



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT
SITTING TUESDAY 6TH OCTOBER 2015**

Tony Scott Andrews (Chairman)
Mike Harris
Ron McCabe

CASE No J2015/26 Appeal

This Appeal is brought by The Appellant, a minor competitor in the Honda Cadet Class of the 2015 S1 Championship. He had competed in a round of the Championship held at Rissington on 9th August this year.

The Appellant had been penalised by the Clerk of the Course for driving in a manner incompatible with general safety following an incident on track when it had been found that there had been contact between Kart Number 8 driven by the Appellant and Kart Number 6, 6 being immediately behind the leading kart numbered 5.

This decision was the subject of an Appeal to the Stewards of the event and they upheld the Clerk's decision as to both liability for the incident and also as to penalty. Notice of Intention to Appeal that decision was given and subsequently confirmed.

It is the Appellant's case that although the Stewards heard verbal evidence, including that of the Appellant, and viewed the recording made by the on-board camera fitted to the rear of kart 6, they had totally misinterpreted the "video" evidence.

The Court has today heard not only from the Appellant and two witnesses on his behalf (who, it seems, were standing some considerable distance from the incident) but also from an experienced official standing close by who brought it to the attention of the Clerk of the Course on the day in question. It is his opinion that there was contact between kart 8 and 6 and that it was this that caused 6 to collide with 5 taking karts 5 and 6 off the track and enabling 8 to pass them both to take the win.

The Stewards on the day considered a visible movement of the steering wheel of kart 8 towards kart 6, evident from the recording, to confirm the contact between the two karts and held 8 responsible for turning into 6.

In his evidence today the Appellant draws the Court's attention to the several previous contacts of 6 into the rear of 5 and is adamant that he did not of his own actions contact anybody, did not turn into kart 6, rather that 6 moved across in front of him causing the contact which then resulted in 6 taking 5 off the track. The movement of the steering wheel which played such a part in the Stewards' decision was as a result of that contact, not the cause of it.

This Court does not lightly dismiss the evidence of such an experienced official but does consider that his view of the movement described by the Appellant may not have been

entirely obvious to him from his vantage point and is content to accept that the recording does corroborate the evidence of the Appellant.

The Appeal is accordingly allowed, the Appeal fees are to be returned and the results are to be amended and published accordingly.

TONY SCOTT ANDREWS
CHAIRMAN