



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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COURT OF ENQUIRY 1188

**MATTERS ARISING FROM THE 2016 ROOF OF AFRICA EVENT HELD FROM THE 30TH NOVEMBER –
3RD DECEMBER, WHICH INCLUDED ALLEGED ORGANISATIONAL DEFICIENCIES.
ENQUIRY HELD IN THE MSA BOARDROOM ON 20th Feb @ 16:15**

Present:	Eldrid Diedericks	-	Court President
	Iain Pepper	-	Court Member
	Louwrens Mahoney	-	Court Member
	Clint Rieper	-	Clerk of Course
	Peter Luck	-	Extreme Off Road Promotions (EORP)
	Justin Harris	-	Route Director EORP
	Mopeli Ntabe	-	Secretary of LORA
Apologies:	Likofsi Lemeke	-	Member of LORA
	Lindy Sutherland	-	Assistance Clerk of Course
	Neil McCann	-	Jury President
	Mike Kinnear	-	1st Jury Member
	Terri-Lee Young	-	2nd Jury Member
In Attendance:	Pieter Bekker	-	ER24 Medical Service provider
	Wayne Riddell	-	MSA Sporting Services Manager
	Carmen Hill	-	MSA Scribe

INTRODUCTION

The court members and attendees were all introduced and no objections were lodged against the composition of the court. It is to be noted by this court that Messer's Ntabe and Lemeke arrived 50 minutes late and were not present at the start of proceedings.

THE HEARING

On the 20th February 2017, Motorsport South Africa ("MSA") enrolled Court of Enquiry 1188 ("the Enquiry") to investigate matters arising from the 2016 Roof of Africa event held from the 30th November – 3rd December 2016:

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: Adv. G. T. Avvakoumides (Chairman), A. Scholtz (Chief Executive Officer), A. Taylor (Financial), P. du Toit, D. Easom, J. Fourie, G. Hall, A. Harri, M. Rowe, R. Schilling, Ms N. Singh, Ms M. Spurr
Honorary Presidents – Mrs B. Schoeman, T. Kilburn

MSA, after receiving a number of verbal complaints after the running of the 2016 Roof of Africa invited a structured process where written submissions were to be made. The combined complaints received via the various emails are these listed below.

1. Alleged organisational deficiencies which include:
 - a) Fuel
 - b) Riders briefing & registration
 - c) Water available to the competitors
 - d) Communication to the competitors
2. Route setting, marking and time bars
3. Safety for the competitors

This is the written judgement of Court of Enquiry 1188.

The hearing took place on 20 February 2017 between 16:00 and 18:30

Verbal evidence and submissions were received from parties present.

The court investigated each point:

1.a) Fuel

Competitors had to place fuel for both days in the demarcated areas. In total there were five refuel points, three for day one and two for day two.

Fuel was dispatched via dedicated vehicles to the designated areas where the fuel was offloaded by the drivers. As evidence lead by the route director Justin Harris, the fuel was placed on plastic sheeting.

This was confirmed by Mr Keke Malebo from LORA, as marshals were placed at the fuel stops.

No evidence could be found that the fuel containers were placed in any order. This did result in competitors struggling to find their fuel drums when arriving at the fuel stops. This could have resulted that competitors used other competitors' fuel.

1.b) Riders briefing & registration

Rider's registration did have some small administrative issues. This was mainly due to that inexperience of the staff used to man the registration tables.

1.c) Water available to the competitors

Water was made available to competitors, as a gesture of 'good will', for drinking purpose at refuel points. A total of 3000 litres of water was used for the event.

1.d) Communication to the competitors

The SR's stated that an electronic notice board would be used during this event.

2) Route setting, marking and time bars

As per the route director, Mr Justin Harris, the routes were planned and run in sections. Once the preliminary route was done the GPS co-ordinates will be used to map out the route. Fifty percent of the route was a new route for the event, the balance used in previous years.

3) Safety for the competitors

The court received very little evidence that the organisers had purposefully or erroneously acted in a manner that could be deemed to have been prejudicial to competitor safety.

FINDINGS

- 1.a) LORA, and the organisers of the event, Extreme Off Road Promotions, must place fuel in an orderly manner (SSR 345 e). The courts advice to the club and organisers, are that the fuel containers must be placed in numerical order. Fuel areas must be secured to prevent unauthorised persons into the area and be controlled as this was outside the DSP according to (SSR 344 C (v) and SSR 345). As the above did not happen as per the SSR, the club and organisers have failed in this regard.
- 1.b) The court does advise that an experienced race secretary must be at registration to assist with issues that may arise during registration. As per the CoC, riders briefing started late due to technical issues at the drivers briefing venue, Avani Maseru Hotel. Where possible, the sound systems must be tested well in advance to avoid technical issues that result in the riders briefing starting late. SSR 335.
- 1.c) The organisers and club cannot be held responsible for wastage of water by competitors where the competitors use it to cool down. The SSR's do not provide any rule where an organiser or club must provide water. SR 23 states that the riders need to have a minimum of 2 litres of water at the start of the event.
- 1.d) An electronic notice board, the court does take note that this might not have been the most effective way to communicate to riders. Some notices that were posted by the CoC could not be found. The CoC, Mr Clint Rieper, is hereby reminded that all changes to the SR's must be in writing (GCR 156)
2. With reference to SSR 323 d, the CoC may extend or amend time bars in final instruction or by an official notice. The court is not satisfied that this was done correctly. The court hereby reprimands the CoC whereby proper communication was not done.
3. The court is of the opinion that the route director erred and the wrong route was supplied to be used for this event. This lead to back logs (bottle necks) at sections of the route.

RULINGS

The court advises that the club and organisers that the Route director ensures that the route is correct. The route director admitted fault wherein the wrong route was supplied to be used SSR 340.

Mr Justin Harris admitted being at fault and for not getting all parts of the route ridden before the event, where the last part of the route was seen by Mr Justin Harris to be "an easy run home".

Mr Harris is forbidden to organising off-road routes for a period of 12 months starting from the date of publication. Furthermore, a fine of R50,000.00 is payable by Mr Justin Harris, for a gross negligence on his part. An amount of R45,000.00 will be suspended for a period of 5 years, starting from the date of publication. Should Mr Harris be found to be guilty again in the next 5 years, the suspended portion of the fine will come into immediate effect.

For future events organised by Lesotho Off Road Association or Extreme Off Road Promotions, the route must be checked in its totality prior to pre runs or publishing the route for the race.

MSA are advised to ensure all the checks and balances are in place prior to issuing a permit for this event.

The court awards a total cost of R8000.00. The distribution of cost is R2000.00 each to the CoC - Clint Rieper, and Race Director - Mr Justin Harris, Lesotho Off Road Association and Extreme Off Road Promotions.

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

These findings are distributed via email on 5 April 2017 at 21:00

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