



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT
SITTING TUESDAY 16TH MAY 2017**

**Guy Spollon (Chairman)
Christ Mount
Rob Kettleboro**

CASE No: J2017-03 Alfie Hodges

This Appeal comes before the National Court by way of an Eligibility Appeal. The father of Alfie Hodges, namely Robert Hodges, is the PG licence holder.

On 1st and 2nd April 2017 TVKC organised a series of kart races at PF International. At the end of Heat 2 it was alleged that:

1. Alfie Hodges was seen to push his kart, no 17, into the pit lane entrance where his mechanic collected him.
2. The bumper of kart no 17 had been knocked in.
3. The mechanic to Alfie Hodges was observed to reset the nose cone on kart no 17.

The matter was referred to the Stewards of the meeting who under U17.5.5 excluded Alfie Hodges from the meeting on the basis that the bumper of his kart had been intentionally reattached after the chequered flag.

By a notice of appeal "Fusion on behalf of Alfie Hodges" appeals to this Court "on the basis that 'the mechanic' as stated on the documents issued by the Stewards is not officially linked to the driver being penalised".

In a document dated 12th April 2017 Lisa Hodges on behalf of the Appellant states that:

1. There is no official documentation to support the claim that the individual who may have tampered with the kart was acting for the driver as his mechanic.
2. The video evidence was not shown to the driver and PG licence holder therefore making it impossible to verify if the individual was associated with the driver.

At the commencement of this Appeal an ex parte application was made by Mr Simon Blunt on behalf of the Motor Sports Association seeking to:

1. Intervene in the Appeal.
2. Make submissions on behalf of the MSA.
3. Provide CCTV footage.

The National Court refused the application not least on the basis that the Appellant had received no notice of the application and would not be in a position to respond to any submissions made on behalf of the MSA.

The Court noted that:

1. General Regulation H32 sets out the responsibilities of entrants and in particular at GR H32.1.6 where it is stated:

“an entrant shall furthermore ensure that a vehicle is maintained in an eligible and safe condition throughout the event or meeting”.

2. Before issuing the penalty the Stewards checked the camera CCTV footage from the pit lane entry and the scrutineering enclosure.
3. The Chief Scrutineer in his reports noted that:
 - (a) The individual in question, i.e. the mechanic, “was seen on numerous occasions on camera at the end of the heats, final and the practise on Saturday, tending to the kart and driver in question, showing he was familiar with the driver and kart plus he was wearing the team’s livery, suggesting to us he was the mechanic”.
 - (b) (We) “viewed the footage from many angles and found three positions that showed the driver pushing the kart to the end of (the) pit land and staying at the top waiting to be collected followed by the mechanic collecting the kart from the pit lane entry ... the mechanic is then seen pushing the kart from the rear, then stopping, moving to the front and tampering with the nose cone and then carrying on pushing the kart from the rear into Parc Ferme”.

From the documentation before the Court it is quite apparent that:

1. The nose of the Appellant’s kart was re-set after the chequered flag.
2. The individual who has been referred to as “the mechanic” was dressed in team livery and had been seen on numerous occasions during the weekend to tend to the Appellant’s kart.

3. The individual at (2) above was the party who reset the bumper of the Appellant's kart.

This Appeal is accordingly dismissed with an order of £500 costs.

GUY SPOLLON
CHAIRMAN