



# MOTORSPORT SOUTH AFRICA NPC

Reg. No 1995/005605/08

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## COURT OF ENQUIRY 1150

### ENQUIRY HELD IN THE OFFICES OF MSA CAPE TOWN ON THE 8<sup>th</sup> JULY 2015 AT 18H00

|                   |                 |   |                           |
|-------------------|-----------------|---|---------------------------|
| <b>Present:</b>   | Tony Norton     | - | Court President           |
|                   | David Bolding   | - | Court Member              |
|                   | Jan Thorsen     | - | Clerk of the Course       |
|                   | Carol Wiltshire | - | MSA Steward               |
|                   | Theuns Erasmus  | - | Father of Competitor      |
|                   | Celeste Chatton | - | MSA Scribe                |
| <b>Apologies:</b> | Henry Bam       | - | Court Member              |
|                   | Kelby Bottoman  | - | Chief Medical Coordinator |

### INTRODUCTION

The court members were introduced, and all were notified that the third court member had tendered his apologies. The attendees were given the option for the court to be postponed or if all were in agreement the court would proceed with 2 court members. All agreed to proceed with the court and no objections were raised against the composition of the court

### THE HEARING

MSA has called for this Court of Enquiry, following on from the race report received from the CofC and MSA Steward about an incident of alleged abuse of an official at Zone 7's MX event on the 23<sup>rd</sup> May 2015.

Mr Erasmus explained to the court that he approached the CMO on the day of the event as he noticed that the medics had not strapped the competitor down onto the stretcher. This was brought to the attention of the medics while they were treating the patient, Mr Erasmus then repeated himself as the medics had ignored him. According to Mr Erasmus the medic then told him that they had not strapped the competitor down as the competitor was complaining of pain in his chest area and therefore requested to not be strapped down. Mr Erasmus continued questioning the medic to establish if the medic had erred in his duties by not strapping the competitor down or if the medic stood by his statement that it was not necessary as the competitor had requested not to be.

It was then alleged that the medic asked Mr Erasmus to move out of his way or he would slap him. The medic was not in attendance to confirm or deny this allegation. Then by self-admission Mr Erasmus proceeded to use foul language towards the medic and raised his hand to stop the medic from walking away. It was then that the CofC, Mr Thorsen became aware of the verbal altercation. He advised Mr Erasmus to walk away and to complete an incident report so that the correct channels were followed. The MSA Steward then advised that

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REPUBLIC OF 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

she had also advised Mr Erasmus to complete an incident report. As there were none available the CofC said he would e-mail one to the competitor's father, which he did. Neither MSA nor the officials or club received an incident report from the competitor.

### **FINDINGS**

After hearing all the evidence from the competitor and officials the court finds as follows:

1. Mr Erasmus Snr is found to be in breach of GCR 172 x
2. The competitor's licence of My Erasmus Jnr, is hereby cancelled for 6 events, this penalty is however suspended for 2 years from date of the publication of these findings. ***Note: The net effect of this is that the suspension for 2 years, will only take effect should the competitor and/or his family members and/or members of their pit crew be found guilty of a further infringement of GCR 172 during the next 24 month period.***

All parties are advised of their rights in terms of GCR 212 A.

These findings were distributed at 15h00 on the 10<sup>th</sup> July 2015.