



## **JAMAICA MILLENNIUM MOTORING CLUB**

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June 1, 2019

Mr. Norman Minott  
Myers, Fletcher & Gordon  
21 East Street  
Kingston, Jamaica

Dear Mr. Minott,

A recent ruling by a JMMC Competition Subcommittee panel of three has resulted in a discussion about the Presumption of Innocence and its application in Motor Sport adjudication.

To briefly summarize the matter; at a Jamaica Karting Association event a number of karts in three classes failed post-race Technical Inspection. For the three classes in question, seven of nine karts tested failed inspection. In one class, the entire Top 3 failed, however the remaining three karts were not tested for compliance.

The majority decision of the panel was to vacate the positions of all karts that failed Technical Inspection, but leave those positions vacant because the untested karts are not known to be legal.

This position was largely arrived at through the thought process that, based on the number of karts that failed inspection, compliance of the untested karts cannot be assumed. The counter to that thought process is that presumption of innocence is the foremost principle in matters where uncertainty exists.

Your guidance in this area would be sincerely appreciated.

Regards,

Stephen Gunter  
Chairman

### **JMMC Executive Committee: 2018–2020**

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