



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF ENQUIRY 1225

HEARING HELD AT THE MSA OFFICE IN CAPE TOWN AT 18H00 ON 21st OCTOBER 2019

Present:	Steve Miller	-	Court President
	Andre Johnson	-	Court Member
	Lucas Royston	-	Competitor (Defendant)
	Malcolm Royston	-	Competitor's Father (Defendant)
	Joaquin de Oliveira	-	Competitor (Defendant)
	Lucille de Oliveira	-	Competitor's Mother (Defendant)
	David Walker	-	Vice-Chairman WPMC Karting Section
	Neva van der Merwe	-	Clerk of the Course
	Phil Herholdt	-	MSA Steward
	Daniel Simonis	-	Scrutineer
In attendance:	Lizelle van Rensburg	-	MSA Sport Coordinator

The President introduced the Court members.

No objections were raised over the composition of the Court.

1. EVIDENCE LED

The Court heard testimony from the officials and two of the three protagonists on the day.

It is common cause that the three parents of young karting competitors had a very public, loud and unseemly argument, apparently ignited by what was perceived to be (but not formally challenged) overly robust on-track behaviour between two of the parents' children.

All parties agree that the indecorous altercation continued in the presence of the Clerk of the Course, the Scrutineer, and the Steward on the day, and persisted despite instruction by said officials to desist.

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

It is equally clear that the disagreement had antecedent and aggravating inputs, inter alia but not limited to the following:

- This is patently not the first spat that these parents had engaged in;
- That previous unsavory verbal interactions between the parents were not fully resolved and that resentment between the parties still surfaced;
- That a letter sent to Mr. Royston (amongst others) by Club management with the ostensible intention of defusing tensions and ameliorating aggressive on-track behaviour had an unfortunately accusatory tone and content, and an inflammatory consequence;
- That incident hearings involving only one party appeared biased and prejudicial;
- And that perceived snubs and unproven accusations of prior on-track transgressions bubbled beneath the surface adding to the tension.

2. **FINDINGS**

The Court finds as follows:

- a) In the matter of the Defendants
 - i. There can be no doubt that the nature of the behaviour of Messrs. Royston and MacBeath and Ms. de Oliveira, the very public nature of their argument, the invective hurled, the duration of the altercation, their continued interaction despite attempts by officials to calm them, and the presence of impressionable children around them brought shame upon themselves and motor sport into disrepute.
 - ii. That currently their presence at the circuit is inflammatory.
 - iii. That they need a considerable period of time away from one another and from the racing circuit to introspect on their behaviour.
 - iv. That their children had little or nothing to do with the incident.

- b) In the matter of the Club
 - i. That despite their intentions to the contrary, the letters sent to “offenders” were prejudicial in nature, unnecessarily accusatory in tone, and served to ferment rather than assuage tensions.
 - ii. In the interests of fairness and transparency that senior Club officials may find it beneficial to engage individually with the parents to ascertain the nature, severity and accuracy of their underlying grievances.

- c) In the matter of the Officials
 - i. That the Clerk of Course should heed GCR156 xvii) which counsels them to “convey to the Stewards of the Meeting any breach of a rule by, or misbehaviour of a competitor and details of any penalty imposed”.
 - ii. That in terms of GCR 172, the Clerk of the Course should have imposed a penalty on the parents at the race meeting, such penalty to have been reviewed by the Stewards, if required.
 - iii. That the nature and severity of the incident warranted inclusion in the official report of the day’s proceedings to MSA, both by the Clerk of the Course and the Stewards.
 - iv. In accordance with GCR152 xxii), the Stewards should ensure that all interested parties in a hearing, of any nature, be present in future.

3. PENALTIES IMPOSED

The Court cannot state strongly enough its abhorrence of the adult behaviour in the presence of young competitors and the general public. The Court counsels the parents involved to give deep thought and consideration to their future conduct, understanding the nature and severity of penalties that will be applied if this behaviour is repeated.

The Court finds the three parents involved, Mr. MacBeath, Mr. Royston, and Ms. de Oliveira in egregious breach of GCR 172 iv) "Any proceeding or act prejudicial to the interests of MSA or motor sport generally shall be deemed a breach of the regulations and disciplinary action may be taken against offenders."

It therefore imposes the following penalty:

- a) Mr. Royston, Mr. MacBeath, and Ms. de Oliveira are banned from being present at the WPMC circuit for the first three local (club / regional) karting events in 2020. This preclusion includes practice and race days.
- b) Should any of these individuals ignore this instruction and attempt to attend a karting race meeting during the period of exclusion the Court recommends that the transgressor be banned from attending all karting events at the WPMC circuit for the entire year of 2020.
- c) There is no penalty imposed on the minor competitors themselves.

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

These findings are published via email on the 25th October 2019.

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