



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

[www.motorsport.co.za](http://www.motorsport.co.za)

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## COURT OF ENQUIRY

of

## MOTORSPORT SOUTH AFRICA

In re:

## MOTORSPORT SOUTH AFRICA COURT OF ENQUIRY NO 1286

Held virtually via Zoom on the 13<sup>th</sup> August 2025.

<b>Court composition:</b>	Mr. Steve Miller	Court President
	Mr. Neville Townsend	Court Member
	Mr. Michael Daniel	Court Member
<b>Attendance:</b>	John Pascoal	Respondent
	Lisa Pascoal	Entrant – Gianna Pascoal
	Gianna Pascoal	Competitor
	Mohamed Wally	Complainant and Entrant Muhammad Wally
	Muhammad Wally	Competitor
	Maysurah Wally	Mother of Muhammad Wally
	Mr Luan Oelofse	Clerk of Course
	Mr Ian Richards	MSA Steward
	Mr Barry Kapelus	Club Steward
	Ms Samantha Van Reenen	MSA Sporting Services Manager
	Mrs Allison Vogelsang	MSA Sporting Coordinator
	Mr Rashaad Monteiro	MSA Safeguarding Officer

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



**sport, arts & culture**  
Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

Directors: V. Maharaj (Chief Executive Officer), P. Zeelie (Financial),  
Mrs. D Abrahams, Ms. M. Spurr, Ms. K. Mohun, Ms. T. Human, Mrs. S Labuscagne Jonck, D. Ramchander, M. Rowe, G. Waberski,

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## JUDGEMENT

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### Introduction:

1. Motorsport South Africa ("**MSA**") convened a formal enquiry in terms of the provisions of GCR 154, 211, 220 and the MSA Safeguarding Policy based on reports submitted to MSA following an incident that occurred during the *Prize-giving* ceremony at the National ROK Karting Event, hold at Aldo Scribante Kart Circuit on the 28<sup>th</sup> June 2025, together with subsequent social media postings.
2. The enquiry was convened virtually at 18h00 on Wednesday, 13<sup>th</sup> August 2025, to investigate potential breaches of, *inter alia*, GCRs 172 iv), vi) and/or any part of the MSA Safeguarding Policy.

### The Procedure:

3. The Court President introduced the members of the Court. No objection to the composition of the Court were recorded.
4. The presence of the acting officials on race day was questioned. Mr. Mohamed Wally indicated that their presence was essential to corroborate the veracity of his description of events. This was duly noted by the Court.
5. Mrs. Lisa Pascoal, requested that her daughter, Competitor Gianna Pascoal, be excused from the proceedings given that she was not recorded, nor required as a respondent. The Court, acceded to this, but confirmed that as a competitor Gianna Pascoal ("**competitor Pascoal**") could be held accountable for the behaviour of her crew and family and thus liable for censure, and that her absence from the hearing would in no way negate that.

6. Mr. Mohamed Wally (***“the Complainant”***), outlined his grievances. The Court was specifically referred to the video and social media evidence previously provided, which was recorded by the Complainant at the prize-giving and disseminated shortly thereafter to the motorsport officials on the day. He also contended, that Mr. Johnny Pascoal (***“ the Respondent”***), had aspersions on competitor Muhammad Wally Junior’s (***“competitor Wally Junior”***) on-track behaviour. The Complainant argued that the actions of the Respondent were directed at his son, competitor Wally Junior (being a minor), breached MSA’s GCRs by bringing the sport into disrepute, running counter to the rules ensconced in the MSA Safeguarding Policy, and called for strong sanction of *inter alia* against the Respondent.
7. The Respondent was offered the right to rebuttal. He explained his behaviour in the context of previous interactions and altercations with the Wally Family, and incidents occurring both on and off-track on the day. He contended that his behaviour captured on video was not aimed at competitor Wally Junior, but rather intended solely for towards the Complainant. He asserted that his social media post suggesting that an individual had *“been schooled”*, and including the contextually derogatory term *“boy”* was work-related and in no way referred to competitor Wally Junior. He further contended that his social media post *“erasing”* the first position did not, in fact, delete competitor Wally Junior, as he had yet to ascend to the podium, and was meant to uplift his daughter by implying that she was the worthy recipient of first prize on the day.
8. Members of the Court requested clarification from the Respondent on some evidence and explanation, especially in regards as to why the intended recipient of the booing behaviour, the *“work-related”* nature of the social post, and the intent of and meaning behind the *“erasing”* the first position on the social media post.

9. The participants were excused and the Court adjourned to deliberate and adjudicate.

**Court Findings:**

10. The Respondent, publicly and audibly booed competitor Wally Junior. Whether the intention was to provoke the Complainant, or to express displeasure at competitor Wally Junior is moot. The Court finds that the behaviour had the intent to cause harm, was uttered publicly and at an official MSA-sanctioned event, was sufficiently loud to be heard and observed by competitor Wally Junior and other attendees at the prize-giving and could have caused embarrassment and hurt especially to a minor. These are necessary and sufficient grounds to rule that the conduct was prejudicial to both the Complainant and competitor Wally Junior.
11. In the absence of any detailed explanation, context or verifiable facts offered by the Respondent, it cannot accept the Respondent's repeated assertion that his social media post regarding the "*schooling*" of an individual was work related. The reasonable man would conclude rather that the content, timing and tone of the message related to the racing activity, the results and the personalities involved on the day.
12. The Respondent's claim that he did not erase competitor Wally Junior, from the picture on his social post to be factually correct. However, the Court cannot accept the Respondent's depiction of the social media post "*erasing*" the position where competitor Wally Junior was imminently to stand as being purely supportive of his daughter rather than intending to undermine competitor Wally Junior's achievement. The imputed meaning of the post, and the fact that it was shared on social media rather than only with his wife and daughter, was clearly to indicate that competitor Wally Junior, had not deserved to win on the day, or had done so somehow nefariously. This cannot be construed as anything else but negative commentary on competitor Wally Junior's achievement and/or conduct.

13. The Respondents' behaviour was in poor taste, showed intent and repeated lack of judgement, was public, and was prejudicial to competitor Wally Junior, a minor.
14. Competitor Pascoal should not be punished for the behaviour of her parent. The intent of any penalty should not be to exact retribution nor to extract competitive advantage but rather to influence and improve behaviour and thus the Court is not convinced that penalising competitor Pascoal would achieve this aim.

**Court Ruling:**

15. The Respondent's behaviour, both severally and conjointly breach MSA GCR 172 in being prejudicial to the image of MSA and the sport in general.
16. The Respondent's public booing meets the threshold of breaching the MSA Safeguarding Policy.

**Penalties Imposed:**

The Court accordingly imposes the following:

17. The Respondent is hereby ordered and required to pay a fine in the amount of Twenty Thousand Rand (R20,000.00) to MSA.
18. The Respondent is hereby and immediately banned from attending the next ROK National event in South Africa following the publishing of these findings.
19. The Respondent is subject to a six (6) calendar month suspension banning him from attending all MSA-sanctioned motorsport events from the date of the publishing of these findings. This suspension is itself suspended for a period of six (6) calendar months provided the Respondent, is not found guilty of any further breach of any of the MSA regulations.

20. The Respondent is to attend to a formal written apology for his behaviour, within 48 hours after publication of these findings. This will be sent by the Respondent to MSA and MSA will distribute same via the Karting facet management to all competitors.

**Court Notes:**

21. Matters involving the protection of minors calls for the exercise of an abundance of caution. The Court feels it necessary to err toward the protection of said minors. The Court also notes with concern the increasing frequency of complaints arising from incidents involving minors, particularly at karting events.
22. The Court believes that healthy competition should begin and end on the track. It cannot condone anti-social behaviour of any sort, whether provoked or not.
23. Equally, the Court views in a particularly poor light any behaviours or claims off-track that appear to have been contrived or magnified to create an unfair competitive advantage, or to artificially manipulate championship results. It tasks MSA to take note of this admonition, to monitor patterns of this behaviour that suggest that this motive may be at play, and to equally censure any guilty party for bringing motorsport into disrepute.
24. All participants are reminded of their rights in terms of the GCRs.

The date of this judgment is deemed to be 19 August 2025.