



MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

www.motorsport.co.za

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COURT OF ENQUIRY 1151 HEARING HELD IN THE MSA BOARDROOM ON 5th AUGUST 2015 AT 17H00

Present:	Wally Pappas	-	Court President
	Eldrid Diedricks	-	Court Member
	Kevin de Wit	-	Clerk of Course
	Dick Shuttle	-	MSA Steward
	Natasha Swartbooi	-	Mother of Tylan Swartbooi
	Neil Swartbooi	-	Father of Tylan Swartbooi
	Athol Jackson	-	Father of Shannon Jackson
	Debbie Jackson	-	Mother of Shannon Jackson
In Attendance:	Wayne Riddell	-	MSA Sporting Services Manager
	Allison Atkinson	-	MSA Scribe
Apologies:	Paddy Venske	-	Court Member

INTRODUCTION

The court members and attendees were introduced and no objections were lodged against the composition of the court. An apology was submitted that the third court member Paddy Venske was stuck in a traffic jam on the motorway and was unable to make the start of the court.

THE HEARING

This enquiry had been instituted by MSA following on from a report received by Mr Dick Shuttle, the MSA steward for the event in question. The report received from Mr Shuttle, stated that there was an alleged incident of verbal threats and abuse, by Mr Jackson towards the Swartbooi family in the pit area at the regional karting event held at Vereeniging on the 18th July 2015.

Evidence was led by both parties. Mrs Jackson submitted a statement stating reckless driving by competitor Tylan Swartbooi gave rise to the altercation. Video footage was viewed regarding these allegations.

Mrs Swartbooi submitted that she had cautioned Mr Jackson that her husband had a short temper and that he would not tolerate any outbursts to her son.

Both parties attempted to introduce what was perceived by the court as an ongoing feud between the families over a lengthy period of time. The court would not allow this evidence to be introduced.

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), M. du Toit, P du Toit, D. Easom, J. Fourie, G. Hall, M. Rowe, Ms N. Singh, T. Sipuka – Hon. President: T. Kilburn

FINDINGS

After viewing the video footage extensively and hearing all evidence presented by all parties, the court finds as follows:

1. Competitor Shannon Jackson is found guilty of crowding as per Karting regulations Section E Article 18 iv. Competitor Jackson is severely reprimanded for this and placed under observation for three race meetings.
2. As there seems to be numerous altercations between both families, the competitors licences are hereby both revoked for a period of not less than six months from date of these findings. This penalty imposed is however suspended for a period of one year from date of publication of these findings. ***Note: The net effect of this is that the suspension for six months will only come into effect should either of the families be found guilty of further altercations between each other or other families in the future , in line with GCR 172 iv.***
3. The Clerk of Course is reminded to act on the day by viewing video footage available to him and take appropriate action where necessary when on track incidents take place and not wait for families to react or initiate complaints. The COC is reprimanded for not taking action on the day.
4. Mr Jackson is hereby ordered to pay R1500.00 in costs to the Court for his part in the altercation.
5. Mr Swartbooi is hereby ordered to pay R1500.00 in costs to the Court for the manner in which he retaliated to the situation.
6. The court wishes to remind the parents of young competitors that the junior echelons of the sport are the grooming and proving grounds for future senior competition and this type of behaviour by the parents sets the wrong precedent for the youth to follow.

All parties are advised of their rights to Appeal to the National Court of Appeal subject to the successful application of GCR 212 B.

These findings distributed at 07:45 on 7th August 2015

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