

From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT  
SITTING TUESDAY, 13<sup>th</sup> September**

**Tony Scott-Andrews  
Chris Mount  
Ian Watson**

**J2016/21**

**Jacob and Lea Hodson**

**Disciplinary**

This Disciplinary Hearing relates to applications for competition licences submitted to the MSA in March this year by Mr Jacob Hodson on behalf of himself and his father Mr Lea Hodson. Both Jacob and Lea Hodson appear before the Court today represented by Mr Jamie Champkin.

It is alleged by the MSA, represented by Miss Sarah Franklin, that each has breached the following MSA General Regulations:-

- C.1.1.3 Any fraudulent and/or otherwise dishonest act or proceeding in connection with an event and/or motorsport generally.
- C.1.1.8 Misbehaviour or unfair practice.
- H.33.1.1 This sets out competitors responsibilities
- H.24.1.5 Competition licence-holder's Indemnity and Undertaking (specifically standard of competence for an event)
- C.1.1.2(b) Any action having as its object the entry or participation in an event of a person who is not the holder of a licence appropriate to the event concerned.

The facts as presented to this Court are that Jacob Hodson is employed in his father's company and, father and son having raced Lotus cars some years before determined to go endurance racing together. A race car was sourced in Hungary, a truck, trailer and a motorhome were acquired together with all the necessary equipment and they went testing in Spain. Jacob was charged by his father for taking care of all relevant administrative affairs including making application to MSA for competition licences, the forms for which were completed by Jacob one being signed by his father.

The application forms produced to the court show that each had applied for an upgrade from a National B licence to International D. These applications were accompanied by result sheets to support the criteria for an upgrade. As there were insufficient result sheets to justify an upgrade a member of the MSA's licencing department telephoned Jacob Hodson when it was agreed that the application should be considered as an application for an International C and that further results would need to be produced. Further race results were duly sent by Jacob by e-mail to the MSA. Unfortunately there were still an insufficient number of satisfactory results such that, in an endeavour to assist the applicants, a search was made to see if any other relevant results could be found. The result of this exercise was that discrepancies were found between the results submitted to the MSA by Jacob Hodson and those shown on the TSL-Timing website. Of the eighteen results submitted, ten did not accord with those produced by TSL-Timing and two did not fully match.

This has given rise to the charge that Jacob Hodson and his father Lea have breached MSA General Regulations C.1.1.3 and C.1.1.8.

Jacob Hodson has explained to the Court that, doubtless because of the prevailing time constraints, he panicked when realising that the results submitted were insufficient for an upgrade and altered other results by inserting the names of himself and his father and submitting those to the MSA. He accepts the charges made against him. Lea Hodson says that he had no knowledge of his son's actions and does not accept the allegations made against him.

It would seem that although the issues arising from the fabricated results remained to be dealt with, the MSA confirmed that because of the time taken to investigate the results they could not immediately issue International D licences as requested but that National B licences could be issued. This was confirmed and agreed in a telephone conversation between the MSA Licensing Department and Jacob Hodson.

The evidence presented to the Court today on behalf of the MSA is that National B licences were sent by post to both Messrs. Jacob and Lea Hodson. As such the licences would state "National B" on their face and, being but National B licences, would not have the international start permission on their reverse. The procedure adopted by the MSA for preparing the licences and the checks put in place have been explained to the Court.

Mr. Lea Hodson states that on returning from Spain he found his licence within his accumulated post, that all documentation relating to their race entry was handed to and handled by Jacob and that he signed the licence only at or before signing-on at the event which they had entered. No note was taken by him of the fact that he had applied for an International D licence when the one he produced at the meeting was an International C as had been the agreed intention when the MSA first spoke with Jacob. Indeed, Jacob also produced a similar grade of licence. Such licences state "Race International C" on their face and contain the said start permission on their reverse.

Mr Jacob Hodson is adamant that the licences received from the MSA were of International C grade, that he has not caused them to be altered in any way and that no National B licences were ever received from the MSA.

The fact remains that these two licences were used to enable Jacob Hodson and his father to participate in two events, one at Silverstone the other a 24 hour race at Paul Ricard, for each of which a National B licence would have been unacceptable. The evidence given by the MSA is that the only grade of licence to which Jacob and his father would have been entitled was a National B.

As a result of the above in August the MSA wrote to each party requiring the return of their licences. It is said that it was at this point that Jacob admitted to his father that he had falsified the race results in order to obtain an the issue of licences to which neither was entitled. When the licences were returned the MSA it was seen that each licence did indeed bear wording consistent with a Race International C licence but also, upon closer inspection that only the face of each licence had been covered with a clear plastic film which Jacob explained he caused to be affixed to avoid them being scratched or damaged in some way.

The evidence before the Court is therefore quite contradictory. The MSA are entirely satisfied that only National B licences were dispatched and fees deducted of the correct amount and maintain that the licences have been altered. Both Jacob and his father state with equal certainty that they have

received only International C grade licences.

The degree of proof required by this Court to be established is what is more probable ie the balance of probability. The judicial Notes state that although some sporting or social stigma may accrue to persons found to have been in breach of the Regulations of a sporting body, it is not sufficient to justify the necessity of proof beyond reasonable doubt.

In this instance the Court finds the evidence given by the MSA convincing and is satisfied that what was dispatched were National B licences and that no other licences were issued to either Jacob or to his father. It must therefore follow that those licences were altered to show a higher grade. In view of the evidence given to the Court today and despite the absolute denial given by both Jacob and his father the Court can conclude only that the licences were altered by Jacob Hodson in breach of MSA General Regulation C.1.1.3.

Jacob would therefore have been aware that when entering the two International events neither he nor his father were entitled to do so. The Court accordingly finds Jacob Hodson to have breached MSA General Regulation C.1.1.2.(b)

In the circumstances it would seem appropriate that the results of those two races, namely the Britcar 24 Hour race at Silverstone and KNAF 's Hankook 24 Hour race at Paul Ricard should be amended accordingly by the exclusion of Messrs Hodson's entry. The Court therefore directs that they be removed from the results of the Silverstone race and that the MSA do liaise with KNAF with a view to achieving a similar result in their 24 hour race.

As to the penalty, the Court accepts Jacob's apology and gives him credit for accepting that he falsified the result sheets. The Court accepts also that his motive for these offences was that, having been given sole charge by his father of all matters relating to their race entries, he simply did not wish to let his father down. However understandable and laudable such a motive may have been, Jacob Hodson deliberately falsified race results in order to obtain the issue of competition licences to which there was no entitlement, having been issued with licences which were unacceptable for the events intended to be entered did cause the licences to be altered and then allowed those licences to be used to enter events for which he had no entitlement to enter and, further, enabled his father, unwittingly the Court finds, to do the same.

The Court considers these offences to be exceptionally grave and accordingly imposes a penalty of Disqualification upon Mr Jacob Hodson to take effect both Nationally and Internationally. Notification will be given to the FIA.

Mr Jacob Hodson is ordered to make a contribution toward the costs of this Court in the sum of One thousand pounds.

Charges against Mr Jacob Hodson of offences other than MSA General Regulations C.1.1.2(b), C.1.1.3 and C.1.1.8 are dismissed.

Finally, the Court finds that Mr Lea Hodson had no knowledge of nor any reason to have had any knowledge of the actions of his son Jacob and accordingly accepts his denial of all charges made against him.

A.Scott Andrews