



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT  
SITTING TUESDAY 10 SEPTEMBER 2019**

**Mike Harris  
Richard Norbury  
Tony Scott Andrews (Chairman)**

**J2019/23 – Inquiry – Mini Challenge JCW Championship – Brands Hatch 21<sup>st</sup> July 2019**

This inquiry arises from an Appeal lodged by James Gornall against the decision of the Stewards of the Mini Challenge JCW Championship at Brands Hatch on 21st July 2019.

Appearing before the Court today are Jamie Champkin for Motorsport UK, James Gornall and Nathan Harrison who is represented by his Solicitor, Damien Pitts.

The sequence of events is that Mr Gornall, the driver of Car No.18, alleged that during the race his car had been struck from behind by Car 27 driven by Nathan Harrison, as a result of which he lost position.

Gornall lodged a Protest against Harrison. Both drivers attended before the Clerk of the Course who decided in favour of Gornall and penalised Harrison. Harrison advised Gornall that he would appeal the Decision.

Harrison duly appealed to, and appeared before, the Stewards who upheld the Appeal, the reason being stated as "Insufficient Evidence".

Gornall, who had been waiting to be advised as to the time and place of the Appeal hearing, was eventually advised that the Appeal had been successful and he, perhaps unsurprisingly, sought to appeal that decision.

The matter then came to the attention of the Motorsport UK Disciplinary Officer, Jamie Champkin, who initiated this Inquiry into, among other matters, the judicial procedures adopted.

The Court finds that the provisions of General Regulation C.6.4 dealing with Appeal Hearings before the Stewards of the Meeting (Event) are entirely clear and unambiguous in that it states, "All parties shall be given notice of the hearing." There can be no doubt that Gornall, the original Protestor, was obviously one of the parties and should have been present at the hearing of Harrison's appeal. The Court accepts that he was not notified of the hearing and can only express surprise that the Stewards proceeded in his absence and made a decision having heard from only one of the two parties involved.

In all the circumstances the decision of the Stewards is considered to be defective and is accordingly set aside. There is, therefore, no merit in Gornall pursuing his own appeal against that decision and it is Ordered that his Appeal fee be refunded to him.

Whilst it is open to this Court of Inquiry to hear Harrison's appeal against the decision of the Clerk ab initio today, the Court declines to do so as, were it to deal with the matter today, one party is

represented and further, the parties will lose one level of potential appeal, there being no facility to appeal such order as this Court may make.

The Court therefore Orders that, if Harrison still wishes to appeal the Clerk's decision, he must lodge his appeal together with the appropriate fee no later than 09.00 hours on Saturday 14th September such that the appeal will be heard by a different panel of Stewards sitting at Donington for the next round of the Championship.

**Tony Scott Andrews**  
**Chairman**  
**10<sup>th</sup> September 2019**