



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

www.motorsport.co.za

2nd Floor, Meersig 1, Cnr. Upper Lake Lane & Constantia Boulevard, Constantia Kloof, Roodepoort
e-mail: msa@motorsport.co.za Telephone (011) 675 2220

COURT OF ENQUIRY 1231

HEARING HELD IN THE MSA BOARDROOM ON TUESDAY 26 NOVEMBER 2019

Present:	Paddy Venske	-	Court President
	James Mahope	-	Court Member
	Iain Pepper	-	Court Member
	Michael North	-	Club Steward
	Maysurah Wally	-	Mother of competitor Muhammad Wally
	Mohamed Wally	-	Father of competitor Muhammad Wally
	Vanessa Wood	-	Assistant Secretary
In Attendance:	Allison Atkinson	-	MSA Scribe
	Vic Maharaj	-	MSA Sporting Services Manager

INTRODUCTION

The President introduced the Court. No objections were recorded.

1. The Evidence

The Court heard evidence from Mr Mohamed Wally and Mrs Vanessa Wood, as well as heard the available recording of the hearing held at the National Rotax Karting event held on 22 September 2019 by the MSA Steward Mr Wally Pappas and Club Steward Mr Michael North, and concludes that:

- 1.1. Based on his own admission, Mr Simpson gave his parc ferme arm band to Mr Wally in order for him to gain access to the parc ferme area.
- 1.2. Mrs Wood, upon entering the parc ferme area, found Mr Wally in the area with the armband of Mr Simpson. She requested him to leave the area, at which point he allegedly became verbally abusive towards her. Mrs Wood then submitted a report to the Stewards to investigate the incident.
- 1.3. The Stewards held a hearing with Mr Wally regarding his behavior. The Stewards reviewed the available evidence and testimonies of both Mr Wally and Mrs Wood and ruled that the matter should be investigated further by MSA.
- 1.4. Mr Wally stated that Mrs Wood was verbally abusive towards him and ripped the armband off his hand in the parc ferme area. The Court questioned Mr Wally as to why he did not lay a complaint against Mrs Wood. Mr Wally stated the complaint was made to MSA in an email after the event. The Court requested Mr Wally in future to lay a complaint in writing with the officials on the day of an event to allow the matter to be dealt with promptly.

MOTORSPORT SOUTH AFRICA IS THE ONLY RECOGNISED MOTORSPORT FEDERATION IN SOUTH AFRICA



sport & recreation
Department:
Sport and Recreation South Africa
REPUBLIC OF SOUTH AFRICA

Directors: A. Roux (Chairman), A. Scholtz (Chief Executive Officer), A. Taylor (Financial), F. Alibhai, R. Beekun, FC. Kraamwinkel, G. Hall, A. Harri, Dr G. Mills, E. Murray, M. Rowe, R. Schilling, Ms M. Spurr, S. Themba, S. Van der Merwe

2. The Findings

The Court finds that:

- 2.1. There is no clear evidence, submitted by either party, to confirm if verbal abuse indeed took place. On the balance of probability, some verbal abuse did occur.
- 2.2. Due to Mr Simpson taking off his armband and handing it to Mr Wally, Mr Simpson is barred from entering the parc ferme area at all karting events for one calendar year starting from 01 January 2020 to 31 December 2020.
- 2.3. Mr Wally, by his own admission, took the arm band from Mr Simpson. Mr Wally knew that he was not allowed in the parc ferme area without the correct armband. He is therefore barred from entering the parc ferme areas at all karting events for one calendar year starting from 01 January 2020 to 31 December 2020.
- 2.4. The race promoters and Karting Commission (represented by Messrs Ed Murray and Dick Shuttle respectively) are advised by this Court to ensure that the parc ferme area is cordoned off to all individuals, by way of either a screen or a separate building so that no interaction is made with non-accredited personnel. Furthermore, all officials appointed to parc ferme are to be trained to ensure that they are *au fait* with all the rules and regulations governing parc ferme.
- 2.5 Costs in the amount of R2000.00 are awarded against Mr Wally, payable to MSA.

All parties are reminded of their rights in terms of GCR 212 B.

These findings are distributed via email on 10 December 2019 at 11h20

Ref. 162096/158