

**Subject:** RE: Guidance on a matter.

**From:** Norman Minott <norman.minott@mfg.com.jm>

**Date:** 6/2/2019, 10:57 AM

**To:** Jamaica Millennium Motoring Club <jamotoringclub@gmail.com>

Stephen,

I have your letter of the 1<sup>st</sup> inst. and have considered carefully the facts on which I will offer my opinion.

The issue is quite simple. Should competitors whose karts have not been tested be elevated ahead of competitors who finished ahead of them on the track but who failed tests. In my view the answer is yes.

There are two principle at issue here. The first is the right of elevation. In the absence of very good reason to the contrary the club is obliged to declare a winner, a second and a third place awardee. Only the clearest evidence of wrong doing on the part of every competitor could lead to a decision to abandon the results of an entire race or a decision not to elevate automatically. The second is the presumption of innocence. It is an established principle of natural justice that a man is presumed innocent until proven guilty. In the absence of a process of adjudication based on evidence a competitor must not be presumed to have breached the rules. It follows therefore that a competitor who is not found to be in breach and who, by process of elimination, is elevated to a podium position is entitled to all the points, trophies and other benefits that result from such adjudication.

I advise accordingly.

Norman Minott

**From:** Jamaica Millennium Motoring Club <jamotoringclub@gmail.com>

**Sent:** Saturday, 1 June 2019 1:19 PM

**To:** Norman Minott <norman.minott@mfg.com.jm>

**Subject:** Guidance on a matter.

Dear Mr. Minott,

Please see attached letter for your attention.

Best regards,

**JAMAICA MILLENNIUM MOTORING CLUB**

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