



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## COURT OF ENQUIRY 1175 HEARING HELD IN THE MSA BOARDROOM ON MONDAY 25<sup>th</sup> JUNE 2016 AT 17H30

<b>Present:</b>	Darryn Lobb	-	Court President
	Alan Kernick	-	Court Member
	Wally Pappas	-	Court Member
	Schultz Swanepoel	-	Clerk of the Course
	Johan Fourie	-	Assistant Clerk of Course
	Vic Rich	-	Monroe Racing
	Leeroy Rich	-	Monroe Racing
	Gary Stacey	-	Monroe Racing / Witness
	Elize Woodward	-	Mother of Savannah Woodward
	Paul Woodward	-	Father of Savannah Woodward
	Paul Houston	-	Seriti Security
	Savannah Woodward	-	Defendant
	Janine Mitchell	-	Defendant
	Moses Sithole	-	Seriti Security
<b>Apologies:</b>	Wayne Riddell	-	MSA Sporting Services Manager
<b>In Attendance:</b>	Allison Atkinson	-	MSA Circuit Sporting Co-Ordinator (Scribe)
	Maria Buys	-	MSA Operations & Sporting Co-Ordinator

### INTRODUCTION

The court members and attendees were introduced and no objections were lodged against the composition of the court.

### THE HEARING

Mr. Vic Rich opened proceedings by stating he had no objection to the court members, however he had few other objections to raise.

The first objection was to the court number. On the correspondence sent out the court numbers varied from 1174 to 1175.

The second objection was that the security staff did not sign on as officials so were therefore, according to Mr. Rich, not at the event in an official capacity.

The third objection was that MSA, in Mr. Rich's opinion, wrongly accused the competitors of Monroe Racing. Leeroy Rich is not part of Monroe Racing but rather part of Adrenalin Powersport. Leeroy was only driving a Monroe vehicle and he has been accused by association.

The fourth objection was that the events that transpired took place after the motorcycle prize giving.

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



Directors: Adv. G. T. Avvakoumides (Chairman), A. Scholtz (Chief Executive Officer), A. Taylor (Financial), M. du Toit, P du Toit, D. Easom, J. Fourie, G. Hall, M. Rowe, Ms N. Singh, T. Sipuka

Honorary Presidents – Mrs B Schoeman, T Kilburn

The court took Mr. Rich's objections into consideration and agreed to proceed. The court was of the view that Mr. Rich's objections had little to no merit, and that MSA had followed the correct procedures in convening the hearing.

#### **FINDINGS**

After hearing the versions of events from all parties present, the court finds as follows:

There appeared to be confusion as to what constituted the end of the day's racing. The reason for this being that the bike aspect of the race day, finished significantly earlier than anticipated for, amongst other reasons, a large amount of oil being spilt on the circuit by the car categories.

The COC and his assistant, in order to assist the bike competitors, agreed to go ahead with a bike only prize giving, to allow the competitors to leave the circuit slightly earlier than usual.

Despite this, the court feels that this had very little, or indeed no, bearing on the ultimate incident under review by this court, and merely points it out as a potential area of confusion which may occur in future events. The court would recommend that, should this type of thing happen again in the future, that the CoC on the day does his best to mitigate any potential confusion as to when a race event is over.

During his version of events, Mr. Leeroy Rich, son of Vic Rich, confirmed he had received a phone call from his father to collect a motorcycle from the pits – one which appeared to have been left behind.

The court found Leeroy's attitude somewhat surprising while he shared his version of events, and most notably: Leeroy confirmed that he did not in fact believe it was necessary for him, in whatever capacity he provided his services to a competitor, to be familiar with the rules of the category, circuit or the event.

Leeroy further confirmed that he had in fact driven through two check points on his way to the pits. He had been stopped at the first check point, and it was explained to him by the security guards that he could not proceed ahead with a trailer. He did so regardless. Leeroy further confirmed that he did not stop at the final check point and, in fact, proceeded straight through the check point, driving over a cone, and forcing evasive action to be taken by the security guard at that point. It is clear in his explanation and version of events, that he was not interested in meeting with the COC, or any other individual, at that point as he "only attends meetings by appointment".

Through a subsequent version of events provided by Mr. Vic Rich, it was confirmed that it was he who had requested Leeroy to remove the motorcycle from the pits, and he further confirmed that Leeroy utilised one of his (Vic Rich's) vehicles. He confirmed that the vehicle used was carrying Monroe Racing branding.

The court found further that neither Monroe Racing, nor Adrenalin Powersport were the entrants for competitors Janine Mitchell and Savannah Woodward as neither entity is the holder of an MSA entrant's licence.

The court also heard contradicting versions regarding the nature of the engagement between the COC and head of security for Zwartkops Raceway, with Messrs Leeroy and Vic Rich. Whichever version may be accurate, the court would like to make the following suggestions:

***Zwartkops Raceway*** – a regular briefing with the security company employed to render security services, in terms of the type of engagement they enter into with competitors and spectators.

***The CoC on the day*** – A reminder to CoC's to engage with others in a non-confrontational manner and within the ambit of their powers afforded to them in terms of the motorsport regulations. Threats of disqualification, without a hearing, are simply unacceptable.

The court is not in position to impose any penalty whatsoever on Monroe Racing, Adrenaline Powersport the Zwartkops security company, nor Vic and Leeroy Rich directly as none of them hold an MSA licence.

However, the court would like to point out that, in terms of GCR 113 (xiv), a competitor at an event is responsible for the actions of all parties connected with his/her entry.

**COURT RULING**

The court imposes a collective R5 000 penalty on competitors Janine Mitchell and Savannah Woodward for a breach of GCR 172 (R5 000 in total, split R2500 each) as, unfortunately, the court finds both competitors guilty of bringing motorsport into disrepute, through the behaviour of their associates as envisaged in GCR 113(xiv).

The court finds the behavior of Leeroy Rich completely unacceptable as he, not once but twice, made his way through a security check point, despite being requested not to do so, and in the second instance, forcing a security guard to take evasive action. He continued to show absolutely no apologetic behavior, not in the immediate aftermath of the event, nor in his version of events in this hearing. The lack of respect shown to people employed by Zwartkops Raceway on the day to do a job, was nothing short of disappointing.

The court further finds it incredibly disappointing that this behavior has led to a fine being imposed on two motorcycle competitors who had absolutely no knowledge of, or played any part in, the altercation, but nevertheless finds the behavior of Leeroy unacceptable, and warranting of more than just a simple reprimand.

If the court could make a suggestion to the two competitors – it would be to remind their “team”, for lack of a better word, of the type of behavior that is expected of them on race days.

In closing, the court would like to express its disappointment in the attitudes displayed by all parties on the day, as well as during this hearing.

Motorsport is a sport that is made up of both paid individuals making a living, volunteers doing so for the love of the sport, and independent contractors paid to do a job. The court would like to remind all parties of this fact, and urge each of them to reflect on the role they played in ultimately setting off this matter into something far bigger than it actually needed to be.

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

These findings are distributed via email on 2<sup>nd</sup> August 2016 at 10:55am

**Ref. 160751/098**