Licence holder #702)

Appearing:

Jarred Cleghorn. In addition, evidence was provided by Jarred's father, Gary Cleghorn and Tiffany Hamilton as to Jarred's personal circumstances and good character.

Warrick Parkes, Competitions Manager and Acting National Steward

Hearing Process:

When the Inquiry hearing commenced Jarred immediately admitted that his conduct in driving deliberately into Kart 91 on three occasions in the pit lane was wrong and he acknowledged his conduct was not acceptable. He advised the Panel of his background and his medical circumstances.

Documentary evidence was presented of what he proposed to do to seek professional assistance.

He also produced copies of emails he had already sent to his Kart Club and the Driver of Kart 91 unreservedly apologizing for his conduct.

The Inquiry Panel observed video footage taken of the incident from two different angles on the incident and Warrick Parkes gave evidence as to what he observed at the time of the incident.

Gary Cleghorn gave evidence as to Jarred's history, his commitment to karting, the bond that had formed between them and the support he and his wife have and will provide for Jarred who is living at home.

Tiffany Hamilton gave evidence as to Jarred's good character and the support that has and will continue to be provided to Jarred by her, Matthew Hamilton and John Hamilton.

Outcome:

- Jarred Cleghorn, by voluntary agreement, to pay the sum of \$900 to the owner of Kart 91 as a contribution towards the damages caused to Kart 91. This \$900 to be paid to KartSport New Zealand within 30 days of 6 May 2018, to be on-paid to Jackson Whitfield (Kart 91). Jarred to also provide with such payment a letter of apology to Whitfield.
- Jarred Cleghorn to undertake a professional medical assessment and treatment program being as he advised details of at the Inquiry Hearing. Included in this program will be an anger management course. Both treatment and anger management programs to be notified to and approved by the KartSport New Zealand Medical Officer.

Fine:

The further sum of a \$500 fine to be paid to KartSport New Zealand within 60 days of 6 May 2018.

Licence Cancellation:

- A cancellation order of Jarred's competition license will be made. He cannot hold any KartSport New Zealand License during the term of the cancellation order. During such term Jarred is entitled to remain as a Kartsport Club member and, if he chooses, provide voluntary services to a Club if they so wish and/or to KartSport New Zealand.
- Jarred Cleghorn's competition license is cancelled from 6 May 2018 until 1st May 2019. Such cancellation is subject to the express proviso and condition that Jarred may, at any time, from 1 November 2018 apply for a new competition license provided he has first satisfied and obtained the written approval of the KartSport New Zealand Medical Officer (at their reasonable discretion) that he has received the required level of professional medical care to satisfactorily address his current anger mood condition.

Costs:

The Panel determined that Jarred Cleghorn pay the KartSport New Zealand costs of the hearing pursuant to Rule C.5.3.10, being 50% net costs of the hearing as calculated by KartSport New Zealand and approved by the Appeal Board. The calculated amount is \$1096.40. Such sum is to be paid within 90 days of 6 May 2018.

NOTE: Any non-payment of costs and fines by the due dates will result in an additional cancellation of competition licence time being added by the same period of time of any default in payment on the due date when such cost or fine has been ordered to be paid, plus normal KartSport New Zealand collection procedures will be implemented.

Appeal to MSNZ National Court of Appeal:

The Respondent is advised of his right to appeal this decision to the MSNZ National Court of Appeal in Accordance with Rule C7.3.

Graham McKenzie
Inquiry Panel Chair