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Jamaica Millenium Motoring Club  
6 Westminster Road  
Kingston 10.

Attention: Ms. Marcia Dawes, Competition Sub-Committee

Dear Sir / Madam,

**Re: Appeal of the Decision of the Event Steward under Permit MS2017 -14 dated 20 May 2017 of the Stewards of the JRDC Caribbean Invasion 2017**

I was perplexed and disappointed by your letter dated 30th July, 2018 purporting either to "tack on" penalties to the ruling of the appeal panel dated 3rd July, 2018 or to inflict "new sanctions".

I have already pointed out in several letters and emails that the JMMC have dealt with my appeal in what I consider to be a less than professional standard. Without going over that history in too much detail, the JMMC CS Appeal Panel, in contravention of its own rules - erroneously determined that my appeal was out of time, made a determination of merit without having a hearing, failed to set a hearing date in the time required and then delayed for over a year to ultimately convene a new panel and deliver its results. The JMMC seems to insist upon strict observance of deadlines which must be adhered to by competitors but does as it pleases regarding its obligations under the rules.

The hearing was eventually held, and I was allowed to state my case. I do not agree entirely with the findings but it was expressly clear that, in the words of the letter dated 3rd July, 2018 "this now settles the matter of my appeal." And I accepted it as long overdue but final. How surprising then to receive a letter "further to" the Ruling of the CS Appeal Panel.

It is unclear to me whether or not the JMMC CS Appeal Panel is "tacking on" further penalties 28 days after arriving at its conclusion or if it is trying to take authority from Article 10.2 of the rules to create a "new" penalty unrelated to the penalties imposed by the Stewards to which I originally appealed.

In the first case it is grossly irregular and disingenuous for the panel to present its findings as conclusive and then return 28 days later to add on further penalties. On what basis are these additional penalties being applied? Nothing has changed regarding my appeal between 3rd July and 30th July. No new evidence. No new review of information. The Appeal Panel gave detailed reasons for its conclusions and findings and could have included a fine at that time. As far as I can tell natural justice does not permit a court to hand down a penalty or

judgement and then in a month change its mind and "tack on" to that penalty. Will my appeal ever be complete or will JMMC be able to add a new penalty when it is so inclined in another month?

In the second case, it is also grossly irregular and disingenuous for the panel to rely on the jurisdiction granted 10.2 of the rules for either the Stewards or JMMC to apply penalties to inflict "new" sanctions on me in respect of an incident that took place in 2017. If the JMMC CS wanted to penalise me for the incident, independently of what was recommended by the Stewards, why wasn't that done after the incident in 2017? Why wasn't it done even a few months after? Why is it now being done over a year later, and AFTER my appeal has been already determined? Am I to expect the JMMC could now inflict a "new" sanction in respect of an incident that happened in 2016 or 2015 whenever it feels like?

Finally, why is this being done (1) week before I am due to participate in the upcoming event at Dover? Is it to pressure me into paying the fine, with a threat of ineligibility to compete if I object? Given that it took over a year for me to resolve my last appeal with JMMC, can I hope for an efficient determination of this issue?

If the JMMC CS Appeal panel is proposing to tack on to its ruling, I expressly object on the grounds that it has no authority to do so. The rules do not permit revising, or tacking, or modifying the decision of an appeal panel once declared.

If the JMMC CS is proposing to inflict a "new" sanction by virtue of Article 10.2 I expressly submit this as my intention to protest.

In light of the fact that I have racing in less than a week, I propose that the payment of the fine be suspended until the question of the validity of the penalty and the merit of my protest is determined.

I look forward to your prompt reply.

Yours sincerely,

  
David Summerbell