

MEDIA RELEASE 8 December 2017

Tribunal releases decision on the appeal against decision by Motorcycling New Zealand Judiciary Committee to alter points awarded in the NZ Superbike Championship

The Sports Tribunal has issued its decision on an appeal by a motorcycle competitor, Sloan Frost, regarding decisions of the Motorcycling New Zealand Judiciary Committee (on appeal by two competitors, Tony and Mitchell Rees) which changed the results as corrected by the Chief Steward of Round Three (held at Taupo) and the results as declared by the Stewards of Round Four (held at Hampton Downs) of the NZ Superbike Championship. This decision of the Judiciary Committee resulted in Mr Frost losing his title as the NZ Superbike Champion for 2016-2017.

Mr Frost appealed against the decisions by the MNZ Judiciary Committee. The grounds of appeal were that he had been denied natural justice by the Committee which he said had been constituted in a way and had conducted itself in a manner that exhibited apparent bias and he had therefore been deprived of a fair hearing. He also argued that the original decisions of the Stewards had been correct in accordance with the relevant race rules.

The Tribunal upheld Mr Frost's natural justice appeal in part and has declared the Judiciary Committee's decision to be invalid and has set it aside.

In accordance with the agreement of the parties, the Tribunal has gone on to consider the merits of the original decisions of the Stewards. It has found that the corrected results declared by the Chief Steward at the Taupo race were incorrect and that Mr Frost should not have been awarded any points from the relevant race, which had been run in two parts as a result of Mr Frost crashing before the race had been stopped and therefore did not qualify for points for that part and did not qualify for points either in the resumed second part of the race because he did not compete.

The Tribunal found that the points awarded in Round Four at Hampton Downs were incorrectly calculated.

The Tribunal has deferred to MNZ to determine the overall results of the Championship after taking into account the amended results.

The Tribunal has made an affirmative finding that the Stewards who had been involved in correcting the results of the relevant Taupo race had acted in good faith though incorrectly.