



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF APPEAL 434

HEARING HELD IN THE MSA BOARDROOM AT 18H00 ON 7th JUNE 2017

Present:	Jimi Smith	-	Court President
	Kevin de Wit	-	Court Member
	Neil Lobb	-	Court Member
	Mike Rowe	-	Appellant VW Motorsport
	Daniel Rowe	-	Competitor
	Tony Taylor	-	Clerk of Course
	Ian Scheckter	-	Driver Conduct Official
	Rick Andrews	-	MSA Steward
Apologies:	Robert Wolk	-	Competitor
In Attendance:	Wayne Riddell	-	MSA Sporting Services Manager
	Allison Atkinson	-	MSA Scribe

INTRODUCTION

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

THE HEARING

This appeal, lodged by Mr. Mike Rowe on behalf of Volkswagen Motorsport arises from a protest lodged by Robert Wolk during the National Extreme Festival Championship event held at East London on 20 April 2017.

It was stated that the rear view footage was not available from the Daniel Rowe car for the viewing by the DCO (Driver Conduct Officer) – Ian Scheckter. Mike was questioned as to why the camera footage was not available. He explained that his camera technician from Plan – C productions had left the circuit with all in car footage already, as they were on a tight deadline to produce an edited clip of the race event for social media.

Later on that same evening, Mike had seen more footage from another camera that they had in the car, which could constitute as rear facing footage due to the fact that the rear window is in full view of the footage. Nowhere in the regulations does it state in what position the rear facing camera footage should be. Mike continued to state that the regulations state that the series controllers were to supply a directive as to the exact placing of the rear camera but that this had never been done.

The DCO – Ian Scheckter stated that Mike was informed the same day there was a protest and they needed the footage. Mike informed the DCO that he did not have the footage as it had already left the circuit.

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,

Mike continued to state that no separate room where the Stewards and DCO can discuss the matter was available and he had overheard parts of the discussions. Robert was also present in the control room area while the findings were been discussed which should not be allowed.

The DCO stated that had Daniel produced the requested footage he would have been forced to view the remaining footage, which he incidentally did and was of the opinion that the footage supplied by Robert was not conclusive and that he would have ruled the whole situation as a racing incident in any case. He further stated that the camera rules from GTC need to be amended.

Mike stated that in the footage you can see Daniel's head going forward and back from been bumped from behind. The DCO and MSA Steward never requested to look at the footage.

The MSA Steward Mr. Rick Andrews stated that the GTC rules state if the footage cannot be produced, the competitor is automatically guilty.

The court president, Jimi Smith stated the protest only specifies driving conduct which is very vague and questioned the Steward and DCO as to why they never established what specific infringement Robert had protested. The steward stated that because the camera rule apportioning guilt, he felt that the protest was dealt with.

FINDINGS

The Court is of the opinion that the MSA Steward and DCO did not investigate the protest, as the protest was very vague from Mr. Wolk. The camera footage should have been viewed from Mr. Rowe and Mr. Wolk and a decision should still have been taken on the actual merits of the original protest instead of dispatching with the protest in the way they did.

The rules state that if no video footage is available the competitor will be guilty. This the court finds illogical as a camera infraction cannot simply apportion blame without the facts having been investigated first. The rules also do not state where the cameras should be mounted. The make and model should also be stipulated.

The time limit for the footage to be presented also needs to be specified. The Court hereby instructs the GTC controllers to re look and tidy up their rules. This should preferably be done by the next event.

The Court instructs Border Motorsport Club to make a room available on race days for the MSA Stewards to deliberate their findings in as documented in the GCR's.

The MSA Steward is reprimanded and should make himself au fait with the GCR handbook as it was clear to the court that he lacked experience in dealing with protests and the required procedures.

The three place penalty issued to Daniel Rowe is set aside and he is placed back in his original finishing position. The court instructs MSA to amend the points accordingly.

The court further instructs the GTC controller (in consultation with MSA) to find a more appropriate wording and sentence for transgressors around the camera rule.

Costs

The appeal fee is returned to the appellant, less court costs of R2500.00

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

These findings were distributed at 14:30 on the 19th June 2017

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