



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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MSA COURT OF ENQUIRY 1192

HEARING HELD AT MSA KZN OFFICE AT 18H00 ON 4 MAY 2017

Present	Mr. Neil McCann	-	Court President
	Dr. Derick de Beer	-	Court Member
	Mr. Richard Vaughan	-	Court Member
	Mr. David Hohls	-	Clerk of Course
	Mr. Brian Duckitt	-	MSA Steward
	Mrs. Stephanie Hohls	-	Race Secretary / Time Keeper
	Mr. Shane Papanicolaou	-	ALS Paramedic and CMC of event
	Mr. Garrith Jameson	-	Rescue Care Director
	Mr. Iain Maclean	-	Competitor (Witness)
In Attendance	Mrs. Leigh Dewar	-	MSA Scribe

INTRODUCTION

The Court President introduced the members and there was no objection to the composition of the court.

THE HEARING

On 4th May 2017 Motorsport South Africa ("MSA") enrolled Court of Enquiry 1192 ("the Enquiry") to investigate alleged breach of GCR 172 iv) following an incident that occurred during the 2017 KZN Regional Cross Country Car championship event at Estcourt on 25 March 2017

EVIDENCE RECEIVED

This is the written judgment of Court of Enquiry 1192. The enquiry took place on 4th May 2017 between approximately 17h00 and 18h00 at the MSA KZN offices.

All the documentation had been read by all in attendance. Mr Maclean asked that the minutes be amended to the fact that the officer concerned was indeed a municipal police officer and not RTI as previously stated.

The court heard from the CoC that he had received a report that a municipal police officer had been struck by a civilian car at a demarcated road crossing and that she may be in need of medical assistance. The CoC further reported that he believed that since it was a public incident that the organizers medical crew were not allowed to leave the race headquarters to render assistance and thus ordered them to stand down.

The court further heard that this action caused the farmer (land owner) to become agitated.

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), P. du Toit, D. Easom, J. Fourie, G. Hall, A. Harri, M. Rowe, R. Schilling, Ms N. Singh, Ms M. Spurr

The same general reporting was received and heard by the court from both competitor Ian Maclean and the Chief Medical Coordinator, Shane Papanicolaou.

FINDINGS

After careful and extended debate and deliberations the court has found as follows:-

1. The decision of the Clerk of the Course to not dispatch a medical vehicle to ascertain the extent of the injuries of the police officer is of concern and not in line with guidelines as set out in Appendix L Clauses 21.1 iii (b) and 15 vii, and GCR 156.
2. Documentation presented by the Clerk of the Course indicates that the event was going ahead without any police assistance at the road crossing. This is in contravention of the road traffic ordinance, (Ref: off road motorcycle SSR 341 4a).
3. Mr. Hohls CoC licence is withdrawn for a period of 2 years from the date of these findings, however, this sanction is suspended for a period of 3 years. For clarity, should Mr. Hohls be found guilty of a similar offence during the suspended period, his CoC licence will automatically be withdrawn for a 2 year period.
4. The court orders costs of R1500.00 to be levied on Mr Hohls.

All parties are reminded of their rights to appeal as per GCR 212.

These findings are distributed via email on 17th May 2017.

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