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Sports Tribunal dismisses appeal by kart driver against race placing

The Sports Tribunal has dismissed an appeal by Brook Reeve (Brook), a junior kart driver, against a decision of KartSport New Zealand (KartSport).

Brook appealed against being placed second in the Junior 100 CC Yamaha race at KartSport's National Sprint Championships 2009.

The karts were fitted with transponders and an electronic timing system was used. Initial result screens linked to the timing system showed that Brook had won the race. A public announcement was made that Brook had won the race. However, the Finish Line Judge and three lap scorers at the finish line saw the matter differently and they all considered the driver of another kart (kart 20) had finished first. When the official result was later declared, kart 20 was declared the winner.

The Tribunal noted that under KartSport's rules the winner of a race was determined by who crossed the finish line first and not by who crossed the transponder loop first (as measured by the electronic system) which was positioned not on the finish line but a short distance before the finish line. Usually the result will be the same but in the case of a very close finish, as in this race, it may not necessarily be so.

The issue was whether, under the rules applying to this race, the Finish Line Judge was entitled to declare a different result to that shown by the electronic system. The Tribunal noted that there were inconsistencies in the rules which made them difficult to interpret.

The Tribunal concluded that the combined effect of the rules applying to this race was that transponders and the electronic system were to be used but in the event of either equipment failure or a dispute, the manual system was to be reverted to.

In the Tribunal's view, there was a dispute in this case as there was a dispute between what all four officials saw and what the result screens showed. In the circumstances, the Finish Line Judge was entitled to determine there was a dispute and adopt the manual system and declare a different result to that shown by the electronic system.

Under the rules, the final result must be signed by the Chief Steward and the initial finishing order on the screen is not the final result. The Chief Steward, on the determination of the Finish Line Judge, determined kart 20 was the winner. On the facts, the Tribunal considered this determination was correct and dismissed the appeal.

The decision in this case is available for download from the website of the Sports Tribunal (www.sporttribunal.org.nz). See *Brook Reeve v KartSport New Zealand* (ST 08/09). Copies of the decision can also be obtained directly from Brent Ellis, Registrar, Sports Tribunal of New Zealand (telephone: 0800 55 66 80; e-mail: info@sporttribunal.org.nz).